

Docket Number: 1171

SANDERS CONSTRUCTION COMPANY, INC.

Robert L. O'Brien, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Stephen J. Busterna, Assistant Counsel

November 19, 1987

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:\$15,018.43

December 1, 1987

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

December 2, 1987

Acceptance of Service of Claim received from Defendant. Receipt of same acknowledged by Defendant December 1, 1987.

December 7, 1987

Acceptance of Service of Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General December 2, 1987.

December 21, 1987

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

February 10, 1988

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

February 10, 1988

Respondent's Interrogatories to Claimant, Sanders Construction Company, Inc.- First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 12, 1988

Response to Respondent's Interrogatories to Claimant, Sanders Construction Co., Inc.- First Set filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 18, 1988

Hearing scheduled for June 29, 30 and July 1, 1988, if necessary, before the Western District to be held in 707 Transportation & Safety Building, Courtroom No. 2, commencing at 10:00 a.m.

June 23, 1988

Hearing originally scheduled for June 29, 30, and July 1, 1988, if necessary, is re-scheduled for June 30, 1988, only, before the Western District, to be held in 707 Transportation & Safety Building, Courtroom No. 2, commencing at 11:30 a.m.

June 30, 1988

Western Panel hearing held in Board's Courtroom No. 2 commencing at 11:30 a.m. Case settled.

July 11, 1988

Testimony for hearing held June 30, 1988 filed.

July 12, 1988

Copy of testimony for hearing held June 30, 1988 received from attorney for Defendant.

July 13, 1988

Acceptance of Service of testimony for hearing held June 30, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 12, 1988.

July 27, 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 27th day of July, 1988, upon consideration of the pleadings, record and statements of counsel, it is hereby ORDERED and DECREED that the case be marked settled and closed upon the following terms and conditions: The Defendant, Commonwealth of Pennsylvania, Department of Transportation, shall pay to the Plaintiff, Sanders Construction Co., Inc., the sum of Eleven Thousand Dollars (\$11,000.00). Upon payment thereof, Plaintiff shall file with the Board a Praecipe to Discontinue the matter with prejudice. If the terms and conditions are not consummated, either party may petition the Board of Claims to re-open the case to be heard on the merits. Each party to pay its own costs."

July 28, 1988

Copies of Opinion and Order dated July 27, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

July 29, 1988

Acceptance of Service of Opinion and Order dated July 27, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 28, 1988.

August 3, 1988

Acceptance of Service of Opinion and Order dated July 27, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 29, 1988.

November 18, 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day of November, 1988, upon review of the pleadings, a Rule to Show Cause is issued upon Plaintiff, Sanders Construction Co., Inc., to advise the Board within 30 days from date of this Rule whether or not the Plaintiff has received the monies 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.

November 21, 1988

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

November 28, 1988

Praecipe filed by attorney for Plaintiff.

November 28, 1988

Acceptance of Service of Opinion and Order dated November 18, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 21, 1988.

December 20, 1988

The Board made the following Order: "AND NOW, this 20th day of December, 1988, upon receipt of Praecipe, executed by Robert L. O'Brien, Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of November 28, 1988, it is ORDERED and DIRECTED that said case be marked settled, discontinued and ended with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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 29, 1988.

Janaury 5, 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 28, 1988.

CLOSED