



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

December 20, 2019

CBCA 6649-FEMA

In the Matter of NEW YORK STATE OFFICE OF PARKS,
RECREATION AND HISTORIC PRESERVATION

Christopher S. Holmes, Director of Emergency Management, New York State Office of Parks, Recreation and Historic Preservation, Albany, NY, appearing for Applicant.

Anne Bink, Deputy Commissioner for Disaster Recovery Programs, Alternate Governor's Authorized Representative, New York State Department of Homeland Security and Emergency Services, Albany, NY, appearing for Grantee.

Charles Schexnaildre, Office of Chief Counsel, Federal Emergency Management Agency, Baton Rouge, LA; and Maureen Dimino, Office of Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, Washington, DC, counsel for Federal Emergency Management Agency.

Before the Arbitration Panel consisting of Board Judges **SHERIDAN**, **ZISCHKAU**, and **O'ROURKE**.

On December 16, 2019, applicant filed with the Board a request to withdraw its arbitration request, dated November 8, 2019. In its request, applicant informed the Board that FEMA agreed to conduct a new permanent work eligibility review of the claimed damages to the engineered stone breakwater at Four Mile Creek. As a result, applicant agreed to voluntarily withdraw its request for arbitration.

Pursuant to Rule 610, “[a]n applicant may move for voluntary dismissal.” The applicant’s request is granted. Accordingly, the arbitration is dismissed.

Kathleen J. O’Rourke
KATHLEEN J. O’ROURKE
Board Judge

Patricia J. Sheridan
PATRICIA J. SHERIDAN
Board Judge

Jonathan D. Zischkau
JONATHAN D. ZISCHKAU
Board Judge