

NOTE: This order is nonprecedential.

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

BES DESIGN/BUILD, LLC,
Appellant

v.

SECRETARY OF VETERANS AFFAIRS,
Appellee

2023-2270

Appeal from the Civilian Board of Contract Appeals in No. 6453, 6560, Administrative Judge Jerome M. Drummond, Administrative Judge Jonathan D. Zischkau, Administrative Judge Beverly M. Russell.

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).

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(2) Each side shall bear their own costs.

FOR THE COURT

October 6, 2023

Date

/s/ Jarrett B. Perlow

Jarrett B. Perlow

Clerk of Court

ISSUED AS A MANDATE: October 6, 2023