

CENTEX BATESON CONSTRUCTION  
COMPANY, INC.

CONTRACT NO. V101DC0086

**VABCA-4922**

VA MEDICAL CENTER  
DALLAS, TEXAS

*Kurt Weissmuller Esq.*, McClintock, Weston, Benschopf, Rochefort, Rubalcava & MacCuish, L.L.P., Los Angeles, California, for the Appellant.

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

**ORDER DISMISSING APPEAL WITHOUT PREJUDICE**

1. On August 2, 1996, the Board received a Request for Dismissal of Appeal from the Appellant, which stated that the parties were jointly seeking to have the above-cited appeal dismissed without prejudice.
2. Accordingly, the appeal of Centex Bateson Construction Company, Inc., VABCA No. 4922, is hereby Dismissed Without Prejudice pursuant to Rule 30.
3. 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.

**IT IS SO ORDERED**

DATE: **August 6, 1996**

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GUY H. MCMICHAEL III  
Chief Administrative Judge