

**BEFORE THE
MARYLAND STATE BOARD OF CONTRACT APPEALS**

Appeal of Brawner Builders, Inc.

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MSBCA No. 2993

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Under SHA Contract No. AX0977414R

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ORDER

Upon consideration of the Respondent Maryland State Highway Administration's Motion to Dismiss, or in the alternative, Motion for Summary Judgment, and the responses thereto, including arguments and testimony heard before this Board, it is this 30th day of November, 2016, ORDERED that:

1. Respondent's Motion to Dismiss is granted on the basis that Appellant failed to file a timely response to the Motion to Dismiss, and it is further;
2. ORDERED that the Motion to Dismiss is granted because Appellant lacks standing.


Michael J. Collins
Chairman

I Concur:



Bethamy N. Beam
Board Member

cc: Lance M. Young, Esq.
Jeffrey N. Pritzker, Esq.
Scott A. Livingston, Esq.

IN THE MATTER OF THE PETITION
OF BRAWNER BUILDERS, INC.

Petitioner,

v.

ADMINISTRATIVE AGENCY APPEAL
MARYLAND STATE BOARD OF
CONTRACT APPEALS

IN THE
CIRCUIT COURT
FOR
BALTIMORE CITY

Case No.: 24-C-16-007097

* * * * *

ORDER

Upon consideration of Petitioner Brawner Builders, Inc.'s Petition for Judicial Review of the Decision of the Maryland State Board of Contract Appeals (#1) any opposition thereto, the arguments of counsel at the hearing and for the reasons stated on the record, it is this 8th day of June, 2017 by the Circuit Court for Baltimore City,

ORDERED that the November 30, 2016 Decision of the Maryland State Board of Contract Appeals be and is hereby **AFFIRMED**; and it is further

ORDERED that Petitioner Brawner Builders, Inc.'s Petition for Judicial Review of the Decision of the Maryland State Board of Contract Appeals (#1) is hereby **DISMISSED**.

The Judge's signature appears
on the original document.

Judge Barry G. Williams
Circuit Court for Baltimore City