

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

DISMISSED WITH PREJUDICE: August 18, 2004

GSBCA 16317

GENERAL ELECTRIC CAPITAL BUSINESS ASSET
FUNDING CORPORATION, MORTGAGEE, AND
ALEX D. MOGLIA, RECEIVER,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Kenneth A. Michaels, Jr., and Paul M. Bauch of Bauch & Michaels, Chicago, IL, counsel for Appellant.

Telo Braswell, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

PARKER, Board Judge.

ORDER

On November 14, 2003, appellant, General Electric Capital Business Asset Funding Corporation, Mortgagee, and Alex D. Moglia, Receiver, appealed a General Services Administration contracting officer's final decision to deduct costs from appellant's rent for repairs of deficiencies in the building occupied by the Social Security Administration in Chicago, Illinois, under lease number GS-05B-16282. On August 13, 2004, appellant filed a motion to dismiss this appeal with prejudice, each party to pay its own costs and fees. Respondent has no objections.

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

ROBERT W. PARKER
Board Judge