



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED: November 10, 2015

CBCA 3890, 4743

DOUGLAS P. FLEMING, LLC,

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Fred A. Mendicino and Daniel Mitkus of Faughman Mendicino PLLC, Dulles, VA, counsel for Appellant.

Tyler W. Brown, Department of Veterans Affairs, Hampton, VA, counsel for Respondent.

**SHERIDAN**, Board Judge.

Appellant, Douglas P. Fleming, LLC (DPF) filed these appeals pursuant to the Contract Disputes Act (CDA), 41 U.S.C. §§ 7101-7109 (2012). The appeals arise out of contract VA 246-13-C-0059 with the Department of Veterans Affairs (VA) to install storm water overflow at the VA Medical Center in Salem, Virginia.

On November 5, 2015, the parties submitted a joint motion to dismiss, representing that on September 2, 2015, DPF formally withdrew its claims via notice to the contracting officer (CO), and attaching the CO's letter of October 7, 2015, stating that the CO rescinded his February 6, 2015, final decision.

Decision

Accordingly, these appeals are **DISMISSED**.

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PATRICIA J. SHERIDAN  
Board Judge