

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeals of --)
)
Ameresco Select, Inc.) ASBCA Nos. 59638, 60136, 60526
)
Under Contract No. DE-AM36-98GO100351)
D.O. No. N62583-10-F-0315)

APPEARANCES FOR THE APPELLANT: James D. Bachman, Esq.
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APPEARANCES FOR THE GOVERNMENT: Ronald J. Borro, Esq.
Navy Chief Trial Attorney
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Senior Trial Attorneys

ORDER OF PARTIAL DISMISSAL

Based on evidence developed during discovery, appellant seeks to withdraw Count II of its complaint associated with construction of a temporary meteorological tower and related 12-month collection of wind data. It seeks dismissal of the Count with prejudice. The government consents to dismissal with prejudice of Count II. Appellant's motion to dismiss Count II is GRANTED and Count II of the complaint is hereby dismissed with prejudice.

Dated: 12 September 2017


TERRENCE S. HARTMAN
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. 59638, 60136, 60526, Appeals of Ameresco Select, Inc., rendered in conformance with the Board's Charter.

Dated:

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