

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -- )  
LDV, Inc. ) ASBCA No. 58840  
Under Contract No. W912QR-05-C-0018 )

APPEARANCE FOR THE APPELLANT: John C. Ross, Esq.  
Harpst Ross, Ltd.  
Uniontown, OH

APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.  
Engineer Chief Trial Attorney  
Carlton A. Arnold, Esq.  
Engineer Trial Attorney  
U.S. Army Engineer District, Louisville

ORDER OF DISMISSAL FOR FAILURE TO PROSECUTE

By order dated 5 October 2015, appellant was ordered to either respond to the government's proposed hearing schedule or show cause why the appeal should not be dismissed for failure to prosecute within 21 days of the date of the order. Appellant received the show cause order on 9 October 2015, but has not responded. Appellant likewise had failed to respond to earlier Board orders. Accordingly, the above appeal is dismissed with prejudice under Board Rule 17.

Dated: 4 November 2015

  
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MARK N. STEMLER  
Administrative Judge  
Acting 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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DIANA S. DICKINSON  
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 in ASBCA No. 58840, Appeal of LDV, Inc., rendered in conformance with the Board's Charter.

Dated:

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