



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITHOUT PREJUDICE: September 17, 2009

CBCA 1720

TARHEEL SPECIALTIES, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Richard D. Lieberman and Gabriel D. Soll of McCarthy, Sweeney & Harkaway, P.C.,
Washington, DC, counsel for Appellant.

Jennifer L. Howard, Office of General Counsel, General Services Administration,
Washington, DC, counsel for Respondent.

WALTERS, Board Judge.

ORDER

The Board is in receipt of a joint request that this appeal be dismissed without prejudice. The appeal had been based on a claim for over \$100,000 that had not been certified under the Contract Disputes Act, 41 U.S.C. §§ 601-613 (2006). Subsequent to the appeal, appellant, Tarheel Specialties, Inc. (Tarheel), submitted a certified claim, which is currently being reviewed by the contracting officer. Once a decision is issued, Tarheel will determine its further course of action. Pending such decision, the parties have agreed to dismiss the instant appeal without prejudice, and the Board finds this request appropriate.

Accordingly, the appeal is hereby **DISMISSED WITHOUT PREJUDICE**.

RICHARD C. WALTERS
Board Judge