

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of - )  
)  
Exceed Resources, Inc. ) ASBCA No. 61652  
)  
Under Contract No. NNJ15RA22B )

APPEARANCE FOR THE APPELLANT: Mr. Celsius Rebello  
Director Government Services

APPEARANCES FOR THE GOVERNMENT: Scott W. Barber, Esq.  
NASA Chief Trial Attorney  
Warnecke Miller, Esq.  
Vincent A. Salgado, Esq.  
Trial Attorneys  
NASA Headquarters  
Washington, DC

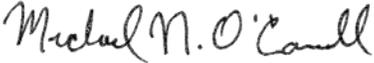
ORDER OF DISMISSAL

On June 12, 2020, the Board granted respondent summary judgment with respect to appellant's claim for \$2,490,251 in lost profits on the above referenced contract. On November 2, 2020, the Board denied appellant's motion for reconsideration. Those decisions are the Board's final determination on the lost profits issue.

In a motion filed on February 5, 2021, appellant notified the Board that it wished to withdraw the claims that remained pending after the Board's decisions on the motions referenced above. Appellant has further explained this request in subsequent emails to the Board, including those on February 11 and 17, 2021. In summary, appellant states that five claims remain pending before the Board and it wishes to withdraw all five. The Board grants this request.

Accordingly, nothing remains for the Board to adjudicate and the appeal is dismissed from the Board's docket with prejudice.

Dated: February 22, 2021

  
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MICHAEL N. O'CONNELL  
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. 61652, Appeal of Exceed Resources, Inc., rendered in conformance with the Board's Charter.

Dated: February 23, 2021



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