

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of - )  
 )  
 ) ASBCA No. 61359  
 )  
Under Contract No. W91B4M-09-C-7104 )

APPEARANCE FOR THE APPELLANT: [Redacted]  
President


APPEARANCES FOR THE GOVERNMENT: Scott N. Flesch, Esq.  
Army Chief Trial Attorney  
LTC Abraham L. Young, JA  
Trial Attorney

ORDER OF DISMISSAL

By Order dated September 27, 2021, the Board suspended proceedings in this appeal for one year because appellant ceased submitting the filings required by the Board's orders. We stated that unless we received communications from appellant during the suspension, the Board intended to dismiss this appeal without prejudice. During this time the Board has not received any further communications from appellant.

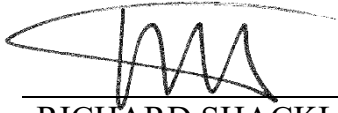
Accordingly, this appeal is hereby dismissed without prejudice pursuant to Board Rule 18. Unless either party or the Board acts to reinstate the appeal within one year from the date of this Order, the dismissal shall be deemed with prejudice, although if appellant can later demonstrate that it was unable to respond to the Board in the time given, it may seek to set the dismissal aside, and the Board will determine whether that relief is just and permissible under the circumstances.

Dated: November 14, 2022

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

(Signatures continued)

I concur



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RICHARD SHACKLEFORD  
Administrative Judge  
Vice Chairman  
Armed Services Board  
of Contract Appeals

I concur

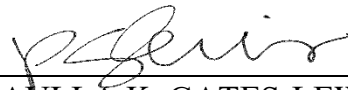


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J. REID PROUTY  
Administrative Judge  
Vice Chairman  
Armed Services Board  
of Contract Appeals

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. 61359, Appeal of [REDACTED], rendered in conformance with the Board's Charter.

Dated: November 15, 2022



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PAULLA K. GATES-LEWIS  
Recorder, Armed Services  
Board of Contract Appeals