

Docket Number: 1143

CONN CONSTRUCTION COMPANY

Jack W. Plowman, Esquire  
Kenneth W. Lee, Esquire

VS.  
**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Claims Attorney~~  
~~Stephen J. Busterna, Assistant Counsel~~

**\*September 23, 1987**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$48,720.00+.

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**September 25, 1987**

Notice of Claim letter forwarded to attorney for Defendant.

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**October 14, 1987**

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

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**October 15, 1987**

Acceptance of service of claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 15, 1987.

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**October 20, 1987**

Acceptance of service of claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General October 16, 1987.

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**December 16, 1987**

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

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**January 14, 1988**

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

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**February 5, 1988**

Defendant's First Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 5, 1988**

Defendant's Interrogatories to Plaintiff, Conn Construction Company-First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**August 31, 1988**

Motion to File Amendment to Claim and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 20, 1988**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of December, 1988, upon consideration of the Motion to File Amendment to Claim and the memorandum of consent, it is hereby **ORDERED** and **DECREED** that the Plaintiff, Conn Construction Company, is granted leave to file its Amendment to Claim within twenty (20) days of the date of this Order. The Board will make service on all parties." Copies forwarded to attorneys for Plaintiff and attorney for Defendant.

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**December 22, 1988**

Acceptance of Service of Opinion and Order dated December 20, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 21, 1988.

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**December 27, 1988**

Acceptance of Service of Opinion and Order dated December 20, 1988 received from attorney for Plaintiff (Mr. Plowman). Receipt of same acknowledged by attorney for Plaintiff December 22, 1988.

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**December 27, 1988**

Acceptance of Service of Opinion and Order dated December 20, 1988 received from attorney for Plaintiff (Mr. Lee). Receipt of same acknowledged by attorney for Plaintiff December 22, 1988.

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**\*December 27, 1988**

Amendment to Claim filed by attorney for Plaintiff. Amount of Claim: \$180,409.65+.

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**December 29, 1988**

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

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**January 3, 1989**

Acceptance of Service of Amendment to Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 30, 1988.

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**January 9, 1989**

Acceptance of Service of Amendment to Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General December 30, 1988.

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**January 31, 1989**

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

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**February 23, 1989**

Brief in Support of Preliminary Objections in the Nature of a Motion for More Specific Pleading filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 23, 1989**

Preliminary Objections in the Nature of a Motion for More Specific Pleadings and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 5, 1989**

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

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**April 10, 1989**

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

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**July 13, 1989**

First Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 17, 1989**

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

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**October 16, 1989**

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

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**November 13, 1989**

Plaintiff's Answer to Defendant's Interrogatories to Plaintiff, Conn Construction Company-First Set filed by attorney for Plaintiff (Kenneth W. Lee, Esquire). Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 4, 1989**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of December, 1989, it is **ORDERED** and **DECREED** that the Motion for a More Specific Pleading be dismissed as having been made moot by the Amended Answer to the Amended Claim and New Matter."

Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**December 6, 1989**

Acceptance of Service of Opinion and Order dated December 4, 1989, received by attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 6, 1989.

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**December 8, 1989**

Acceptance of Service of Opinion and Order dated December 4, 1989, received by attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 6, 1989.

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**March 6, 1991**

Defendant's Second Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorneys for Plaintiff by attorney for Defendant.

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**March 6, 1991**

Defendant's Interrogatories to Plaintiff Conn Construction Company-Second Set filed by attorney for Defendant. Copy forwarded to attorneys for Plaintiff by attorney for Defendant.

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**February 12, 1992**

Motion to Compel filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 18, 1992**

First Request for Admissions filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 2, 1992**

Plaintiff's Answers to Defendant's Interrogatories to Plaintiff, Conn Construction Company-Second Set and Reply to Defendant's Second Request for Production of Documents filed by attorney for Plaintiff.

Copies forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 4, 1992**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of June, 1992, it is **ORDERED** and **DECREED** that the Motion to Compel, as filed by counsel for the Department of Transportation is **DISMISSED** as being **MOOT**." Copies forwarded to attorneys for Plaintiff and attorney for Defendant.

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**June 4, 1992**

Acceptance of Service of Opinion and Order dated June 4, 1992, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 5, 1992.

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**June 16, 1992**

Acceptance of Service of Opinion and Order dated June 4, 1992, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 8, 1992.

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**June 23, 1992**

Western District Hearing scheduled for October 21, 22 and 23, 1992, if necessary, to be held in Room 101, Saint Joseph Hall, Greensburg, Pennsylvania, commencing at 10:00 a.m.

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**July 27, 1992**

Western District Hearing scheduled for October 21, 22, and 23, 1992 canceled at the request of attorney for Plaintiff. Case settled.

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**October 14, 1992**

Praeceptum to Settle and Discontinue, as well as fully executed copy of the Agreement and Release, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 7, 1993**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 7th day of January, 1993, upon receipt of an Agreement and Release and Plaintiff's Praeceptum to Settle and Discontinue, duly executed, it is hereby **ORDERED** and **DECREED** that the case

**January 7, 1993 (cont'd)**

docketed to No. 1143 is settled and ended and the docket shall be marked 'settled and discontinued with prejudice.' It is so **ORDERED**."

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**January 11, 1993**

Acceptance of Service of Opinion and Order dated January 7, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 8, 1993.

**January 15, 1993**

Acceptance of Service of Opinion and Order dated January 7, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 15, 1993.

**CLOSED**