

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of --)
)
Nauset Construction Corporation) ASBCA Nos. 61673, 61674, 61675
)
Under Contract No. W912SV-13-C-007)

APPEARANCES FOR THE APPELLANT: John J. McNamara, Esq.
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APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
Harry M. Parent III, Esq.
MAJ Felix S. Mason, JA
Trial Attorneys

ORDER OF PARTIAL DISMISSAL

The Board is in receipt of the parties' joint request dated April 22, 2019, which combined with our discussion in the April 19, 2019 conference call and the text of the proposed order submitted by the parties, we construe as a request to dismiss with prejudice part of appellant's appeal in ASBCA No. 61675. Specifically, appellant wishes to withdraw the portion of its appeal of its claim no. 2 in ASBCA No. 61675 related to payment application 35 and payment application 36, which are located in the Rule 4 file, tab 200, 33-44, and tab 200, 46-103, respectively. The parties' request is GRANTED. The portion of the appeal of the claim described above is dismissed from the Board's docket with prejudice.

Dated: May 3, 2019



LIS B. YOUNG
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 Nos. 61673, 61674, 61675, Appeals of Nauset Construction Corporation, rendered in conformance with the Board's Charter.

Dated:

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