



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: January 9, 2013

CBCA 3091

MATRIX BUSINESS SOLUTIONS, INC.,

Appellant,

v.

DEPARTMENT OF HOMELAND SECURITY,

Respondent.

Charles W. Mahan, Jr., Richard L. Carr, Jr., of Dunlevey, Mahan & Furry, Dayton, OH, counsel for Appellant.

William H. Butterfield, Office of Procurement Law, U.S. Coast Guard, Department of Homeland Security, Washington, DC, counsel for Respondent.

McCANN, Board Judge.

ORDER

The contracting officer issued a final decision on September 5, 2012. The appellant appealed that final decision on December 3, 2012. Subsequently, the parties agreed that the final decision and appeal were premature. The contracting officer then withdrew her final decision by letter of December 7, 2012. The parties agree that the appeal is now moot for lack of a contracting officer's final decision. The parties jointly request that this appeal of the contracting officer's final decision be dismissed with prejudice. That request is granted.

The appeal is **DISMISSED WITH PREJUDICE.**

R. ANTHONY McCANN
Board Judge