

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

MOTION FOR RECONSIDERATION DENIED: November 20, 2003

GSBCA 16264-SSA

HANS EVERS, M.D.,

Appellant,

v.

SOCIAL SECURITY ADMINISTRATION,

Respondent.

Martin B. Lowery, Naperville, IL, counsel for Appellant.

Seth Binstock, Office of General Law, Social Security Administration, Baltimore, MD; and Donna L. Calvert, Office of Regional Counsel, Social Security Administration, Chicago, IL, counsel for Respondent.

Before Board Judges **PARKER, NEILL, and DeGRAFF.**

DeGRAFF, Board Judge.

On November 4, 2003, we dismissed part of this appeal for lack of jurisdiction. We retained jurisdiction of the portion of the appeal that challenges the agency's termination of appellant's contract. On November 12, 2003, appellant asked us to reconsider our November 4 decision and to dismiss the entire appeal for lack of jurisdiction. As grounds for his motion, appellant says the propriety of the termination of his contract cannot be separated from the issues over which we lack jurisdiction, and to continue to litigate only the propriety of the termination would be a useless act. Appellant does not want to withdraw his appeal voluntarily.

Appellant's motion for reconsideration is **DENIED**. As we explained in our November 4 decision, we have jurisdiction to consider the propriety of the termination of appellant's contract. Thus, there are no grounds for dismissing the appeal from the termination for lack of jurisdiction.

MARTHA H. DeGRAFF
Board Judge

We concur:

ROBERT W. PARKER
Board Judge

EDWIN B. NEILL
Board Judge