

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
John C. Grimberg Company, Inc.) ASBCA No. 59543
)
Under Contract No. W912DR-11-C-0023)

APPEARANCE FOR THE APPELLANT: Edward J. Parrott, Esq.
Watt, Tieder, Hoffar & Fitzgerald, L.L.P.
McLean, VA

APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.
Engineer Chief Trial Attorney
Richard P. White, Esq.
Martin Chu, Esq.
Engineer Trial Attorneys
U.S. Army Engineer District, Baltimore

ORDER OF DISMISSAL

By notice of appeal dated 8 September 2014, appellant appealed from an 11 June 2014 contracting officer's decision denying a 15 October 2013 non-monetary claim. By letter dated 10 November 2014, the government filed a motion to dismiss this appeal because appellant's claim failed to state a sum certain. The parties subsequently filed a 19 December 2014 Stipulation of Dismissal without Prejudice, representing that appellant has submitted a 12 December 2014 monetary claim to the contracting officer. Accordingly, the Board dismisses this appeal without prejudice to the timely appeal from the denial, or deemed denial, of appellant's monetary claim.

Dated: 22 December 2014


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. 59543, Appeal of John C. Grimberg Company, Inc., rendered in conformance with the Board's Charter.

Dated:

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