

UNITED STATES OF AMERICA

ARMED SERVICES BOARD OF CONTRACT APPEALS

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IN THE MATTER OF:

THE APPEAL OF

Wesleyan Company, Inc.

ASBCA Docket No.
53896

Under Contract No.
DAAK60-84-M-1116,

et al.

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VOLUME 1

Tuesday

April 15, 2008

Hearing Room B
Seventh Floor
Skyline Six
5109 Leesburg Pike
Arlington, Virginia

The above-entitled matter came
on for hearing, pursuant to notice, at 1:00
p.m.

BEFORE:

THE HONORABLE MONROE E. FREEMAN, JR.
Administrative Law Judge

Neal R. Gross & Co., Inc.
(202) 234-4433

1 was the SN-CIE, not the Fist Flex.

2 Q Okay. But even --

3 A You'd have to ask General Watson
4 down at the Chem School why he put a poison
5 pill in the SN-CIE and sent it forward to the
6 chief of staff of the Army. You might also
7 ask him why he didn't call the chief of staff
8 in when the million dollars was being
9 appropriated with glowing language, why -- why
10 it wasn't purchased -- why he didn't call him
11 up and say, hey, we just killed that in March
12 of '89, no need to send the money, but he
13 didn't do that either.

14 Q But it wasn't killed in March of
15 '89 because they bought 4 or 500 of them and
16 tested them for the next two years, right?

17 A We viewed that that series of tests
18 would not produce an item that was fielded to
19 the soldiers and if history serves me correct,
20 it was never fielded to the soldiers.

21 MR. CLARKE: I have no further
22 questions.

23 JUDGE FREEMAN: Do you have
24 redirect?

25 MR. MOORHOUSE: I have nothing on