

Docket Number: 1156

JOHN J. KASSNER & COMPANY, INC.

Sherilyn Arnold, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claim Attorney

**\*\*October 21, 1987**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$96,712.18+

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**\*October 23, 1987**

Amended Claim filed by attorney for Plaintiff.

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**October 27, 1987**

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

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**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 28, 1987.

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**November 4, 1987**

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

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**\*\*March 25, 1988**

Second Amended Claim filed by attorney for Plaintiff. Amount of Claim: \$97,016.12.

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**March 29, 1988**

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

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**March 30, 1988**

Acceptance of Service of Second Amended Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General March 30, 1988.

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**April 4, 1988**

Acceptance of Service of Second Amended Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General March 30, 1988.

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**April 22, 1988**

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

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**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 2:45 p.m. on Tuesday, June 7, 1988."

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**June 1, 1988**

Copy of Opinion and Order dated May 31, 1988 received from attorney for Plaintiff and attorney for Defendant.

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**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 1, 1988.

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**June 7, 1988**

Exploratory hearing held in Board's Courtroom No. 1 commencing at 2:06 p.m. Case settled.

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**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.

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**June 15, 1988**

The Board rendered an Opinion and made the following Order: "AND NOW, this 15th day of June, 1988, 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, John J. Kassner & Company, Inc., formerly d/b/a Kassern-Pierce Consulting Engineers, Inc., the sum of Ninety-Seven Thousand Sixteen Dollars and Twelve Cents. (\$97,016.12). It is further ORDERED that upon receipt of payment of said Award, Plaintiffs 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.

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**June 16, 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.

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**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.

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**July 13, 1988**

Testimony of hearing held June 7, 1988 filed.

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**July 18, 1988**

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

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**\*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.

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**November 21, 1988**

The Board rendered an Opinion and made the following Order: "AND NOW, this 21st 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 Claim. This Rule shall become absolute in the event the Board does not receive a response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 28, 1988**

Acceptance of Service of Opinion and Order dated November 21, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 5, 1988.

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**December 9, 1988**

Acceptance of Service of Opinion and Order dated November 21, 1988 received from attorney for Plaintiff. Receipt of same acknowledged

by attorney for Plaintiff December 5, 1988.

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**December 9, 1988**

Letter Praecipe filed by attorney for Plaintiff.

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**December 20, 1988**

The Board made the following Order: "AND NOW, this 20th day of December, 1988, upon receipt of Letter Praecipe, executed by Nancy W. Anderson, Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of December 7, 1988, it is ORDERED and DIRECTED that said case be marked settled, discontinued and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**December 21, 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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**January 6, 1989**

Acceptance of Service of Opinion and Order dated December 20, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 23, 1988.

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