

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Hwasan Engineering & Construction Co., Ltd.) ASBCA No. 62077
)
Under Contract No. W912UM-17-C-0047)

APPEARANCE FOR THE APPELLANT: Song Yong Eui, Esq.
Central IP & Law
Seoul, Korea

APPEARANCES FOR THE GOVERNMENT: Michael P. Goodman, Esq.
Engineer Chief Trial Attorney
Paul L. Huhtanen, Esq.
Engineer Trial Attorney
U.S. Army Engineer District, Far East
Seoul, Korea

ORDER OF DISMISSAL

Appellant filed its notice of appeal on May 23, 2019. The government moved to dismiss the appeal for lack of jurisdiction, alleging that appellant submitted its claim to the contracting officer on May 10, 2019, and that this appeal is premature. In response, appellant stated that it is amenable to dismissal without prejudice and that the government is in agreement.

By Order dated July 1, 2019, the Board advised the parties that the appeal would be dismissed without prejudice unless either party objected within 14 days of the Order. Neither party objected.

Accordingly, this appeal is dismissed from the Board's docket without prejudice.

Dated: August 1, 2019



RICHARD SHACKLEFORD
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. 62077, Appeal of Hwasan Engineering & Construction Co., Ltd., rendered in conformance with the Board's Charter.

Dated:

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