

Docket Number: 1176

INTERSTATE CONTRACTORS SUPPLY COMPANY

Jeffrey W. Whiteko, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Stephen Busterna, Assistant Counsel

**December 1, 1987**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:\$52,361.42+

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**December 8, 1987**

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

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**December 10, 1987**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 9, 1987.

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**CLOSED**

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Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**January 25, 1988**

Brief in Support of Preliminary Objections to Plaintiff's Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 19, 1988**

Brief in Opposition of Defendant's Preliminary Objections to Plaintiff's Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 22, 1988**

The Board rendered an Opinion and made the following Order: "AND NOW, this 22nd day of March, 1988, the Preliminary Objections as filed by the Defendant are DENIED. The Defendant is give thirty (30) days from the date of this Order to file responsive pleadings."

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**March 23, 1988**

Copies of Opinion and Order dated March 22, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

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**March 24, 1988**

Acceptance of Service of Opinion and Order dated March 22, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 23, 1988.

**April 11, 1988**

Acceptance of Service of Opinion and Order dated March 22, 1988 received from Plaintiff. Receipt of same acknowledged by Plaintiff April 7, 1988.

**July 7, 1988**

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

**August 3, 1988**

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

**October 28, 1988**

Defendant's First Request for Production of Documents to Plaintiff, Interstate Contractors Supply Company filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**October 28, 1988**

Defendant's Interrogatories to Plaintiff, Interstate Contractors Supply Company - First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**October 16, 1989**

Agreement and Release executed by parties filed by attorney for Defendant as well as Settlement Memorandum filed by attorney for Defendant.

**December 29, 1989**

The Board rendered an Opinion and made the following Order: "AND NOW, this 29th day of December, 1989, upon due consideration of the Claim, Proposed Agreement and Release of the parties and other submissions, it is ORDERED that the Defendant, Commonwealth of Pennsylvania, Department of Transportation, shall pay to Casey Company the sum of Twelve Thousand Three Hundred Eighty-Three Dollars and Thirty-Nine Cents (\$12,383.39) and shall also pay to Casey Company and Interstate Contractors Supply Company, jointly, the sum of Thirty-Seven Thousand Nine Hundred Sixty-One Dollars and Forty-Two Cents (\$37,961.42), which amounts are paid in full satisfaction and settlement of all matters arising out of Contract No. 093055. Plaintiff shall withdraw its Claim and upon payment of the stated sum, file a Praecipe with the Board of Claims requesting that the matter be marked settled and discontinued with prejudice. Each party to bear its own costs except as set forth herein." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

**CLOSED**

January 3, 1990

Acceptance of Service of Opinion and Order dated December 29, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 29, 1989.

**January 8, 1990**

Acceptance of Service of Opinion and Order dated December 29, 1989, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 4, 1990.

**January 9, 1990**

Praecipe to Settle and Discontinue Action filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**January 23, 1990**

The Board made the following Order: "AND NOW, this 23rd day of January, 1990, upon receipt of Praecipe to Settle and Discontinue Action, executed by Carry D. Jones, Esquire, on behalf of Plaintiff, same of which is docketed with the Board under date of January 9, 1990, 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.

**January 25, 1990**

Acceptance of Service of Order dated January 23, 1990, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 24, 1990.

**February 1, 1990**

Acceptance of Service of Order dated January 23, 1990, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 29, 1990.

**CLOSED**