

S.W. MONROE CONSTRUCTION CO.

CONTRACT NO. V688C-1131

VABCA-4453

VA MEDICAL CENTER
WASHINGTON, D.C.

Siegurd W. Monroe, President, Monroe Construction Co., Sterling, Virginia, for the Appellant.

John Manfredonia, Esq., Trial Attorney, and *Phillipa L. Anderson, Esq.*, Acting Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER DISMISSING APPEAL WITHOUT PREJUDICE

1. The above-cited appeal was docketed on September 13, 1994 and has been in suspense since April 26, 1995.
2. On August 10, 1995 the parties were requested to file a joint status report by September 11, 1995 detailing the results of their efforts to finalize the settlement of this appeal and to advise the Board whether the appeal should be placed in suspense. Previously the Government had advised the Board that once certain work was completed by Appellant settlement was possible. There has been no response to the Board's August 10 request.
3. Given the foregoing, the Board is unable to proceed in this appeal and has little assurance of when it may do so. Accordingly, the appeal of *S.W. Monroe Construction Co.*, VABCA No. 4453, is hereby Dismissed Without Prejudice pursuant to Rule 30.
4. Should settlement be reached, the parties are requested to notify the Board.
5. Either party may move at any time within three years to reinstate this appeal to the active docket provided it simultaneously furnishes the Board a proposed schedule for bringing the matter to hearing within 120 days from date of motion.

IT IS SO ORDERED

DATE: **September 13, 1995**

DAN R. ANDERS
Administrative Judge