



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED FOR LACK OF JURISDICTION: December 19, 2018

CBCA 6309

PRUDENT TECHNOLOGIES, INC.,

Appellant,

v.

ENVIRONMENTAL PROTECTION AGENCY,

Respondent.

Steven J. Koprince and John M. Mattox II of Koprince Law LLC, Lawrence, KS, counsel for Appellant.

Kathleen Clever and Demetra Salisbury, Office of General Counsel, Environmental Protection Agency, Washington, DC, counsel for Respondent.

DRUMMOND, Board Judge.

The Environmental Protection Agency entered into contract EP-S7-14-01 with Prudent Technologies, Inc., in which this dispute arose. On November 13, 2018, Prudent submitted an appeal which was docketed as CBCA 6309. On December 18, 2018, a conference call was conducted between the presiding judge, Mr. John Mattox, II, and Ms. Demetra Salisbury in which various jurisdictional matters were discussed. Notably discussed was the lack of a claim and a premature contracting officer's final decision. The parties submitted a joint stipulation on December 18, 2018, indicating that "Prudent Technologies, Inc. did not file a claim under the Contract Disputes Act [41 U.S.C. §§ 7101-7109 (2012)]" and requested that the Board dismiss this appeal without prejudice, for lack of jurisdiction.

Decision

Accordingly, the above-captioned appeal is DISMISSED WITHOUT PREJUDICE for lack of jurisdiction.

Jerome M. Drummond
JEROME M. DRUMMOND
Board Judge

Jonathan D. Zischkau
JONATHAN D. ZISCHKAU
Board Judge

Patricia J. Sheridan
PATRICIA J. SHERIDAN
Board Judge