

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of --)
)
Desert Fox Construction Company) ASBCA No. 61283
)
Under Contract No. W919QA-12-C-RP01)

APPEARANCE FOR THE APPELLANT: Mr. Mahboobullah Atiqi
CEO and President

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.
Army Chief Trial Attorney
CPT John M. McAdams III, JA
Trial Attorney

ORDER OF DISMISSAL FOR FAILURE TO PROSECUTE

On 12 April 2018, the Board ordered appellant, within 21 days, to either file a response to the government's 6 February 2018 motion to dismiss or show cause why the appeal should not be dismissed for failure to prosecute. Appellant has failed to respond to the 12 April 2018 Order. Appellant likewise failed to respond to earlier Board Orders dated 8 February 2018 and 19 March 2018, directing it to file a response to the government's motion. Accordingly, ASBCA No. 61283 is dismissed with prejudice under Board Rule 17.

Dated: 16 May 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



OWEN C. WILSON
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. 61283, Appeal of Desert Fox Construction Company, rendered in conformance with the Board's Charter.

Dated:

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