

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -)
)
Straub Construction, Inc.) ASBCA No. 62415
)
Under Contract No. N62473-16-C-4602)

APPEARANCE FOR THE APPELLANT: Richard J. Pinto, Esq.
Marks, Golia & Pinto, LLP
San Diego, CA

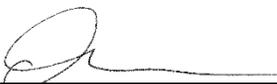
APPEARANCES FOR THE GOVERNMENT: Craig D. Jensen, Esq.
Navy Chief Trial Attorney
Anthony Hicks, Esq.
Trial Attorney

ORDER OF PARTIAL DISMISSAL

By letter dated December 10, 2019, Straub Construction, Inc. (appellant) filed a claim with the government requesting time extensions and monetary relief under the above-captioned contract. A portion of the costs included in that claim (\$390,294) represented a sponsored subcontractor delay claim on behalf of HPS Mechanical (HPS). The government failed to issue a decision on the appellant's claim in its entirety and this appeal ensued.

On February 15, 2022, appellant advised the Board that it was withdrawing its sponsorship of the HPS claim and requested that this portion of its appeal be dismissed with prejudice. By letter dated March 21, 2022, the Navy interposed no objection to the dismissal of the above-mentioned portion of the claim and complaint in this appeal. Accordingly, the portion of the appeal relating to the HPS sponsored subcontractor claim is dismissed with prejudice.

Dated: March 30, 2022



OWEN C. WILSON
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I certify that the foregoing is a true copy of the Order of Partial Dismissal of the Armed Services Board of Contract Appeals in ASBCA No. 62415, Appeal of Straub Construction, Inc., rendered in conformance with the Board's Charter.

Dated: March 30, 2022



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