

Board of Contract Appeals
General Services Administration
Washington, D.C. 20405

DISMISSED: April 6, 2004

GSBCA 16284

WESTON HOLDING CO., L.L.C.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Stephen G. Leatham of Heurlin, Potter, Jahn, Leatham & Holtmann, P.S., Vancouver, WA, counsel for Appellant.

M. Leah Wright, Office of General Counsel, General Services Administration, Auburn, WA, counsel for Respondent.

DANIELS, Board Judge (Chairman).

ORDER

Weston Holding Co., L.L.C. (Weston) leased to the General Services Administration (GSA) office and related space in a building in Portland, Oregon. The Government substantially vacated the leased premises nearly three years before the lease term ended.

As part of the lease, GSA rented from Weston, at a specified rate, eighty-five on-site parking spaces. When the Government substantially vacated the premises, it ceased using seventy-eight of the eighty-five spaces. Later, but still during the lease term, a GSA contracting officer terminated the rental payment for the seventy-eight spaces and took a credit against rent related to prior non-use of the spaces. Weston appealed her decision to the Board.

After discussion between the parties, the contracting officer withdrew the decision and GSA paid to Weston an amount in full settlement of the matter at issue and various other matters relating to the lease. Weston asked that the appeal be dismissed.

In accordance with Weston's request, the appeal is **DISMISSED**.

STEPHEN M. DANIELS
Board Judge