

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of - )  
 )  
Paragon Defense Solutions, Inc. ) ASBCA No. 64312  
 )  
Under Contract No. SPE7L3-22-P-6059 )

APPEARANCE FOR THE APPELLANT: Mr. Weiwei Jian  
President

APPEARANCES FOR THE GOVERNMENT: Steven M. Sosko, Esq.  
DLA Chief Trial Attorney  
John J. Pritchard, Esq.  
Adam J. Heer, Esq.  
Julie K. Phillips, Esq.  
Trial Attorneys  
DLA Land and Maritime  
Columbus, OH

OPINION BY ADMINISTRATIVE JUDGE MCILMAIL  
ON APPELLANT’S MOTION FOR RECONSIDERATION

Appellant requests reconsideration of our recent decision denying its Board Rule 12.2 appeal; we held that because appellant failed to deliver 118 propeller shafts by the April 10, 2023 date set by the government’s unilateral purchase order (as modified by the government’s unilaterally issued Modification No. 1<sup>1</sup>), or at all, no completed purchase and sale contract for those propeller shafts came into existence. *See Paragon Defense Sols., Inc.*, ASBCA No. 64312, 26-1 BCA ¶ 38,955 at 189,632. Motions for reconsideration do not afford litigants the opportunity to take a “second bite at the apple,” or to advance arguments that properly should have been presented in an earlier proceeding. *Avant Assessment, LLC*, ASBCA No. 58867, 15-1 BCA ¶ 36,137 at 176,384. At bottom, Paragon reargues the case it made before we issued our decision, with a notable change: having originally characterized Modification No. 1 as unilaterally issued by the government, appellant now, in support of its position that the parties entered a contract, characterizes that unilateral modification as

---

<sup>1</sup> R4, tab 13 at 149-50.

bilateral, even though appellant did not sign that modification.<sup>2</sup> The reconsideration stage is too late for appellant to switch gears like that.

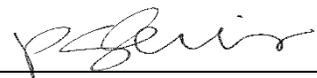
The motion for reconsideration is denied.

Dated: February 26, 2026

  
\_\_\_\_\_  
TIMOTHY P. MCILMAIL  
Administrative Judge  
Armed Services Board  
of Contract Appeals

I certify that the foregoing is a true copy of the Opinion and Decision of the Armed Services Board of Contract Appeals in ASBCA No. 64312, Appeal of Paragon Defense Solutions, rendered in conformance with the Board's Charter.

Dated: February 27, 2026

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

---

<sup>2</sup> R4, tab 13 at 149; *compare* app. br. at 2 ¶ 3, 3 ¶ 1 with mot. at 3 ¶ B, 5.