

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -)
)
Industrial Fabrication Resources, Inc.) ASBCA No. 64200
)
Under Contract No. W912QR-22-P-0099)

APPEARANCE FOR THE APPELLANT: Mr. Chris Garner

APPEARANCES FOR THE GOVERNMENT: Michael P. Goodman, Esq.
Engineer Chief Trial Attorney
James M. Inman, Esq.
Trial Attorney
U.S. Army Engineer District, Louisville

ORDER OF DISMISSAL

By email dated June 17, 2025, appellant filed a notice of appeal with the Board, attaching a description of its alleged dispute with the government. The cover email came from Mr. Chris Garner at cagarner72@icloud.com, but did not identify Mr. Garner's position in appellant's company. The attachment included a mailing address and telephone number for appellant, as well as an email address of Race207@aol.com. It did not identify a person appellant intended to serve as its representative in the appeal and was not signed by any individual.

By Orders dated June 24, 2025 and July 17, 2025, the Board directed appellant to show that it is represented by a corporate officer or attorney who meets the criteria of Board Rule 15(a), or to designate a person who meets the Rule 15(a) criteria as its representative. The Board sent the Orders to cagarner72@icloud.com, the email address used to file appellant's June 17, 2025 notice of appeal. Appellant did not respond to either Order. The government filed a motion to dismiss the appeal on August 8, 2025; appellant did not respond to that motion.


By Show Cause Order dated August 12, 2025, sent to cagarner72@icloud.com, the Board informed appellant that if it did not show that it is represented in this appeal by a person meeting the requirements of Board Rule 15(a), the Board intended to dismiss the appeal with no further notice to the parties. Appellant did not respond to the August 12, 2025 Show Cause Order. Appellant also did not respond to a voicemail left by a Board representative at the telephone number listed in the attachment to Mr. Garner's email.

On August 28, 2025, the Board sent another Show Cause Order to appellant, this time to both Mr. Garner's email address and the email address appearing in the attachment, Race207@aol.com. That Order advised appellant that if it failed to respond

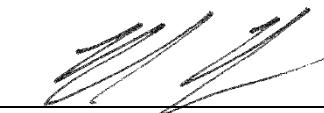
by September 11, 2025, the Board would dismiss this appeal for appellant's failure to meet the requirements of Board Rule 15. Appellant did not respond to the August 28, 2025 Show Cause Order.

A representative meeting the requirements of Board Rule 15(a) never entered a notice of appearance in this appeal. In the absence of a representative meeting the requirements of Rule 15(a), the Board is unable to proceed. Accordingly, the appeal is dismissed. *Nanka Constr. Co.*, ASBCA No. 63916, 2025 WL 1064751 (March 12, 2025) (dismissing appeal after appellant did not respond to multiple Board Orders on compliance with Board Rule 15(a)); *Cent. Mach. Specialties*, ASBCA No. 62635, 2021 WL 2408207 (May 26, 2021) (same).


Dated: September 22, 2025


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

I concur



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

I concur


MICHAEL N. O'CONNELL
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. 64200, Appeal of Industrial Fabrication Resources, Inc., rendered in conformance with the Board's Charter.

Dated: September 22, 2025


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