

FANNING, PHILLIPS & MOLNAR

CONTRACT NO. V526P-3108  
3937

VABCA3856, 3936 &

VA MEDICAL CENTER  
BRONX, NEW YORK

**Gary A. Molnar, P.E.**, Principal, Fanning, Phillips & Molnar, Ronkonkoma, New York, for the Appellant.

**Paul A. Embroski, Esq.**, Trial Attorney; **Phillipa L. Anderson, Esq.**, Deputy Assistant General Counsel; **William E. Thomas, Jr., Esq.**, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

**ORDER DISMISSING APPEAL  
AND  
MEMORANDUM TO THE PARTIES**

1. The Board has been advised that the parties have settled the dispute arising under Contract No. V526P-3108 which is the subject of this appeal.
2. Accordingly, the appeal of Fanning, Phillips & Molnar, VABCA-3936, is hereby dismissed with prejudice subject to reinstatement if the settlement is not effectuated.
3. VABCA-3937 was dismissed for lack of jurisdiction on January 26, 1994.
4. The only Fanning, Phillips & Molnar appeal currently before the Board is VABCA-3856. A status report in that appeal is due on *Thursday, March 3, 1994*.

The parties have previously agreed that the discovery period for VABCA-3856 will be completed on *Tuesday, April 12, 1994*.

DATE: **February 2, 1994**

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GUY H. McMICHAEL III  
Chief Administrative Judge