

## **Board of Contract Appeals**

General Services Administration  
Washington, D.C. 20405

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DISMISSED WITHOUT PREJUDICE:  
October 14, 2004

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GSBCA 16482

WILSON, KULLMAN, McCORD, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

David P. Benjamin and Clifford G. Barr of O'Connell & Benjamin, L.L.P., San Antonio, TX, counsel for Appellant.

Thomas Y. Hawkins, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

NEILL, Board Judge.

### ORDER

This case concerns a claim by the General Services Administration (GSA) for the cost of correcting certain design deficiencies associated with the United States Courthouse project in Corpus Christi, Texas.

Counsel for appellant now advises the Board that, in view of GSA's agreement to withdraw the contracting officer's decision without prejudice, appellant withdraws this appeal without prejudice so that settlement can be achieved through negotiation and/or mediation.

Accordingly, pursuant to Board Rule 128(b) (48 CFR 6101.28(b) (2003)), this case is **DISMISSED WITHOUT PREJUDICE**.

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EDWIN B. NEILL  
Board Judge

