

Docket Number: 1184

BUCHART-HORN, INC.

Jack B. Horner, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

Kenneth L. Sable, Chief Counsel

December 10, 1987

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:\$18,099+

December 18, 1987

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

December 22, 1987

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 21, 1987.

January 7, 1988

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

January 22, 1988

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

March 18, 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day of March, 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 11:30 a.m. Wednesday, March 30, 1988." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 22, 1988

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

March 23, 1988

Acceptance of Service of Opinion and Order dated March 18, 1988, received from attorney for Plaintiff March 21, 1988.

March 30, 1988

Hearing held in Board's Court Room No. 1 at 11:04 a.m. Case completed.

April 13, 1988

The Board rendered an Opinion and made the following Order: "AND NOW, this 13th day of April, 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, Buchart-Horn, Inc., herein, the sum of Eighteen Thousand Ninety-Nine Dollars and Sixteen Cents (\$18,099.16). It is further ORDERED that upon receipt of payment of said Award, Plaintiff, Buchart-Horn, Inc., 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." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

April 15, 1988

Acceptance of Service of Opinion and Order dated April 13, 1988, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 14, 1988.

April 18, 1988

Acceptance of Service of Opinion and Order dated April 13, 1988, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 15, 1988

April 27, 1988

Testimony for hearing held March 30, 1988 filed.

April 28, 1988

Copy of Testimony for hearing held March 30, 1988 forwarded to attorney for Defendant.

April 29, 1988

Acceptance of Service of testimony for hearing held March 30, 1988, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 28, 1988.

May 11, 1988

Praeipce for Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 19, 1988

The Board made the following Order: "AND NOW, this 19th day of May 1988, upon receipt of Praeipce for Discontinuance to mark the above captioned matter "Settled, Ended and Discontinued with Prejudice", executed by Jack B. Horner, Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of May 11, 1988, it is ORDERED and DIRECTED that said case be marked settled, discontinued and ended with prejudice."

May 20, 1988

Copy of Order dated May 19, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

May 23, 1988

Acceptance of Service of Order dated May 19, 1988 received from attorney Defendant. Receipt of same acknowledged by attorney for Defendant May 20, 1988.

May 25, 1988

Acceptance of Service of Order dated May 19, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 23, 1988.