



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: February 1, 2010

CBCA 1543

XEROX CAPITAL SERVICES, LLC,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

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

Ronald D. Sullivan, Office of the General Counsel, Department of Veterans Affairs,
Austin, TX, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

On March 24, 2009, the Board received from Xerox Capital Services, LLC (contractor) a notice of appeal, docketed as CBCA 1543, alleging a deemed denial of its claims seeking \$34,828 relating to unpaid invoices arising under delivery orders issued by the respondent, the Department of Veterans Affairs, pursuant to the contractor's contract, GS 25F 0062L, with the General Services Administration. By letter dated January 29, 2010, the contractor seeks a dismissal with prejudice; the contracting officer has determined that delivery orders were transferred to an agency other than this respondent.

The Board **DISMISSES WITH PREJUDICE** this appeal.

JOSEPH A. VERGILIO
Board Judge