

Docket Number: 1147

**BUCHART-HORN, INC.**

Jack B. Horner, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION**

Kenneth L. Sable, Chief Claims Attorney

**September 25, 1987**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$104,930.03+

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**September 29, 1987**

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

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**October 1, 1987**

Acceptance of Service of Claim received from Defendant. Receipt of same acknowledged by Defendant September 30, 1987.

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**October 6, 1987**

Acceptance of service of Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General October 1, 1987.

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**October 28, 1987**

Answer admitting all allegations filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff.

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**November 4, 1987**

The Board rendered an Opinion and made the following Order: "AND NOW, this 4th day of November, 1987, upon consideration of the Claim and Answer thereto, it is hereby ORDERED and DECREED that an Exploratory Hearing shall be held on Friday, November 6, 1987 in Board's Courtroom No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania, beginning at 3:00 p.m. The parties shall be present and prepared through proper witnesses, to place upon the record all aspects of the Claim." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 6, 1987**

Acceptance of Service of Opinion and Order dated November 4, 1987 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 5, 1987/

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**November 6, 1987**

Exploratory Hearing held in Board's Courtroom No. 1 commencing at 3:00 p.m. Case Completed.

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**November 9, 1987**

Acceptance of Service of Opinion and Order dated November 4, 1987 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 5, 1987.

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**November 10, 1987**

The Board rendered an Opinion and made the following Order: "AND NOW, this 10th day of November, 1987, premised on the record, the pleadings herein and the testimony presented, it is hereby ORDERED and DIRECTED that the settlement between the parties be and hereby is accepted and that the Defendant, Commonwealth of Pennsylvania, Department of Transportation is obligated and Directed to pay the Plaintiff, Buchart-Horn, Inc. herein the sum of One Hundred Four Thousand Nine Hundred Thirty Dollars and Three Cents (\$104,903.03).

It is further ORDERED that, upon receipt of payment of said Award, Plaintiff, Buchart-Horn, Inc. shall forthwith file with the Board a Praecipe that the case be marked settled, discontinued and ended with prejudice. Each party to bear its own costs." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 10, 1987**

Acceptance of Service of Opinion and Order dated November 10, 1987 received from attorney for defendant. Receipt of same acknowledged by attorney for Defendant November 10, 1987.

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**November 12, 1987**

Acceptance of Service of Opinion and Order dated November 10, 1987 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 11, 1987.

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**December 7, 1987**

Testimony of Hearing held November 6, 1987 filed.

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**December 10, 1987**

Copy of Testimony for Hearing held November 6, 1987 forwarded to attorney for Defendant.

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**December 10, 1987**

Acceptance of Service of Testimony dated December 10, 1987 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 10, 1987.

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**December 16, 1987**

Praeipie for Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 30, 1987**

The Board made the following Order: "AND NOW, this 30th day of December, 1987, upon receipt of Praeipie for Discontinuance to mark the above-captioned matter "settled, ended and discontinuance with prejudice against the Defendant," executed by Jack B. Horner,, Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of December 16, 1987, it is ORDERED and DIRECTED that said case be marked settled, discontinued and ended with prejudice.

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**January 4, 1988**

Copies of Order dated December 30, 1987 forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 6, 1988**

Acceptance of Service of Order dated December 30, 1987 received from Defendant. Receipt of same acknowledged by Defendant January 5, 1988.

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**January 11, 1988**

Acceptance of Service of Order dated December 30, 1987 received from Plaintiff. Receipt of same acknowledged by Plaintiff January 7, 1988.

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