

# Board of Contract Appeals

General Services Administration  
Washington, D.C. 20405

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MOTION TO DISMISS IN PART GRANTED: August 5, 2004

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GSBCA 16400

PACIFIC GENERAL, INC.,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Michael W. Kinney, Bonsall, CA, counsel for Appellant.

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

Before Board Judges **DANIELS** (Chairman), **HYATT**, and **DeGRAFF**.

**DeGRAFF**, Board Judge.

In its complaint, Pacific General, Inc. (Pacific General) asks to recover incidental and consequential damages of \$2.9 million, in addition to other amounts. On July 14, 2004, the General Services Administration (GSA) filed a motion to dismiss the portion of the complaint that requests incidental and consequential damages. In its August 2 response to GSA's motion, Pacific General consents to withdraw this portion of its complaint.

GSA's motion to dismiss the portion of the complaint that requests incidental and consequential damages is **GRANTED**.

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MARTHA H. DeGRAFF  
Board Judge

We concur:

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STEPHEN M. DANIELS  
Board Judge

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CATHERINE B. HYATT  
Board Judge