

Docket Number: 1155

JOHN J. KASSNER & COMPANY, INC.

Sherilyn Arnold, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Jeffrey W. Davis, Assistant Counsel

***October 21, 1987**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$10,352.04+

***October 23, 1987**

Amended Claim filed by attorney for Plaintiff.

October 26, 1987

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

October 29, 1987

Acceptance of Service of Claim and Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 29, 1987.

November 4, 1987

Acceptance of Service of Claim and Amended Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General October 29, 1987.

***April 29, 1988**

Second Amended Claim filed by attorney for Plaintiff. Amount of Claim: \$14,375.08+

May 10, 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 10th day of May, 1988, it is ORDERED and DIRECTED that the Second Amended Claim be docketed and that a copy be served on the Office of Attorney General and the Department of Transportation and be made part of the records in this case." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 11, 1988

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

May 12, 1988

Acceptance of Service of Opinion and Order dated May 10, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 11, 1988.

May 12, 1988

Acceptance of Service of Second Amended Claim dated May 10, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 11, 1988.

May 16, 1988

Acceptance of Service of Opinion and Order dated May 10, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 13, 1988.

May 18, 1988

Acceptance of Service of Second Amended Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General May 18, 1988.

May 18, 1988

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

May 31, 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 31st day of May, 1988, 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 2:00 p.m. on Tuesday, June 7, 1988."

June 1, 1988

Copy of Opinion and Order dated May 31, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

June 2, 1988

Acceptance of Service of Opinion and Order dated May 31, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 2, 1988.

June 3, 1988

Acceptance of Service of Opinion and Order dated May 31, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 2, 1988.

June 7, 1988

Exploratory hearing held in Board's Courtroom No.1 commencing at 2:26 p.m. Case Settled.

June 8, 1988

Acceptance of Service of Opinion and Order dated May 31, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 6, 1988.

June 15, 1988

CLOSED

The Board rendered an Opinion and made the following Order: AND NOW, this 15th day of June, 1988, entered on the record, the pleadings herein and the testimony presented, it is hereby ORDERED and DIRECTED that the settlement between the parties is accepted and hereby is accepted, and that the defendant, Commonwealth of Pennsylvania, Department of Transportation, is obligated and ORDERED to pay the Plaintiff, John J. Kassner & Company, Inc. formerly d/b/a Kassner-Pierce Consulting Engineering, the sum of Fourteen Thousand Three Hundred Seventy-Five Dollars and Eight Cents (\$14,375.08). It is further ORDERED that upon receipt of payment of said Award, Plaintiff 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." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 17, 1988

Acceptance of Service of Opinion and Order dated June 15, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 16, 1988.

June 21, 1988

Acceptance of Service of Opinion and Order dated June 15, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 17, 1988.

July 13, 1988

Testimony of hearing held June 7, 1988 forwarded to attorney for Defendant.

July 18, 1988

Copy of testimony of hearing held June 7, 1988 forwarded to attorney for Defendant.

July 19, 1988

Acceptance of Service of testimony for hearing held June 7, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 18, 1988.

November 18, 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day of November, 1988, a Rule to Show Cause is issued to Plaintiff, John J. Kassner & Company, Inc., wherein it is directed that Claimant advise the Board within 30 days of this Rule whether or not Claimant has received the sum of money directed by the Board of Claims. This Rule shall become absolute in the event the Board does not receive a response to said Rule." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED

Acceptance of Service of Opinion and Order dated November 18, 1988 from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 18, 1988.

December 9, 1988

Letter Praecipe filed by attorney for Plaintiff.

December 16, 1988

The Board made the following Order: "AND NOW, this 16th day of December, 1988, upon receipt of Letter Praecipe, executed by Nancy W. Anderson, Esquire, on behalf of the Plaintiff, same of which is docketed with this Board under date of December 9, 1988, it is ORDERED and DIRECTED that said case be marked settled, discontinued and ended with prejudice."

December 19, 1988

Copy of Order dated December 16, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

December 20, 1988

Acceptance of Service of Order dated December 16, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 19, 1988.

January 6, 1989

Acceptance of Service of Order dated December 16, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney

for Plaintiff December 23, 1988.

CLOSED