

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

---

**SECRETARY OF THE ARMY,**  
*Appellant*

v.

**KIEWITPHELPS,**  
*Appellee*

---

2023-1842

---

Appeal from the Armed Services Board of Contract Appeals in No. 61184, Administrative Judge Richard Shackelford, Administrative Judge Lis B. Young, Administrative Judge Owen C. Wilson.

---

**O R D E R**

The parties having so agreed, it is ordered that:

- (1) The proceeding is DISMISSED under Fed. R. App. P. 42 (b).
- (2) Each side shall bear their own costs.

FOR THE COURT

August 8, 2023  
Date

/s/ Jarrett B. Perlow  
Jarrett B. Perlow  
Clerk of Court

**ISSUED AS A MANDATE:** August 8, 2023