



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITHOUT PREJUDICE: May 10, 2019

CBCA 6191

CALVARY CONTRACTING, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Peter D. Welin of McDonald Hopkins, LLC, Columbus, OH, counsel for Appellant.

Mary A. Mitchell, Office of the General Counsel, Department of Veterans Affairs, Houston, TX; and Donald C. Mobly, Office of Chief Counsel, Department of Veteran Affairs, Denver, CO, counsel for Respondent.

SHERIDAN, Board Judge.

The Board is in receipt of the parties' joint stipulation requesting voluntary dismissal of the above-captioned appeal without prejudice pursuant to a May 3, 2019, settlement agreement entered into between the parties. A telephone conference was conducted on May 9, 2019, where the parties revealed that this appeal had been resolved by the Department of Veterans Affairs (VA) contracting officer reinstating the contract in accordance with Federal Acquisition Regulation (FAR) 49.102(d), in addition to other stipulations set forth in the settlement agreement.

Board Rule 12(b)(2) allows for voluntary dismissal where the parties jointly move “for dismissal with or without prejudice.” Civilian Board of Contract Appeals Rules of Procedure for Contract Disputes Act Cases, 83 Fed. Reg. 41,009 (Aug. 17, 2018) (to be codified at 48 CFR pt. 6101). Accordingly, this appeal is **DISMISSED WITHOUT PREJUDICE**.

Patricia J. Sheridan

PATRICIA J. SHERIDAN

Board Judge