

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -- )  
 )  
Istop Repair ) ASBCA No. 62069  
 )  
Under Contract No. RAN-17-337 )

APPEARANCE FOR THE APPELLANT: Mr. Jean C. Sernaque

APPEARANCES FOR THE GOVERNMENT: Raymond M. Saunders, Esq.  
Army Chief Trial Attorney  
CPT Jeremy D. Burkhart, JA  
Trial Attorney

ORDER OF DISMISSAL

By letter dated April 21, 2019, Mr. Jean Sernaque filed a notice of appeal which the Board docketed as ASBCA No. 62069. The letter included a contact email address and telephone number. The mailing address was identified on the envelope.

The Board attempted to call Mr. Sernaque with the telephone number listed in the notice of appeal on July 30 and July 31, 2019. Both call attempts resulted in a recording stating that the voice mailbox was full.

By Order dated August 1, 2019, appellant was directed to show that it is represented in this appeal by a person who meets the criteria of Board Rule 15(a), or to designate a proper person as its representative no later than August 15, 2019. The Order was sent to the email address provided on appellant's notice of appeal. The Board did not receive a response from appellant.

By Show Cause Order dated September 3, 2019, the Board ordered appellant to show that it is represented in these proceedings by a person meeting the criteria of Board Rule 15(a), or designate a proper person to represent it no later than September 17, 2019. The Order stated that if appellant did not comply, the Board intended to dismiss this appeal without further notice to the parties. The Order was sent to appellant via certified mail and email to the addresses provided in the notice of appeal. The Board received no response to the Show Cause Order.

To date, no response has been received to the Board's August 1 and September 3 Orders. Since the Board cannot proceed without a representative meeting the requirements of Board Rule 15(a), this appeal is dismissed.

Dated: October 1, 2019



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

I concur



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

I concur



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J. REID PROUTY  
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. 62069, Appeal of Istop Repair, rendered in conformance with the Board's Charter.

Dated:

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PAULLA K. GATES-LEWIS  
Recorder, Armed Services  
Board of Contract Appeals