

Docket Number: 960

STRATTON C. SCHAFFER/BROSCH AND COWLEY,
A Joint Venture of Consulting Engineers

Harry L. Bricker, Esquire

CLOSED VS.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

Thomas Devlin, Assistant Counsel

September 2, 1984

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$2,396+.

September 24, 1984

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

October 26, 1984

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

CLOSED
December 10, 1984
Reply to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 5, 1985

Certificate of Service of Respondent's Interrogatories Addressed to Claimant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 27, 1985

Respondent's Motion to Compel Claimant to Answer First Set of Interrogatories and Proposed filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 22, 1985

Hearing scheduled for December 4, 5 and 6, if necessary, before Eastern District, to be held in Board's Conference Room commencing at 10 a.m.

November 1, 1985

Answers to Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 4, 1985

Hearing held in Board's Conference Room, Eastern District, commencing at 10 a.m. Non-Pros entered against Plaintiff.

December 6, 1985

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 6th day of December, 1985, upon due consideration of the facts relating to the hearing and noting the unexplained absence of Claimant or his attorney, it is hereby **ORDERED** and **DECREED** that the Motion for Non-Pros is hereby granted, with prejudice, and judgment entered for the Defendant, Commonwealth of Pennsylvania, Department of General Services. The Defendant is further granted ten (10) days to submit a statement in substantiation of its costs for consideration by the Board as to assessment of such costs upon Claimant or its Counsel." Copies forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

CLOSED

December 16, 1985
Testimony of hearing held December 4, 1985 filed
December 17, 1985
Copy of testimony of hearing held December 4, 1985 forwarded to attorney for Defendant.

December 30, 1985

Proposed Order and Motion for Hearing filed by attorney for Plaintiff.
Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 15, 1986

Answers to Claimant's Motion for Hearing, New Matter and Respondent's Motion to Strike filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 28, 1986

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of January, 1986, upon consideration of Claimants' Motion and Respondent's response thereto, the Motion for Hearing is denied and the December 6, 1985 Order of Judgment of Non-Pros with Prejudice in favor of the Respondent is **AFFIRMED**. Each party to bear its own costs." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

March 7, 1986

Petition for Review received from Commonwealth Court. (No. 518 C.D. 1986)

April 1, 1986

Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Plaintiff.

April 11, 1986

File transmitted to Commonwealth Court.

November 16, 1987

Copy of Opinion and Order received from Commonwealth Court. Order as follows: "The order of the Board of Claims denying Petitioners' motion for a hearing is hereby affirmed."

January 7, 1988

File returned from Commonwealth Court.

May 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 3rd day of May, 1991, a Rule to Show Cause is issued upon the Defendant, Department of General Services, within fifteen days (15) of the date of this Order, why this case should not be marked settled and terminated with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

May 16, 1991

Acceptance of Service of Opinion and Order dated May 3, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 14, 1991.

October 16, 1991

The Board rendered an Opinion and made the following Order: "AND NOW, this 16th day of October, 1991, this Order is issued as a result of the failure of Defendant, to provide the Board of Claims within fifteen (15) days of May 3, 1991, with a statement in substitution of its cost. It is therefore **DIRECTED** that the Rule of May 3, 1991 be made **ABSOLUTE** and the record be marked closed and settled with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 1, 1991

Acceptance of Service of Opinion and Order dated October 16, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 24, 1991.