



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: December 16, 2014

CBCA 3735

SBBI, INC.,

Appellant,

v.

INTERNATIONAL BOUNDARY AND WATER COMMISSION,

Respondent.

John T. Flynn of Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC, Atlanta, GA, counsel for Appellant.

Matthew A. Myers, Sr., and Rebecca Ann Rizzuti, Office of the Legal Advisor, United States Section, International Boundary and Water Commission, United States and Mexico, El Paso, TX, counsel for Respondent.

GOODMAN, Board Judge.

ORDER

The parties have filed a joint request for dismissal of this appeal with prejudice, with their agreement that “appellant’s claim for overplanned quantities which was part of this appeal and CBCA 3559 survives in CBCA 3559 and is not dismissed by this agreement.”

Accordingly, this appeal is **DISMISSED WITH PREJUDICE**, with appellant’s claim for overplanned quantities surviving to be resolved in CBCA 3559.

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ALLAN H. GOODMAN  
Board Judge