

TEMP AIR COMPANY, INC.

CONTRACT NOS. V512C-428 &
V512C-429

VABCA-4685 & 4686
5253 & 5254

VA MEDICAL CENTER
BALTIMORE, MARYLAND

Larry D. Harris, Esq., Piper & Marbury L. L. P., Washington, D.C., for the Appellant.

Patrick J. LaMoure, Esq., and *Stacey North Willis, Esq.*, Trial Attorneys; *Charlma O. Jones, Esq.*, Deputy Assistant General Counsel, and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

**DISMISSAL WITHOUT PREJUDICE
(Rule 30)**

1. The parties have agreed to settle the disputes underlying the four captioned appeals. On October 22, 1997, the Board, having been so notified, canceled the scheduled hearing and issued a Suspension Order. This Order was extended by the Board's Order dated January 8, 1998. In granting that extension, the Board notified both parties that if it appeared that the suspense status may consume an inordinate amount of time, we would exercise our discretion pursuant to Board Rule 30. The extended suspension period ended on Monday, February 23, 1998, with no notification that the parties had reached agreement on the terms of the settlement.

2. Accordingly, the Board *Dismisses Without Prejudice*, the appeals of Temp Air Company, Inc., VABCA-4685-86 and 5253-54. Upon motion by either party, for good cause shown, the Board may restore the appeals to its active docket. Unless either party or the Board acts within three years to reinstate these appeals, this dismissal shall be deemed to be with prejudice.

It Is So Ordered

DATE: February 26, 1998

James K. Robinson
Administrative Judge