

# In the United States Court of Federal Claims

No. 20-356C  
(Filed May 26, 2020)

\* \* \* \* \*  
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\*  
ACTA, LLC, \*  
\*  
Plaintiff, \*  
\*  
v. \*  
\*  
THE UNITED STATES, \*  
\*  
Defendant, \*  
\*  
and \*  
\*  
UNCOMN, LLC, \*  
\*  
Defendant-Intervenor. \*  
\*  
\*  
\* \* \* \* \*

## ORDER

The preliminary injunction, previously secured by plaintiff in this bid protest, *see* Order (April 24, 2020), ECF No. 37, has resulted in a new evaluation and award decision, *see* Notice, ECF No. 50; Joint Status Report at 2, ECF No. 52. Plaintiff has moved for a voluntary dismissal, to which defendant will consent but not defendant-intervenor. Under these circumstances, however, the new award has made the matter brought here moot, and the awardee has no claim in this matter to preserve. *See Tech. Innovation, Inc. v. United States*, 93 Fed. Cl. 276, 279 (2010). Accordingly, plaintiff's motion for a voluntary dismissal is **GRANTED** under Rule 41(a)(2) of the Rules of the United States Court of Federal Claims. The Clerk shall close the case.

**IT IS SO ORDERED.**

s/ Victor J. Wolski \_\_\_\_\_  
**VICTOR J. WOLSKI**  
Senior Judge