

Docket Number: 1224

THE NEILAN ENGINEERS, INC.

James F. Beener, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

**February 10, 1988**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$32,301.73.

**February 12, 1988**

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

**February 17, 1988**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 16, 1988.

**CLOSED**

February 22, 1988  
Answer admitting all allegations filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.  
**March 3, 1988**

The Board rendered an Opinion and made the following Order: **"AND NOW, this 3rd 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 & Safety Building, Harrisburg, Pennsylvania, commencing at 12:00 p.m. on Wednesday, March 9, 1988."** Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**March 7, 1988**

Acceptance of Service of Opinion and Order dated March 3, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 4, 1988.

**March 9, 1988**

Acceptance of Service of Opinion and Order dated March 3, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 8, 1988.

**March 9, 1988**

Hearing held in Board's Courtroom No. 1 commencing at 11:00 a.m. Case completed.

**March 14, 1988**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 14th day of March, 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, the Neilan Engineers, Inc. herein the sum of Thirty-Two Thousand Three Hundred One Dollars and Seventy-Three Cents (\$32,301.73). It is further **ORDERED** that, upon receipt of payment of said Award, Plaintiff, the Neilan Engineers, 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." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**CLOSED**

**March 15, 1988**

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

**March 18, 1988**

Testimony of hearing held March 9, 1988 filed.

**March 21, 1988**

Acceptance of Service of Opinion and Order dated March 14, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 18, 1988.

**March 22, 1988**

Copy of testimony for hearing held March 9, 1988 forwarded to attorney for Defendant.

**March 23, 1988**

Acceptance of Service of Opinion and Order dated March 14, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 22, 1988.

**April 5, 1988**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 5th day of April, 1988, upon review of the Order entered March 14, 1988 and the error disclosed therein, it is hereby **ORDERED** and **DECREED** that such Order be amended to award the sum of Thirty-Two Thousand Three Hundred Ten Dollars and Seventy-Three Cents (\$32,310.73) and that payment in that amount be made by the Commonwealth of Pennsylvania, Department of Transportation." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**April 5, 1988**

Acceptance of Service of Opinion and Order dated March 24, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 4, 1988.

**April 12, 1988**

Acceptance of Service of Amended Opinion and Order dated April 5, 1988 received from Defendant. Receipt of same acknowledged by Defendant April 6, 1988.

**April 14, 1988**

Acceptance of Service of Amended Opinion and Order dated April 5, 1988 received from Defendant. Receipt of same acknowledged by Defendant April 12, 1988.

**May 23, 1988**

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

**June 1, 1988**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 1st day of June, 1988, upon receipt of Letter Praecipe to Settle, Discontinue and End to mark the above-captioned matter 'settled, discontinued and ended with prejudice', executed by James F. Beener, Esquire on behalf of Plaintiff, same of which is docketed with this Board under date of May 23, 1988, it is **ORDERED** and **DIRECTED** that the said case be marked settled, discontinued and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**June 1, 1988**

Acceptance of Service of Order dated June 3, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 2, 1988.

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**June 3, 1988**

Acceptance of Service of Order dated June 1, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 22, 1988.

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**CLOSED**