



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITHOUT PREJUDICE: April 14, 2008

CBCA 401

KI LIQUIDATION, INC.
f/k/a KULLMAN INDUSTRIES, INC.,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

L. James D'Agostino of Greenberg Traurig, LLP, McLean, VA, counsel for Appellant.

John C. Sawyer and Thomas D. Dinackus, Office of the Legal Adviser, Buildings and Acquisitions, Department of State, Rosslyn, VA, counsel for Respondent.

DeGRAFF, Board Judge.

ORDER

Appellant, KI Liquidation, Inc., filed a notice of appeal in connection with a dispute under contract number SALMEC-02-C-0025, for design and construction of the United States Embassy Compound Dushanbe, Tajikistan. In an order issued April 7, 2008, and received by the Board on April 11, 2008, the United States Court of Federal Claims, exercising its authority under the Contract Disputes Act of 1978, 41 U.S.C. 609(d) (2000), to transfer and consolidate suits arising from one contract that are filed with both an agency board and the court, granted the parties' motion to transfer the subject appeal to the court. *KI Liquidation, Inc. v. United States* No. 06-465C (Apr. 7, 2008).

In accordance with the court's order, this appeal is **DISMISSED WITHOUT PREJUDICE** and the Board's records will be transferred to the court.

MARTHA H. DeGRAFF
Board Judge