

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Ruby Emerald Construction Co.) ASBCA No. 60983
)
Under Contract No. W5K9FH-12-P-0028)

APPEARANCE FOR THE APPELLANT: Mr. Bashir Ahmady

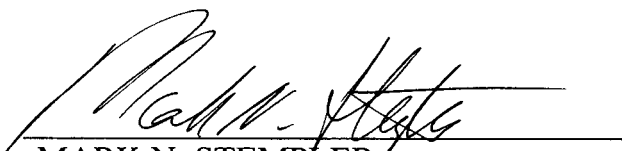
APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
CPT William T. Wicks, JA
Trial Attorney

ORDER OF DISMISSAL

By Order dated 12 January 2017, the Board requested that appellant provide a copy of the claim it had submitted to the contracting officer prior to the filing of this appeal. In response, appellant indicated that it desired to submit its claim to the contracting officer for a decision. The government provided appellant with the contact information for the cognizant contracting officer. By Order dated 19 January 2017, the Board informed the parties that it intended to dismiss this appeal unless either party objected within 14 days of the date of the Order. The Board has not received an objection from either party. It appears that appellant has submitted a claim to the contracting officer.

Accordingly, this appeal is dismissed without prejudice to a subsequent appeal from the contracting officer's denial, or deemed denial, of the contractor's claim.

Dated: 7 February 2017


MARK N. STEMPLER
Administrative Judge
Vice 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. 60983, Appeal of Ruby Emerald Construction Co., rendered in conformance with the Board's Charter.

Dated:

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