



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED FOR LACK OF JURISDICTION: February 6, 2018

CBCA 5995

APLIN LLC,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

David M. Paschane, CEO of Aplin LLC, Silver Spring, MD, appearing for Appellant.

Neil S. Deol, Office of General Counsel, Department of Veterans Affairs, Decatur, GA; and Donald C. Mobly, Office of General Counsel, Department of Veterans Affairs, Denver, CO, counsel for Respondent.

Before Board Judges **SOMERS** (Chair), **VERGILIO**, and **SHERIDAN**.

SHERIDAN, Board Judge.

Respondent, the Department of Veterans Affairs (VA), entered into technology contract VA777-16-P-0118 with appellant, Aplin LLC, in which disputes arose. On January 11, 2018, Aplin submitted an appeal which was docketed as CBCA 5995. On January 23, 2018, a conference call was conducted between the presiding judge, Dr. Paschane, and Mr. Deol in which various jurisdictional matters were discussed. Notably discussed was the lack of a certified claim. The parties submitted a joint stipulation on February 2, 2018, indicating:

The Parties have reviewed the documents submitted to date and have jointly determined that Appellant did not file a proper claim pursuant to the Contract Disputes Act [, 41 U.S.C. §§ 7101-7109 (2012)]. Accordingly, the Contracting

Officer's Final Decisions on August 23, 2017 and October 17, 2017 were premature and are hereby withdrawn.

Decision

Based on the foregoing representations, the above-captioned appeal is **DISMISSED FOR LACK OF JURISDICTION.**

PATRICIA J. SHERIDAN
Board Judge

We concur:

JERI KAYLENE SOMERS
Board Judge

JOSEPH A. VERGILIO
Board Judge