

Docket Number: 1063

ADAMS COUNTY ASPHALT CO., TO THE USE OF QUAZITE CORPORATION

~~William D. Boswell, Esquire~~
Joseph A. Klein, Esquire

vs.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA TURNPIKE COMMISSION

~~Louis R. Martin, Acting Chief Counsel~~
~~Carleton O. Strouss, Chief Counsel~~
Kevin F. Longenbach, Assistant Chief Counsel

May 12, 1986

Claim and filing fee filed. Amount of Claim: Unknown

May 13, 1986

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

May 16, 1986

Acceptance of Service of Complaint received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General May 14, 1986.

May 19, 1986

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 15, 1986.

CLOSED

June 6, 1986

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

July 24, 1986

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

December 19, 1986

Defendant's Continuing Interrogatories to Plaintiff - First Set as well as Defendant's Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 23, 1986

Plaintiff's Continuing Interrogatories to Defendant - First Set and Defendant's Answers filed by parties.

June 1, 1987

Praecipe filed by attorney for Defendant entering the appearance of Kevin F. Longenbach as attorney for Defendant.

June 1, 1987

Letter received from Mr. Strouss, Esquire withdrawing his appearance as attorney for Defendant.

June 5, 1987

Hearing scheduled for August 4,5,6 and 7, 1987, as well as August 11,12,13 and 14, 1987, if necessary, in Board's Court Room No. 1 commencing at 10:00 A.M.

July 31, 1987

Defendant, Pennsylvania Turnpike Commission's Motion for Judgement on the Pleadings filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 31, 1987

Additional Answers to Plaintiff's Continuing Interrogatories to Defendant - First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 3, 1987

Plaintiff's Motion to Strike Defendant's Motion for Judgement on the Pleadings filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

August 4, 1987

Hearing held in Board's Court Room at 10:00 a.m.

August 5, 1987

Hearing held in Board's Court Room at 10:00 a.m. Case completed.

September 9, 1987

Testimony of hearing held August 4, 1987 filed. Copy forwarded to attorney for Defendant.

September 9, 1987

Testimony of hearing held August 5, 1987 filed. Copy forwarded to attorney for Defendant.

September 14, 1987

Acceptance of Service of testimony received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 11, 1987.

September 18, 1987

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 18th day of September, 1987 the Defendant's Motion for Judgement on the Pleadings, being in violation of Rule 1034 of the Rules of Pennsylvania Civil Procedure, is hereby **DENIED."**

September 21, 1987

Copy of Opinion and Order dated September 18, 1987 forwarded to attorney for Plaintiff and attorney for Defendant.

September 23, 1987

Acceptance of Service of Opinion and Order dated September 18, 1987 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 22, 1987.

September 23, 1987

Opinion and Order dated September 18, 1987 returned to Board. Envelope to Mr. Klein incorrectly addressed.

September 24, 1987

Opinion and Order dated September 18, 1987 forwarded to Mr. Klein.

September 25, 1987

Plaintiff's Findings of Fact, Conclusions of Law and Legal Memorandum filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 7, 1988

Defendant's Findings of Fact, Conclusions of Law and Legal Memorandum filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 27, 1988

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 27th day of May, 1988, the Board finds in favor of the Defendant, Commonwealth of Pennsylvania, Pennsylvania Turnpike Commission, and against the Plaintiff, Adams County Asphalt Company to the use of Quazite Corporation. All parties to bear their own costs." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 3, 1988

Acceptance of Service of Opinion and Order dated May 27, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 31, 1988.

June 28, 1988

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

June 28, 1988

Petition for Review received from Commonwealth Court. (No.1529 C.D. 1988)

CLOSED

August 3, 1988

File transmitted to Commonwealth Court

May 1, 1988

Copy of Opinion and Order received from Commonwealth Court. Order as follows: **"AND NOW**, this 15th day of May, 1989, the Order of the Board of Arbitration of Claims dated May 27, 1988 is affirmed."

July 19, 1989

File returned from Commonwealth Court.
