

ARMED SERVICES BOARD OF CONTRACT APPEALS'

Appeal of --)
Better Built + Clark, LLC) ASBCA No. 60305
Under Contract No. N40083-10-C-0021)

APPEARANCE FOR THE APPELLANT: R. Edward Boucher, Esq.
Kotz Sangster Wysocki P.C.
Detroit, MI

APPEARANCES FOR THE GOVERNMENT: Craig D. Jensen, Esq.
Navy Chief Trial Attorney
Timothy J. Cothrel, Esq.
Trial Attorney

ORDER OF DISMISSAL WITHOUT PREJUDICE

Appellant appealed the decision of the contracting officer denying its claim for additional costs associated with electrical work related to construction of an Armed Forces Reserve Center, Akron, Ohio. The parties agreed to a settlement, however, the settlement amount of \$165,000 has not been paid. The parties jointly request that the Board dismiss without prejudice pursuant to Board Rule 18(b) pending payment of the agreed upon settlement amount. Accordingly, the above-referenced appeal is hereby dismissed without prejudice. Unless either party or the Board acts within 180 days from the date of this Order to reinstate this appeal, the dismissal shall be deemed with prejudice.

Dated: August 15, 2019


CRAIG S. CLARKE
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 No. 60305, Appeal of Better Built + Clark, LLC, rendered in conformance with the Board's Charter.

Dated:

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