

Docket Number: 1198

MODJESKI & MASTERS, A PARTNERSHIP

James H. Stewart, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

**January 6, 1988**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$22,707.85+.

---

**January 11, 1988**

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

---

**January 13, 1988**

Acceptance of Service of Claim received from Defendant. Receipt of same acknowledged by Defendant January 12, 1988.

---

**January 26, 1988**

Acceptance of Service of Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General January 12, 1988.

---

**July 15, 1988**

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

---

**November 14, 1988**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 14th day of November, 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 Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m. on Tuesday, November 29, 1988." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

---

**November 16, 1988**

Acceptance of Service of Opinion and Order dated November 14, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 15, 1988.

---

**November 18, 1988**

Acceptance of Service of Opinion and Order dated November 14, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 16, 1988.

---

**November 29, 1988**

Hearing held in Board's Courtroom No. 1 commencing at 10:11 a.m.  
Case settled.

---

**November 30, 1988**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 30th day of November, 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 to Plaintiff, Modieski & Masters, A Partnership, the sum of Five Thousand Two Hundred Three Dollar and Six Cents (\$5,203.06). 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 cost." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**CLOSED**

---

**December 2, 1988**

Acceptance of Service of Opinion and Order dated November 30, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 1, 1988.

---

**December 5, 1988**

Acceptance of Service of Opinion and Order dated November 30, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 2, 1988.

---

**December 29, 1988**

Letter/Praecipe filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

---

**January 4, 1989**

The Board made the following Order: "**AND NOW**, this 4th day of January, 1989, upon receipt of Letter Praecipe, executed by James H. Stewart, Jr., Esquire, on behalf of the Plaintiff, same of which is docketed with this Board under date of December 29, 1988, it is **ORDERED** and **DIRECTED** that said case be marked settled, discontinued and ended with prejudice."

---

**January 5, 1989**

Copy of Order dated January 4, 1989 forwarded to attorney for

Plaintiff and attorney for Defendant.

---

**January 6, 1989**

Acceptance of Service of Order dated January 5, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 5, 1989.

---

**January 9, 1989**

Acceptance of Service of Order dated January 4, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 6, 1989.

---

**January 11, 1989**

Testimony of exploratory hearing held Tuesday, November 29, 1988 filed.

---

**January 12, 1989**

Copy of testimony for exploratory hearing held Tuesday, November 29, 1988 forwarded to attorney for Defendant.

---

**January 13, 1989**

Acceptance of Service of Testimony of exploratory hearing held Tuesday, November 29, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 12, 1989.

---

**CLOSED**