



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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MOTION FOR RECONSIDERATION DENIED: December 27, 2023

CBCA 7761-R

REAL LION LOGISTICS SERVICES COMPANY,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

Ahmad Farzad, President of Real Lion Logistics Services Company, Kabul, Afghanistan, appearing for Appellant.

Matthew S. Tilghman, Office of the Legal Adviser, Buildings and Acquisitions, Department of State, Washington, DC, counsel for Respondent.

Before Board Judges **GOODMAN**, **ZISCHKAU**, and **CHADWICK**.

**CHADWICK**, Board Judge.

Appellant, Real Lion Logistics Services Company, filed a “statement” in response to the Board’s December 5, 2023, denial of its appeal seeking damages under a purchase order. We construe the statement as a motion for reconsideration under Board Rule 26 (48 CFR 6101.26 (2022)) and deny the motion.

Appellant cites no new law, new evidence, or clear error that warrants reconsideration. *See Delaware Valley Floral Group, Inc. v. Shaw Rose Nets, LLC*, 597 F.3d 1374, 1383 (Fed. Cir. 2010). Instead, appellant writes that our merits decision “is extremely disappointing and disrupts and complicates our livelihoods.” Appellant continues in part: “No doubt you decide according to the rules, but one thing should not be forgotten: . . . Suddenly the Kabul

government collapsed and everything fell apart. We once again ask you to please . . . save us from this deeply complex mess . . . .”

Appellant alleges that the Taliban seized its property and threatened and imprisoned its employees. Tribunals may grant reconsideration to “prevent manifest injustice.” *Delaware Valley Floral*, 597 F.3d at 1383. Reconsideration to avoid manifest injustice is reserved, however, for cases “where the ‘[tribunal] has patently misunderstood a party, or has made a decision outside of the adversarial issues presented . . . by the parties, or has made an error not of reasoning, but of apprehension.’” *Id.* at 1384 (quoting *Association for Disabled Americans, Inc. v. Amoco Oil Co.*, 211 F.R.D. 457, 477 (S.D. Fla. 2002) (quoting *Z.K. Marine, Inc. v. M/V Archigetis*, 808 F. Supp. 1561, 1563 (S.D. Fla. 1992))). The injustice alleged by appellant is different and arises, instead, from the war and a sudden change of government in Afghanistan. As a result, we lack grounds to reconsider our decision denying contractual relief.

#### Decision

Appellant’s motion for reconsideration is **DENIED**.

*Kyle Chadwick*

KYLE CHADWICK  
Board Judge

We concur:

*Allan H. Goodman*

ALLAN H. GOODMAN  
Board Judge

*Jonathan D. Zischkau*

JONATHAN D. ZISCHKAU  
Board Judge