



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: July 7, 2009

CBCA 1211

MARYLAND ENTERPRISE, L.L.C.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Barbara G. Werther and David C. Mancini of Howrey LLP, Washington, DC, counsel for Appellant.

Dalton F. Phillips, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

**VERGILIO**, Board Judge.

ORDER

On June 4, 2008, the Board received a notice of appeal from Maryland Enterprise, L.L.C. (lessor), filed pursuant to the Contract Disputes Act of 1978, 41 U.S.C. §§ 601-613, as amended (CDA). The dispute arose under the contractor's lease, GS-11B-01853, with the General Services Administration (agency). The contracting officer had denied a lessor claim that an agency request to provide a detailed project schedule constituted a constructive change entitling the lessor to relief under the Changes clause of the lease.

On June 30, 2009, the Board received from the parties a joint request for a dismissal with prejudice. The Board **DISMISSES WITH PREJUDICE** this appeal.

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JOSEPH A. VERGILIO  
Board Judge