

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Dawson-Alamo1 JV, LLC) ASBCA No. 60177
)
Under Contract No. FA3047-10-D-0012)

APPEARANCES FOR THE APPELLANT: Johnathan M. Bailey, Esq.
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APPEARANCES FOR THE GOVERNMENT: Col Matthew J. Mulbarger, USAF
Air Force Chief Trial Attorney
Gregory A. Harding, Esq.
Heather M. Mandelkehr, Esq.
Trial Attorneys

ORDER OF DISMISSAL

The government moved to dismiss this deemed denial appeal, alleging that appellant's defective and uncorrectable claim certification deprived the Board of jurisdiction over this appeal. Appellant subsequently moved to dismiss the appeal without prejudice, alleging that it is resubmitting its claim, with a revised certification that addresses the government's arguments raised in its motion, to the contracting officer for a decision. The government does not object to appellant's motion. Accordingly, this appeal is dismissed without prejudice.

Dated: 30 March 2016


MARK N. STEMLER
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. 60177, Appeal of Dawson-Alamo 1 JV, LLC, rendered in conformance with the Board's Charter.

Dated:

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