



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITHOUT PREJUDICE: March 5, 2009

CBCA 1132, 1133, 1134, 1320

MAKE A DIFFERENCE HOME SERVICES, INC.,

Appellant,

v.

DEPARTMENT OF VETERAN AFFAIRS,

Respondent.

James C. Williams, President of Make a Difference Homes Services, Inc., Sanford, FL, appearing for Appellant.

Cheryl Griffith, Office of Regional Counsel, Department of Veterans Affairs, St. Petersburg, FL, counsel for Respondent.

**POLLACK**, Board Judge.

ORDER

The Board has been advised by Mr. John Williams, acting on behalf of his brother, James C. Williams, pursuant to a general power of attorney, that the later, the President and owner of Make a Difference Home Services, Inc., is unable to proceed with an effective prosecution of the appeals at this time and there is no certain time, in the near future, when the impediment to his proceeding will be removed. Because the current circumstances prevent appellant and Board from proceeding with processing the appeal, the Board will not dismiss the appeals for failure to prosecute. Rather, for purposes of docket control and in

lieu of suspending proceedings, these matters are **DISMISSED WITHOUT PREJUDICE**, subject to reinstatement within three years from the date of the Board dismissal. The Board does not treat this as a voluntary dismissal such as the one involved in *Bonneville Associates, Ltd. Partnership v. Barram*, 165 F.3d 1360 (Fed. Cir.).

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HOWARD A. POLLACK  
Board Judge