

Docket Number: 1231

O. R. COLAN ASSOCIATES, INC.

Paul A. Logan, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

February 17, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$171,726.31.

February 24, 1988

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

February 26, 1988

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 25, 1988.

CLOSED

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

April 20, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of April, 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 10:45 a.m. on Tuesday, April 26, 1988."

April 21, 1988

Copy of Opinion and Order dated April 20, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

April 22, 1988

Acceptance of Service of Opinion and Order dated April 20, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 21, 1988.

April 26, 1988

Exploratory hearing held in Board's courtroom No. 1, commencing at 10:26 a.m. Case completed.

April 27, 1988

Acceptance of Service of Opinion and Order dated April 20, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 22, 1988.

May 25, 1988

Testimony of hearing held April 26, 1988 filed.

June 1, 1988

Copy of testimony for hearing held April 26, 1988 forwarded to attorney for Defendant.

June 3, 1988

Acceptance of Service of Testimony for hearing held April 26, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 2, 1988.

June 9, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 9th day of June, 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, O.R. Colan Associates, Inc. the sum of One Hundred Seventy-One Thousand Seven Hundred Twenty-Six Dollars and Thirty-One Cents (\$171,726.31). 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 costs." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 13, 1988

Acceptance of Service of Opinion and Order dated June 9, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 10, 1988.

June 15, 1988

Acceptance of Service of Opinion and Order dated June 9, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 13, 1988.

January 23, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 23rd day of January, 1989, a Rule to Show Cause is issued to Plaintiff, O. R. Colan Associates, Inc., wherein it is directed that Claimant advise the Board within 30 days of this Rule whether or not Claimant has received the sum of money directed by the Board of Claims. This Rule shall become absolute in the event the Board does not receive a response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 24, 1989

Acceptance of Service of Opinion and Order dated January 23, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 23, 1989.

January 27, 1989

Acceptance of Service of Opinion and Order dated January 23, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 25, 1989.

September 29, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 29th day of September, 1989, this Order is issued as a result of the failure of Plaintiff, O. R. Colan Associates, Inc. to advise the Board of Claims within 30 days of January 23, 1989, whether or not Plaintiff received the monies directed to be paid to said Plaintiff. It is therefore **DIRECTED** that the record be marked closed and settled with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 3, 1989

Acceptance of Service of Opinion and Order dated September 29, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 2, 1989.
