



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: November 27, 2007

CBCA 715

JOHN MCGILL,

Appellant,

v.

DEPARTMENT OF COMMERCE,

Respondent.

John McGill, pro se, Burlington, VT.

Mark Langstein and Lauren Kalish, Office of General Counsel, Department of Commerce, Washington, DC, counsel for Respondent.

VERGILIO, Board Judge.

ORDER

On April 23, 2007, this Board received a notice of appeal from John McGill (contractor) concerning purchase order DG135006SE2445 issued by the Department of Commerce (Government) and an unpaid invoice. The contractor had submitted an invoice for payment of \$10,069.30; the invoice remained unpaid. In a claim dated February 7, 2007, the contractor sought a contracting officer's decision regarding payment of the invoice. Having not received payment or a decision, the contractor submitted this appeal based upon a deemed denial of its claim.

The contractor timely filed this appeal pursuant to the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613, as amended. The contracting officer issued a decision; an appeal file, complaint, and answer were filed and served. Issues were focused upon in telephone conferences, and through the exchange of information, as the parties engaged in discussions.

In a joint motion to dismiss, received at the Board on November 27, 2007, the parties indicate that they have settled the dispute underlying the appeal. They request that the matter be dismissed with prejudice.

Accordingly, the Board **DISMISSES WITH PREJUDICE** this appeal.

JOSEPH A. VERGILIO
Board Judge