



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: February 6, 2008

CBCA 878

1 CONSORTIUM, INC.,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Thomas M. Ubl, Chief Executive Officer of 1 Consortium, Inc., Merritt Island, FL, appearing for Appellant.

Charles B. Wallace, Office of the Solicitor, Department of the Interior, Washington, DC, counsel for Respondent.

McCANN, Board Judge.

On November 21, 2007, the respondent filed a motion for summary relief in this case contending that no material facts were in dispute and asserting that respondent was entitled to judgment as a matter of law. By letter dated January 2, 2008, appellant informed the Board that it would not oppose respondent's motion. On February 4, 2008, the Board contacted appellant by telephone and determined that appellant intended, by not opposing respondent's motion, to withdraw its appeal with prejudice.

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

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R. ANTHONY McCANN  
Board Judge