



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED: June 26, 2009

CBCA 1601

eSCRUB SYSTEMS INCORPORATED,

Appellant,

v.

DEPARTMENT OF ENERGY,

Respondent.

Ralph D. Genuario, CEO of eScrub Systems Incorporated, Wilmington, DE, appearing for Appellant.

Megan Davia Mikhail, General Law Division, Department of Energy, Argonne, IL, counsel for Respondent.

GILMORE, Board Judge.

ORDER

On June 1, 2009, eScrub Systems Incorporated (eScrub) filed a motion for summary relief with the Board, citing the Contract Disputes Act (CDA), 41 U.S.C. §§ 601-613 (2006), as jurisdiction. The submission was docketed as CBCA 1601. The Board, on June 4, 2009, ordered the parties to brief the issue of jurisdiction to hear the “motion” since eScrub did not submit or reference a contracting officer’s final decision, nor request relief under a type of contract the Board is authorized to hear under the CDA. The briefs were due by July 7, 2009.

On June 9, 2009, eScrub advised the Board that it had received new information from the contracting officer and wished the Board to dismiss the matter. Accordingly, this appeal is **DISMISSED**.

BERYL S. GILMORE
Board Judge