

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -- )  
 )  
Environmental Chemical Corporation ) ASBCA No. 59914  
 )  
Under Contract No. FA8903-06-D-8511 )

APPEARANCE FOR THE APPELLANT: Kevin J. Kelly, Esq.  
Corporate Counsel

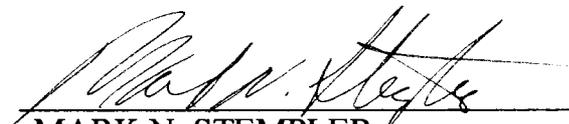
APPEARANCES FOR THE GOVERNMENT: Lt Col James H. Kennedy III, USAF  
Air Force Chief Trial Attorney  
Anna F. Kurtz, Esq.  
Behn K. Ayala, Esq.  
Trial Attorneys

ORDER OF DISMISSAL

By notice of appeal dated 6 April 2015, Environmental Chemical Corporation (appellant) appealed from an apparent contracting officer's final decision, dated 7 January 2015, denying appellant's \$936,973.30 claim. By letter dated 27 April 2015, appellant requested the Board to dismiss this appeal without prejudice, but offered no explanation for its request. By telephone on 28 April 2015, the parties explained that appellant's original claim submission, in response to which the final decision had been issued, was not certified. Therefore, appellant intends to withdraw this appeal and submit a certified claim to the contracting officer for decision.

The government having no objection to appellant's request, this appeal is dismissed without prejudice to appellant's submission of a claim to the contracting officer in accordance with the Contract Disputes Act, 41 U.S.C. § 7103.

Dated: 1 May 2015

  
MARK N. STEMLER  
Administrative Judge  
Acting 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. 59914, Appeal of Environmental Chemical Corporation, rendered in conformance with the Board's Charter.

Dated:

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