

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -- )  
)  
Veteran Logistics and Retail Services ) ASBCA No. 61364  
)  
Under Contract No. N68171-16-P-0191 )

APPEARANCE FOR THE APPELLANT: Mr. Paul S. Kattah  
Owner/Manager

APPEARANCES FOR THE GOVERNMENT: Ronald J. Borro, Esq.  
Navy Chief Trial Attorney  
Robert L. Kois, Jr., Esq.  
Scott Miller, Esq.  
Trial Attorneys  
Naval Supply Systems Command  
Fleet Logistics Center Sigonella,  
Naples, Italy

ORDER OF DISMISSAL

On 8 October 2017, appellant filed a notice of appeal and a complaint seeking payment on a contract for procurement of various medical supplies. By correspondence dated 17 October 2017, appellant notified the Board that it had received payment.

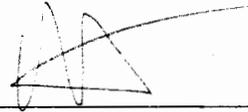
The government has moved to dismiss the appeal, asserting that the Board does not have jurisdiction because appellant had not filed a claim with a contracting officer before commencing this appeal.

By email dated 12 November 2017, appellant requested to withdraw the appeal because it had been paid.

By Order dated 14 November 2017, the Board informed the parties that it intended to issue this Order of Dismissal unless either party objected within 14 days of the date of this Order. Neither party objected.

The Board grants appellant's request to withdraw its appeal. In light of the withdrawal, the government's motion to dismiss for lack of jurisdiction is denied as moot.

Dated: 7 December 2017



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RICHARD SHACKLEFORD  
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. 61364, Appeal of Veteran Logistics and Retail Services, rendered in conformance with the Board's Charter.

Dated:

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