

ARMED SERVICES BOARD OF CONTRACT APPEALS

Appeal of -)
)
Nanka Construction Company) ASBCA No. 63916
)
Under Contract No. N33191-22-C-0002)

APPEARANCE FOR THE APPELLANT: Mr. Shahkar Ahmed
Director

APPEARANCES FOR THE GOVERNMENT: Allison M. McDade, Esq.
Navy Chief Trial Attorney
Travis D. Van Ort, Esq.
Kevin E. Bolin, Esq.
Trial Attorneys

ORDER OF DISMISSAL

Appellant filed its notice of appeal (NOA) via an email dated May 29, 2024 from Mr. Shahkar Ahmed. The NOA did not clearly indicate that Mr. Ahmed was a qualified appeal representative under Board Rule 15(a). On June 5, 2024, the Board distributed the Notice of Docketing (NOD) to appellant's info@nankacc.com email address (email address 1), which was identified in Mr. Ahmed's signature block in the NOA email.

By Order dated June 5, 2024 and distributed to appellant's email address 1, the Board directed appellant to show that it is represented in this appeal by a person meeting the criteria of Rule 15(a). Appellant did not respond to this Order.

On June 17, 2024, the Board redistributed the NOD to include appellant's second email address, nanka.global@gmail.com (email address 2), which was the address appellant used to send its NOA to the Board, but was not identified in Mr. Ahmed's email signature block.

By Orders dated June 17, 2024 and June 26, 2024, the Board directed appellant to show that it is represented in this appeal by a person meeting the criteria of Rule 15(a). Appellant did not respond to these Orders, which were distributed to both email address 1 and email address 2.

By Order dated July 18, 2024 and distributed to both email address 1 and email address 2, the Board once again directed appellant to show that it is represented by a person meeting the criteria of Rule 15(a). This Order also informed appellant that if it

did not comply with the Board's Orders, the Board may dismiss the appeal without further notice to the parties. Appellant did not respond to the Board's July 18, 2024 Order.

On February 3, 2025, the government filed a request to dismiss this appeal in accordance with the Board's July 18, 2024 Order. In its request, the government indicated that it has not received, and is not aware of, any correspondence from appellant responding to the aforementioned Board Orders.

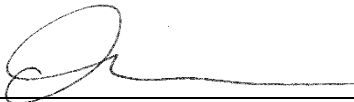
A representative meeting the requirements of Board Rule 15(a) did not enter a notice of appearance. Without a representative meeting the requirements of Rule 15(a), the Board is unable to proceed. *See Starrag USA, Inc.*, ASBCA Nos. 62036, 62037, 19-1 BCA ¶ 37,363 (dismissing the appeals after a representative meeting the requirements of Board Rule 15(a) did not enter a notice of appearance); *Cent. Machining Specialties*, ASBCA No. 62635, 2021 WL 2408207 (May 26, 2021) (dismissing the appeal after appellant did not respond to multiple Board Orders on compliance with Board Rule 15(a)). Accordingly, the appeal is dismissed.

Dated: March 12, 2025



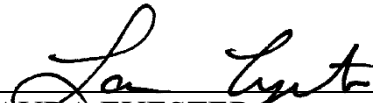
JOHN J. THRASHER
Administrative Judge
Chairman
Armed Services Board
of Contract Appeals

I concur



OWEN C. WILSON
Administrative Judge
Vice Chairman
Armed Services Board
of Contract Appeals

I concur



LAURA EYESTER
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. 63916, Appeal of Nanka Construction Company, rendered in conformance with the Board's Charter.

Dated: March 12, 2025



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