

INTERSTATE CONSTRUCTION, INC.

CONTRACT NO. V640C-1150

**VABCA-4687**

VA MEDICAL CENTER  
PALO ALTO, CALIFORNIA

*Robert J. Marks, Esq.*, Marks & Golia, San Diego, California, for the Appellant.

*Anna C. Maddan, Esq.*, Government Trial Attorney, San Francisco, California, and  
*Phillipa L. Anderson, Esq.*, 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 August 15, 1995 and has been in suspense since September 27, 1995.
2. On May 2, 1996, the Board received a Status Report from the parties, which indicated that the parties were not ready to proceed and asked for an additional six months of suspension.
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 Interstate Construction, Inc., VABCA No. 4687, is hereby Dismissed Without Prejudice pursuant to Rule 30.
4. 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 60 days from date of motion.

### **IT IS SO ORDERED**

DATE: **May 3, 1996**

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RICHARD W. KREMPASKY  
Administrative Judge