



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED: July 29, 2010

CBCA 1771

CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Robert C. MacKichan, Jr. and William M. Pannier of Holland & Knight LLP, Washington, DC, counsel for Appellant.

Leonard E. Lucas III, Office of General Counsel, General Services Administration, Washington, DC, counsel for Respondent.

**POLLACK**, Board Judge.

ORDER

On October 27, 2009, the Board docketed CBCA 1771, an appeal by the California State Teachers' Retirement System (CalSTRS) regarding a dispute over lease no. GS-11B-01944 with the General Services Administration (GSA) for space occupied by the Drug Enforcement Administration. Soon after filing the appeal, the parties filed several motions dealing with substitution of party and adequacy of the submission of the claim, absence of a final contracting officer's (CO's) decision, and lack of certification as to amount. In a conference call with the Board in December 2009, the parties agreed to hold the motions in abeyance and instead have appellant provide a new claim letter, have the CO address that letter, and if the claim was denied, proceed with a prompt appeal. The expectation was that once that new appeal was in place, the parties would agree to dismiss the initial appeal on the basis of lack of jurisdiction. The parties proceeded as agreed and on June 3, 2010, CSHV Lincoln Place, LLC, the assignee of the CalSTRS lease, timely appealed a

contracting officer's decision denying appellant's claim. That was docketed as CBCA 2030. Subsequently, by separate letters each party has stated it has no objection to dismissal of the initially filed case. The complaint and earlier filings in CBCA 1771 are incorporated into the record in the new appeal.

Accordingly, the appeal in CBCA 1771 is **DISMISSED**.

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HOWARD A. POLLACK  
Board Judge