

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -- )  
 )  
DynCorp International LLC ) ASBCA No. 61735  
 )  
Under Contract No. FA8617-12-C-6208 )

APPEARANCES FOR THE APPELLANT: Gregory S. Jacobs, Esq.  
Erin L. Felix, Esq.  
Polsinelli PC  
Washington, DC

APPEARANCES FOR THE GOVERNMENT: Jeffrey P. Hildebrant, Esq.  
Air Force Deputy Chief Trial Attorney  
Col C. Taylor Smith, USAF  
Jason R. Smith, Esq.  
Trial Attorneys

OPINION BY ADMINISTRATIVE JUDGE THRASHER

By motion dated September 28, 2018, the government moves to dismiss the appeal as moot since the contracting officer rescinded its final decision dated May 11, 2018. The government states it "is no longer asserting the claim from which ASBCA No. 61735 arises." By letter dated October 3, 2018, appellant stated it does not object to the government's motion to dismiss. When a contracting officer rescinds a government claim and the final decision asserting that claim, the voluntary action moots the appeal, leaving the Board without jurisdiction to entertain the appeal any further. *URS Federal Support Services, Inc.*, ASBCA No. 60364, 17-1 BCA ¶ 36,587. Accordingly, the appeal is dismissed as moot.

Dated: October 9, 2018



JOHN J. THRASHER  
Administrative Judge  
Chairman  
Armed Services Board  
of Contract Appeals

(Signatures continued)

I concur



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J. REID PROUTY  
Administrative Judge  
Vice Chairman  
Armed Services Board  
of Contract Appeals

I concur



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CRAIG S. CLARKE  
Administrative Judge  
Acting Vice Chairman  
Armed Services Board  
of Contract Appeals

I certify that the foregoing is a true copy of the Opinion and Decision of the Armed Services Board of Contract Appeals in ASBCA No. 61735, Appeal of DynCorp International LLC, rendered in conformance with the Board's Charter.

Dated:

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