



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITHOUT PREJUDICE: August 16, 2016

CBCA 5279-ISDA

DILCON COMMUNITY SCHOOL BOARD OF EDUCATION,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Samantha B. Kelty of Hufford, Hortsman, Mongini, Parnell & Tucker, P.C., Flagstaff, AZ, counsel for Appellant.

Chaitna Sinha, Office of the Regional Solicitor, Department of the Interior, Albuquerque, NM, counsel for Respondent.

**CHADWICK**, Board Judge.

ORDER

This is an appeal of a contracting officer's decision on unallowable costs. The decision was issued in July 2011, although the notice of appeal, filed in April 2016, said the appellant first saw the decision in February 2016. In May 2016, the respondent moved to dismiss the appeal for lack of jurisdiction as untimely. The appellant opposed the motion.

On August 15, 2016, the parties filed a joint motion to dismiss the appeal without prejudice. We grant the motion as a negotiated resolution of the appeal. The Board has made no determination as to its jurisdiction.

The appeal is **DISMISSED WITHOUT PREJUDICE.**

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KYLE CHADWICK  
Board Judge