

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
The Clement Group, LLC) ASBCA No. 61238
)
Under Contract No. W91278-11-D-0029)

APPEARANCES FOR THE APPELLANT: Larry S. Logsdon, Esq.
Cecil H. Macoy, Jr., Esq.
Wallace, Jordan, Ratliff & Brandt, LLC
Birmingham, AL

APPEARANCES FOR THE GOVERNMENT: Thomas H. Gourlay, Jr., Esq.
Engineer Chief Trial Attorney
Susan K. Weston, Esq.
Engineer Trial Attorney
U.S. Army Engineer District, Wilmington

ORDER OF DISMISSAL

By letter dated 30 June 2017, appellant filed a notice of appeal with the Board. The notice of appeal stated that appellant was appealing a contracting officer's final decision, dated 7 April 2017, which denied appellant's claim in the amount of \$134,255. By letter dated 10 August 2017, the parties jointly moved to dismiss this appeal without prejudice, indicating that appellant's original submission was not certified as required by the Contract Disputes Act (CDA), and that the contracting officer's response to that submission did not set forth appellant's appeal rights. The parties further indicated that appellant would be submitting additional costs and information to the contracting officer, along with a CDA certification, for the contracting officer's consideration in accordance with the CDA.

In view of the foregoing, this appeal is dismissed from the Board's docket without prejudice to the contractor's submission of a claim to the contracting officer.

Dated: 16 August 2017



JOHN J. THRASHER
Administrative Judge
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. 61238, Appeal of The Clement Group, LLC, rendered in conformance with the Board's Charter.

Dated:

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