

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Zalzar FZE) ASBCA No. 59340
)
Under Contract No.)
SDZ-OEF/OIF-06-011-08-006-08027)

APPEARANCE FOR THE APPELLANT: Mr. Zalzar Temiraliev
Director

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
CPT Vera A. Strelbel, JA
Erica S. Beardsley, Esq.
Trial Attorneys

ORDER OF DISMISSAL

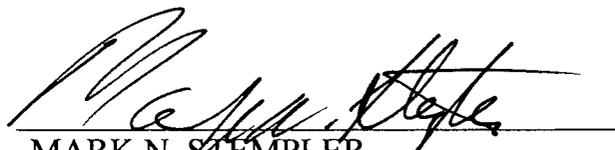
By notice of appeal dated 29 May 2014, appellant appealed from a 1 April 2014 email which appellant characterized as a “contracting officer’s final decision.” By letter dated 6 June 2014, appellant submitted an unopposed request to withdraw the appeal, along with two related appeals, “without prejudice to re-file appeals of these claims, if necessary, when the Contracting Officer has issued a Final Decision on each claim.”

In response to the Board’s request for further information, by Order dated 16 June 2014, appellant stated:

The Contracting Officer issued her final decision on this claim on June 10, 2014, and denied the request.... Zalzar intends to appeal the decision, but wishes to withdraw the current appeal without prejudice and resubmit an appeal to the Board within the 90 day appeal period....

The government having no objection to appellant’s request, this appeal is dismissed without prejudice to a timely appeal to the Board from the contracting officer’s final decision.

Dated: 10 July 2014


MARK N. STEMPLER
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Order of Dismissal of the Armed Services Board of Contract Appeals in ASBCA No. 59340, Appeal of Zalzar FZE, rendered in conformance with the Board's Charter.

Dated:

JEFFREY D. GARDIN
Recorder, Armed Services
Board of Contract Appeals