

## Board of Contract Appeals

General Services Administration  
Washington, D.C. 20405

---

DISMISSED WITHOUT PREJUDICE: September 11, 2006

---

GSBCA 16942

DEBORAH L. FITZSIMMONS,  
successor-in-interest to  
HODGE CONSTRUCTION,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Dee A. Runnels of Snyder, Park & Nelson, P.C., Rock Island, IL, counsel for Appellant.

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

**PARKER**, Board Judge.

### ORDER

On August 15, 2006, Deborah L. Fitzsimmons, successor-in-interest to Hodge Construction (appellant), appealed the final decision of a General Services Administration contracting officer denying appellant's claim under lease number GS-05B-15094 for premises occupied by the United States Fish and Wildlife Service in Rock Island, Illinois. On September 7, 2006, appellant filed a motion to dismiss this appeal, stating that the parties have reached settlement and requesting that the appeal be dismissed without prejudice

pending appellant's receipt of payment pursuant to a supplemental lease agreement dated September 6, 2006. Respondent's counsel has no objection.

Accordingly, this appeal is **DISMISSED WITHOUT PREJUDICE**, as a docket device pursuant to Rule 127(c). This dismissal shall convert to one with prejudice 180 calendar days from the date of this order. Rule 128(b).

---

ROBERT W. PARKER  
Board Judge