

# In the United States Court of Federal Claims

No. 12-209C

Filed: April 26, 2016

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HOUSING AUTHORITY OF THE COUNTY  
OF SANTA CLARA,

and

HOUSING AUTHORITY OF THE CITY OF  
SAN JOSE,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

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Rules of the United States Court of  
Federal Claims ("RCFC")  
15(a)(2) (Amended and  
Supplemental Pleadings).

**Carl A. S. Coan, III**, Coan & Lyons, Washington, D.C., Counsel for Plaintiffs.

**Jeffrey D. Klingman**, United States Department of Justice, Civil Division, Washington, D.C.,  
Counsel for the Government.

## MEMORANDUM OPINION AND FINAL ORDER REGARDING DAMAGES DUE FOR THE GOVERNMENT'S BREACH OF CONTRACT

**BRADEN**, *Judge*.

On February 25, 2016, the court issued a Memorandum Opinion And Order Granting Plaintiffs' Motion For Summary Judgment for breach of contract claims against the Government. *See Hous. Auth. of the Cty. of Santa Clara et al. v. United States*, 125 Fed. Cl. 557 (2016). Therein, pursuant to Rule 15(a)(2) of the Rules of the United States Court of Federal Claims, the court granted Plaintiffs leave to amend the March 30, 2012 Complaint to include breach of contract claims for 2013 and 2014, and ordered the parties to file a Joint Status Report on damages as to Count I and Count II within sixty days. *See id.* at 562 n.12, 569.

On March 30, 2016, Plaintiffs filed an Amended Complaint, adding breach of contract claims for 2013, 2014 and 2015 under Count II. Therein, Plaintiffs noted that the Government consented to the amending of Plaintiffs' March 30, 2012 Complaint to include a breach of contract claim for 2015.

On April 18, 2016, the Government filed an Answer.

On April 25, 2016, the parties filed a Joint Status Report regarding the damages due, pursuant to the method described in Exhibit C to the court's February 25, 2016 Memorandum Opinion And Order. Pursuant to the court's February 25, 2016 Memorandum Opinion And Order and the Joint Status Report, the Government is ordered to pay:

	<u>Count I</u>	<u>Count II</u>	<u><b>Total Amount Due for Counts I and II</b></u>
Santa Clara:	\$6,400,647	\$47,461,087	<b>\$53,861,734</b>
San Jose:	\$4,314,535	\$31,992,465	<b>\$36,307,000</b>

The Clerk of the court is directed to enter judgment accordingly.

**IT IS SO ORDERED.**

s/ Susan G. Braden  
**SUSAN G. BRADEN**  
**Judge**