

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -- )  
 )  
American Boys Construction Company ) ASBCA No. 60996  
 )  
Under Contract No. W91B4N-13-C-8028 )

APPEARANCE FOR THE APPELLANT: Mr. Shams  
Attorney

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.  
Army Chief Trial Attorney  
MAJ Christopher M. Coy, JA  
Trial Attorney

ORDER OF DISMISSAL

This appeal was docketed on 17 January 2017. The government submitted a motion to dismiss the appeal alleging that appellant failed to submit a claim to a contracting officer for a decision. On 7 February 2017, the contracting officer contacted appellant and instructed it on how to file a claim. On 9 February 2017, appellant submitted a claim to the contracting officer. By Board Order dated 7 April 2017, the Board informed the parties that it intended to dismiss the appeal unless either party objected within 14 days of the date of the Order. The Board has not received an objection from either party.

Accordingly, this appeal is dismissed without prejudice to the contractor's appeal from a contracting officer's final decision on its claim.

Dated: 25 April 2017

  
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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. 60996, Appeal of American Boys Construction Company, rendered in conformance with the Board's Charter.

Dated:

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