

ARMED SERVICES BOARD OF CONTRACT APPEALS

Application Under the Equal Access)
to Justice Act of --)
)
Atlas Sahil Construction Company) ASBCA No. 58951
)
Under Contract No. W919QA-10-C-0073)

APPEARANCES FOR THE APPELLANT: Domenic Senger-Schenck, Esq.
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APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
Evan C. Williams, Esq.
MAJ Raymond R. Adams, JA
MAJ James P. Leary, JA
Trial Attorneys

ORDER OF DISMISSAL

In this appeal under a construction contract, appellant sought recovery on its claim for convenience termination settlement costs. We sustained the appeal in part, and appellant submitted an application for fees and costs under the Equal Access to Justice Act, 5 U.S.C. § 504 (EAJA).

By notice dated May 23 2018, appellant withdrew its EAJA application, advising that the parties had entered into a settlement agreement and that the matters raised by the application were “fully and finally resolved.”

Accordingly, this appeal is hereby dismissed with prejudice.

Dated: June 4, 2018



ALEXANDER YOUNGER
Administrative Judge
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 on an application for fees and other expenses incurred in connection with ASBCA No. 58951, Appeal of Atlas Sahil Construction Company, rendered in accordance with 5 U.S.C. § 504.

Dated:

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