

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Sygnetics, Inc.) ASBCA No. 60357
)
Under Contract No. W78V8H-04-D-0066)

APPEARANCE FOR THE APPELLANT: Daniel C. McAuliffe, Esq.
Whitcomb, Selinsky, McAuliffe, PC
Denver, CO

APPEARANCES FOR THE GOVERNMENT: Arthur M. Taylor, Esq.
DCMA Deputy Chief Trial Attorney
Stephen M. Wilson, Esq.
Trial Attorney
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Carson, CA

OPINION BY ADMINISTRATIVE JUDGE THRASHER

Pursuant to a settlement agreement, the contracting officer's final decision from which this appeal was taken has been withdrawn. The parties have jointly requested that the appeal be dismissed without prejudice. When a contracting officer unequivocally rescinds a government claim, the government's action moots the appeal, leaving the Board without jurisdiction to entertain the appeal further. *Combat Support Associates*, ASBCA Nos. 58945, 58946, 16-1 BCA ¶ 36,288 at 176,973; *L-3 Communications Integrated Systems, L.P.*, ASBCA Nos. 60431, 60432, 16-1 BCA ¶ 36,362 at 177,253. Accordingly, the appeal is dismissed as moot.

Dated: September 24, 2018



JOHN J. THRASHER
Administrative Judge
Chairman
Armed Services Board
of Contract Appeals

(Signatures continued)

I concur



RICHARD SHACKLEFORD
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I concur



J. REID PROUTY
Administrative Judge
Vice Chairman
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. 60357, Appeal of Sygnetics, Inc., rendered in conformance with the Board's Charter.

Dated:

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