

MARROQUIN, INC.

CONTRACT NO. V542C-460

CONTRACT NO. V542C-461

VABCA-5466

VABCA-5467

VA MEDICAL CENTER  
COATESVILLE, PENNSYLVANIA

*David R. Moffitt, Esq.*, Saul, Ewing, Remick & Saul, LLP, Philadelphia, Pennsylvania, for the Appellant.

*Kenneth B. MacKenzie, Esq.*, Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

#### **ORDER DISMISSING APPEALS WITHOUT PREJUDICE**

1. On November 2, 1999, the Board received the parties' JOINT STATUS REPORT pertaining to these appeals in which they request that the suspension of these proceedings be extended until May 2000.
2. Proceedings in these appeals have been suspended since July 1998 in anticipation of their mutual resolution. The latest JOINT STATUS REPORT makes it clear that the factors preventing finalization of settlement remain unchanged.
3. An additional seven month suspension of proceedings here is pointless. It is clear that the Board is unable to proceed in these appeals and that there is little assurance that it may so proceed within a reasonable time. Accordingly, the appeals of Marroquin, Inc., VABCA-5466 and 5467, are hereby DISMISSED WITHOUT PREJUDICE pursuant to Rule 30.
4. Either party may reinstate these appeals to the active docket by MOTION at any time within three years of receipt of this ORDER.

**IT IS SO ORDERED**

DATE: **November 3, 1999**

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RICHARD W. KREMPASKY  
Administrative Judge