

Docket Number: 1149

BURRLELL CONSTRUCTION AND SUPPLY COMPANY

~~Allison G. Rona, Esquire~~
Alison G. Baumann, Esquire

VS.
CLOSED
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

September 28, 1987

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$190,504.51+

October 1, 1987

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

October 5, 1987

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

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 1, 1987.

Acceptance of Service of Complaint received from aOffice of Attorney General. Receipt of same acknowledged by Office of Attorney General October 8, 1987.

November 13, 1987

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

December 17, 1987

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

February 1, 1988

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

March 10, 1988

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

December 19, 1988

Stipulation for Dismissal filed by parties.

February 1989

Praecipe for Appearance filed by Alison G. Baumann, Esquire, attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 13, 1989

The Board rendered and Opinion and made the following Order: "**AND NOW**, this 13th day of March, 1989, premised on the record, the pleadings filed, and the need for an in-depth determination, it is hereby **ORDERED** and **DIRECTED** that an exploratory hearing be held before the Board of Claims in Court Room No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 11:00 a.m on Thursday, March 16, 1989." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

March 15, 1989

Acceptance of Service of Opinion and Order dated March 13, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 14, 1989.

March 16, 1989

Exploratory hearing held n Board's Court Room No. beginning at 11:04 a.m. Case Settled.

March 17, 1989

Acceptance of Service of Opinion and Order dated March 13, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 15, 1989.

March 20, 1989

The Board rendered and Opinion and made the following Order: "**AND NOW**, this 20th day of March, 1989, premised on the record, the pleadings herein and the testimony presented 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 payment to Plaintiff, Burrlell Construction and Supply and Company, in the amount of Eighty-Seven Thousand Two Hundred Nine Dollars and Seventy Cents (\$87,209.70) by the Defendant, Commonwealth of Pennsylvania, Department of Transportation, is approved. As Plaintiff acknowledged receipt of payment and furnished a release to Defendant, the case shall be marked settled, discontinued and ended with prejudice. Each party to bear its own costs." Copies forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

March 21, 1989

Acceptance of Service of Opinion and Order dated March 20, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 20, 1989.

March 28, 1989

Testimony of exploratory hearing held Thursday, March 16, 1989, filed.

March 29, 1989

Acceptance of Service of Opinion and Order dated March 20, 1989, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 27, 1989.

March 30, 1989

Copy of testimony, for exploratory hearing held Thursday, March 16, 1989, forwarded to attorney for Defendant.

March 31, 1989

Acceptance of Service of Opinion and Order dated March 20, 1989, received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 21, 1989.

April 3, 1989

Acceptance of Service of Testimony of exploratory hearing held Thursday, March 16, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 31, 1989.
