

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Zalzar FZE) ASBCA No. 59341
)
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. Strebel, JA
Erica S. Beardsley, Esq.
Trial Attorneys

ORDER OF DISMISSAL

By notice of appeal dated 29 May 2014, appellant appealed from a 23 May 2014 notice of non-default contract termination. 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:

Zalzar...confirms that it intends to withdraw [this appeal] without prejudice. Zalzar is in the process of filing a claim with the Contracting Officer concerning the termination and will request a final decision upon the receipt of which Zalzar intends to file a new notice of appeal with the Board....

The government having no objection to appellant's request, this appeal is dismissed without prejudice to a timely appeal to the Board from the denial or deemed denial of Zalzar's claim.

Dated: 10 July 2014


MARK N. STEMLER
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. 59341, Appeal of Zalzar FZE, rendered in conformance with the Board's Charter.

Dated:

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