

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Global Energy U.S.-DLA Acquisitions LLC) ASBCA No. 59996
)
Under Contract No. SP0600-14-D-9402)

APPEARANCES FOR THE APPELLANT: Ronald H. Uscher, Esq.
Peckar & Abramson, P.C.
Washington, DC

Mr. Anslem N. Gbemudu

APPEARANCES FOR THE GOVERNMENT: Daniel K. Poling, Esq.
DLA Chief Trial Attorney
Jared M. Miller, Esq.
Marit D. Bank, Esq.
Trial Attorneys
DLA Energy
Fort Belvoir, VA

ORDER OF DISMISSAL

By letter dated 21 May 2015, Ronald H. Uscher, Esq., filed a notice of appeal on behalf of Global Energy U.S.-DLA Acquisitions LLC (appellant) from a contracting officer's decision terminating CLIN 0001 of the referenced contract for cause and designated himself as appellant's representative. The contracting officer's decision was addressed to "Mr. Anslem N. Gbemudu (Chief) CHAIRMAN/CHIEF EXECUTIVE OFFICER." By email dated 30 June 2015, Mr. Gbemudu represented to the Board that he was no longer affiliated with appellant. By letter dated 1 July 2015, Mr. Uscher withdrew as counsel and designated Mr. Anslem N. Gbemudu as appellant's representative.

By order dated 3 August 2015, the Board directed appellant to indicate who shall be representing appellant in this appeal and show that the person meets the criteria of Board Rule 15(a). The order was addressed to Mr. Uscher, and Mr. Gbemudu was copied.¹ By order dated 10 September 2015, the Board directed Mr. Gbemudu by email to clarify whether he was a corporate officer of appellant; Mr. Uscher was copied on the order. The Board received no written response to either

¹ Mr. Gbemudu's copy was returned undeliverable.

order.² By order dated 8 October 2015, the Board requested Mr. Uscher to provide the name and contact information of a representative for appellant meeting the criteria of Board Rule 15(a) by no later than 22 October 2015. By letter dated 27 October 2015, Mr. Uscher informed the Board that he is “unaware of the identity of Appellant’s representative.”

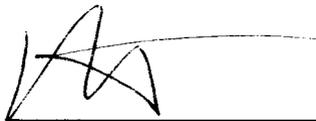
Since the Board cannot proceed without a representative meeting the requirements of Board Rule 15(a), this appeal is dismissed.

Dated: 10 November 2015



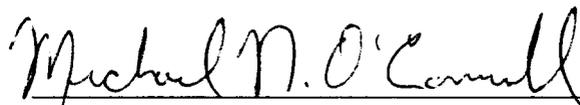
MARK N. STEMPLER
Administrative Judge
Acting Chairman
Armed Services Board
of Contract Appeals

I concur



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

I concur



MICHAEL N. O'CONNELL
Administrative Judge
Armed Services Board
of Contract Appeals

² Mr. Gbemudu stated via a telephone call with the Board that he was not an officer of appellant.

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. 59996, Appeal of Global Energy U.S.-DLA Acquisitions LLC, rendered in conformance with the Board's Charter.

Dated:

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