



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITHOUT PREJUDICE: May 10, 2024

CBCA 8091

FHC CONTRACTING, INC.,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Frank H. Fehmel, Managing Director of FHC Contracting, Inc., DeSoto, TX, appearing for Appellant.

David G. Fagan, Office of General Counsel, Department of Veterans Affairs, Bend, OR, counsel for Respondent.

BEARDSLEY, Board Judge.

ORDER

During a conference call on May 9, 2024, to discuss respondent's motion to dismiss this appeal for lack of jurisdiction, the parties jointly requested a voluntary dismissal of this appeal without prejudice to permit appellant to request a contracting officer's final decision on its certified claim. In a filing on May 9, 2024, appellant further indicated that it has no objection to this dismissal.

In accordance with Board Rule 12(b)(2) (48 CFR 6101.12(b)(2) (2023)), the appeal is **DISMISSED WITHOUT PREJUDICE**.

Erica S. Beardsley
ERICA S. BEARDSLEY
Board Judge