

Docket Number: 1251

KOZEL ENGINEERING, CO., INC.

David A. Scotti, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

***April 21, 1988**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$16,126.28+.

April 28, 1988

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

April 29, 1988

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 28, 1988.

May 5, 1988

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 29, 1988.

***May 5, 1989**

Amended Complaint filed by attorney for Plaintiff. Amount of Claim \$12,126.28+.

May 11, 1989

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

May 12, 1989

Acceptance of Service of Amended Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 11, 1989.

May 15, 1989

Notarized Affidavit that was inadvertently left out of Amended Complaint filed by attorney for Plaintiff.

May 17, 1989

Acceptance of Service of Amended Complaint dated May 5, 1989 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 15, 1989.

May 17, 1989

Acceptance of Service of Praeipie for Entry of Appearance dated May 15, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 16, 1989.

May 17, 1989

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

May 18, 1989

Copy of Notarized Affidavit that was inadvertently left out of Amended Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General.

May 19, 1989

Acceptance of Service of notarized Affidavit received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 18, 1989.

May 25, 1989

Acceptance of Service of notarized Affidavit received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 19, 1989.

June 28, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of June, 1989, upon due consideration of the pleadings and other submissions filed in this matter, it is hereby **ORDERED** and **DECREED** that an award be made in favor of the Plaintiff, Kozel Engineering Co., Inc., and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Twelve Thousand One Hundred Twenty-Six Dollars and Twenty-Eight Cents (\$12,126.28). Demand for costs and such other relief are merged in this award. It is further **ORDERED** that upon receipt of payment of said award, Plaintiff, Kozel Engineering Co., Inc., shall forthwith file with the Board of Claims a Praeipie that the case be marked settled, discontinued and ended with prejudice. Each party to bear its own costs except as otherwise indicated." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 29, 1989

Acceptance of Service of Opinion and Order dated June 28, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 28, 1989.

July 10, 1989

Acceptance of Service of Opinion and Order dated June 28, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 30, 1989.

November 21, 1989

The Board rendered the following Order: **"AND NOW,** this 21st day of November, 1989, a Rule to Show Cause is issued upon Plaintiff, Kozel Engineering Co., Inc., wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days of this Order whether or not Plaintiff has received the sum of money awarded or other justifiable response. This Rule shall become absolute and the case shall be marked closed and settled with prejudice in the event the Board does not receive a response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.
