

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Better Built Construction Services Inc.) ASBCA No. 60272
)
Under Contract No. W912DQ-10-D-4006)

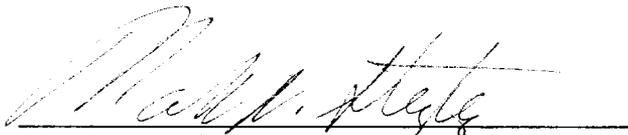
APPEARANCE FOR THE APPELLANT: Jeffrey M. Gallant, Esq.
Clark Hill PLC
Detroit, MI

APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.
Engineer Chief Trial Attorney
David F. Innis, Esq.
Engineer Trial Attorney
U.S. Army Engineer District, Kansas City

ORDER OF DISMISSAL

On 7 October 2015, appellant appealed from a purported 14 July 2015 contracting officer's final decision. In its notice of appeal, appellant indicated that its request for equitable adjustment, from which the final decision was issued, was not a claim. On 28 October 2015, the contracting officer withdrew her 14 July 2015 decision, agreeing with appellant that it did not submit a claim. On 29 October 2015, appellant requested the Board to dismiss this appeal without prejudice. The government having no objection to appellant's request, this appeal is dismissed without prejudice.

Dated: 5 November 2015


MARK N. STEMPLER
Administrative Judge
Acting 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. 60272, Appeal of Better Built Construction Services Inc., rendered in conformance with the Board's Charter.

Dated:

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