

Docket Number: 1059

IA CONSTRUCTION CORPORATION

W. Scott Staruch, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Claims Attorney~~  
John J. Robinson, Jr., Chief Claims Attorney

**April 30, 1986**

Complaint and filing fee filed. Amount of Claim: \$500,000.00+

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**May 2, 1986**

Copies of Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General.

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**May 6, 1986**

Acceptance of Service of Complaint, dated April 30, 1986 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 5, 1986.

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**May 15, 1986**

Acceptance of Service of Complaint, dated April 30, 1986 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 6, 1986.

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**August 4, 1989**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of August, 1989, a Rule to Show Cause is issued upon the Defendant, Commonwealth of Pennsylvania, Department of Transportation, to furnish the Board of Claims with legal explanation, that is acceptable to the Board, on why an Answer was not filed in this matter, and further why there has been a failure to furnish a Status Report within thirty (30) days of June 2, 1989.

Upon failure of the Department of Transportation to furnish the Board with a legal acceptable reason with twenty (20) days from the date of this Order, as to why no Answer or Status Report has been filed with the Board of Claims, the Board shall make this Rule Absolute and may issue judgement against the Department of Transportation for a sum, certain together with legal interest thereon. The Board of Claims directs that all response be in writing." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 8, 1989**

Acceptance of Service of Opinion and Order dated August 4, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 7, 1989.

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**August 9, 1989**

Acceptance of Service of Opinion and Order dated August 4, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 8, 1989.

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**August 17, 1989**

The Board made the following Order: "AND NOW, this 17th day of August, 1989, due to the Settlement between the Plaintiff, IA Construction, and the Defendant, Commonwealth of Pennsylvania, Department of Transportation, it is hereby ORDERED that an Answer need not be filed unless further Ordered by the Board of Claims."

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 18, 1989**

Praecipe for Discontinuance filed by attorney for Defendant, executed by parties.

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**August 22, 1989**

Acceptance of Service of Order dated August 17, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 21, 1989.

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**August 23, 1989**

Acceptance of Service of Order dated August 17, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 18, 1989.

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**July 28, 1992**

The Board rendered an Opinion and made the following Order: "AND NOW, this 28th day of July, 1992, a Rule to Show Cause is issued why these cases should not be marked terminated and ended with prejudice for failure to abide by the Board's directives. Rule returnable thirty (30) days from the date of this Order." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**July 30, 1992**

Acceptance of Service of Opinion and Order dated July 28, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 29, 1992.

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**August 4, 1992**

Acceptance of Service of Opinion and Order dated July 28, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff for Plaintiff July 29, 1992.

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**August 27, 1992**

Response to Rule to Show Cause filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 1, 1992**

The Board rendered an Opinion and made the following Order: "AND NOW, this 1st day of October, 1992, after due consideration of the pleadings in the cases docketed to Nos. 1054, 1059 and 1212 and acceptance of the Plaintiff's Response to the Rule to Show Cause issued by the Board, as a submission in the nature of a Stipulation of Settlement together with a joint Praecipe for Discontinuance filed by the parties on August 18, 1992, it is hereby ORDERED that each of the above-referenced cases be marked 'settled and discontinued with prejudice'. It is so ORDERED." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**October 5, 1992**

Acceptance of Service of Opinion and Order dated October 1, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 2, 1992.

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**October 14, 1992**

Acceptance of Service of Opinion and Order dated October 1, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 9, 1992.

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