



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: April 23, 2008

CBCA 1057

TRAINING & DEVELOPMENT CORPORATION,

Appellant,

v.

DEPARTMENT OF LABOR,

Respondent.

Charles Tetro, President of Training & Development Corporation, Bucksport, ME, appearing for Appellant.

Herman J. Narcho, Office of the Solicitor, Department of Labor, Washington, DC, counsel for Respondent.

HYATT, Board Judge.

ORDER

This appeal is of a contracting officer's decision assessing liquidated damages in connection with Training & Development Corporation's performance of a contract to operate the Loring Job Corps Center in Maine. In a conference held on March 19, 2008, the Government explained that the contracting officer's decision had been issued prematurely and that the agency would like the opportunity to withdraw that opinion and reconsider its position. Appellant had no objection to this request.

The contracting officer has officially withdrawn the decision that was appealed and docketed as CBCA 1057. Following this action, respondent requested that this appeal be dismissed with prejudice. Appellant does not object to dismissal of the appeal.

Accordingly, this appeal is **DISMISSED WITH PREJUDICE**. This dismissal does not operate as an adjudication of the underlying claim in this appeal.