

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
Joel Zurlo) ASBCA No. 61182
Under Contract No. SPE4A6-13-M-1375)

APPEARANCE FOR THE APPELLANT: Mr. Joel Zurlo

APPEARANCES FOR THE GOVERNMENT: Daniel K. Poling, Esq.
DLA Chief Trial Attorney
Edward R. Murray, Esq.
Trial Attorney
DLA Aviation
Richmond, VA

OPINION BY ADMINISTRATIVE JUDGE SHACKLEFORD

Appellant appealed from a contracting officer's final decision dated 21 February 2017 which asserted a monetary claim against appellant. By email dated 27 June 2017, prior to the filing of the pleadings, appellant requested that its appeal be "canceled," which the Board understands to be a request to dismiss this appeal as withdrawn. Appellant forwarded a letter from the contracting officer, dated 26 June 2017, in which the contracting officer fully rescinded the 21 February 2017 final decision. The government has indicated that it does not object to appellant's request. 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. Accordingly, this appeal is dismissed as moot.

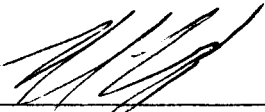
Dated: 13 July 2017



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

(Signatures continued)

I concur



J. REID PROUTY
Administrative Judge
Acting Vice Chairman
Armed Services Board
of Contract Appeals

I concur



LYNDA T. O'SULLIVAN
Administrative Judge
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. 61182, Appeal of Joel Zurlo, rendered in conformance with the Board's Charter.

Dated:

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