



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: June 30, 2010

CBCA 1830

THIRD AVENUE BUSINESS CENTER, LLC,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Jed L. Weinberg of Weitzen, Phillips & Weinberg LLP, San Diego, CA, counsel for Appellant.

James F. H. Scott, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

McCANN, Board Judge.

ORDER

On May 28, 2009, appellant filed a claim for additional operating costs under lease GS-09B-01046. By final decision dated September 14, 2009, the contracting officer denied that claim. Appellant appealed that decision to this Board on December 15, 2009. Appellant has moved to dismiss this appeal with prejudice with respondent's concurrence. Accordingly, this appeal is hereby **DISMISSED WITH PREJUDICE**.

R. ANTHONY McCANN
Board Judge