

**DISTRICT OF COLUMBIA CONTRACT APPEALS BOARD**

APPEALS OF:

FORT MYER CONSTRUCTION CORP. )  
 ) CAB Nos. D-1332, D-1455  
 ) (Consolidated)  
Under Contract No. POKA-2004-B-0010-JJ )

**REVISED HEARING DATE AND SCHEDULING ORDER**

*Filing ID 54784411*

On December 20, 2013, the Appellant filed a Consent Motion to Reset the Hearing Date. Good cause having been shown, the motion is granted. Accordingly, pursuant to D.C. Mun. Regs. tit. 27, §101.4, the Board issues the following Revised Scheduling Order herein:

- |                          |   |
|--------------------------|---|
| <u>February 7, 2014</u>  | All discovery shall be completed by this date.  |
| <u>February 14, 2014</u> | Parties shall file a proposed Joint Pretrial Statement with the Board including respective exhibit and final witness lists, statement of stipulated facts, and statement of stipulated costs (if any). The Board shall be given a tabbed, indexed single courtesy copy (3 ring binder) of all exhibits the parties plan to introduce as evidence at the trial hereof. |
| <u>February 20, 2014</u> | Prehearing conference at the Board beginning at 10:30 a.m.  |
| <u>April 1-4, 2014</u>   | Hearing on the merits of the claims in the Board courtroom at 10:30 a.m. daily to conclude no later than April 4, 2014. The District shall provide a court reporter.  |

The parties are advised that it is the Board's policy to eliminate aged cases from its docket as promptly as possible, and that Appeal No. D-1332 was filed with the Board on June 6, 2008. As a result, the Board will not grant further continuances in D-1332 and instructs the parties to be ready to commence trial therein on April 1-4, 2014, as noted above. The Board strongly encourages settlement, but believes that six years is sufficient time for the parties to determine whether settlement is likely in D-1332, and that further delay may jeopardize the quality of witness recollection, and/or the availability of evidence. The Board may, however, grant an extension to the hearing date in Appeal No. D-1455 as warranted by the circumstances.

All motions requesting an extension of a deadline, or continuance of a hearing or conference, shall be filed in accordance with D.C. Mun. Regs. tit. 27, §124. Such motions shall include proposed dates that are mutually agreeable to all counsel and/or unrepresented parties.

This Revised Scheduling Order may be amended only by Board order upon motion properly filed and served.

**SO ORDERED.**

Date: January 3, 2014

/s/ Marc D. Loud, Sr.  
MARC D. LOUD, SR.  
Chief Administrative Judge

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