In the United States Court of Federal Claims

Case No. 05-984C
(Filed: September 20, 2005)

****

IAP WORLD SERVICES, INC., *
Plaintiff, *
*
v. *
*
THE UNITED STATES OF AMERICA, *
Defendant, *
*
and *
*
EJB FACILITIES SERVICES, *
Intervenor. *

****

ORDER

On September 19, 2005, the Defendant filed an unopposed Motion to dismiss the above-captioned case as moot. As explained below, **the Defendant's motion is granted, and the case is dismissed.**

The Plaintiff filed its Motion for a Temporary Restraining Order (TRO), Preliminary Injunction, and Permanent Injunction in this Court on September 13, 2005. The Plaintiff challenged the Navy's override of the Government Accountability Office's (GAO) automatic stay under the Competition in Contracting Act (CICA), 33 U.S.C. § 3553, following the bid protest of the contract award of Solicitation No. N44255-04-R-0003 to Defendant-Intervenor, EJB Facilities Services (EJB). The Court heard oral argument on Plaintiff's Motion for a TRO on September 16, 2005.

At the conclusion of the hearing, the Court issued a bench ruling granting the TRO, which was memorialized in a written Order on September 19. Pursuant to the ruling, the United States was temporarily enjoined from enforcing the override and continuing performance under its contract with EJB.

The Defendant voluntarily rescinded the override decision, thus reinstating the automatic stay until the GAO renders a decision in the underlying bid protest. Defendant then moved to dismiss the instant case as moot, with no objection from Plaintiff or Defendant-Intervenor.

The override decision that was the subject of Plaintiff's challenge has been rescinded. This case is hereby dismissed as moot.

IT IS SO ORDERED.

_____
LAWRENCE M. BASKIR
Judge