

Board of Contract Appeals
General Services Administration
Washington, D.C. 20405

DISMISSED WITH PREJUDICE: September 3, 2003

GSBCA 15846-COM

SUPERIOR PIPING FABRICATORS AND ERECTORS, INC.,

Appellant,

v.

DEPARTMENT OF COMMERCE,

Respondent.

Nancy M. Camardo, Joseph A. Camardo, Jr., Brian J. Smith, and Kevin P. Ryan of the Law Firm of Joseph A. Camardo, Jr., Auburn, NY, counsel for Appellant.

Terry Hart Lee, Contract Law Division, Department of Commerce, Washington, DC, counsel for Respondent.

GOODMAN, Board Judge.

ORDER

On April 23, 2002, appellant, Superior Piping Fabricators and Erectors, Inc., filed a notice of appeal in connection with a dispute under contract number 50-EANC-9-00024 for a new heating, ventilation, and air conditioning system at the National Oceanic and Atmosphere Administration Coastal Services Center in Charleston, South Carolina.

On March 11 and 12, 2003, the Board held an alternative dispute resolution (ADR) session with the parties. On August 28, 2003, respondent informed the Board that appellant was paid pursuant to settlement on August 22, 2003, and requested the appeal be dismissed with prejudice. On September 2, 2003, appellant stated it had no objection to dismissal with prejudice.

Accordingly, this appeal is **DISMISSED WITH PREJUDICE**. Rule 128(a).

ALLAN H. GOODMAN
Board Judge