

Docket Number: 1265

MERGENTIME CORPORATION

Barbara A. Brown, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

May 25, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$110,910.81+.

June 1, 1988

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

June 3, 1988

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

June 9, 1988

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 1, 1988.

June 10, 1988

Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 7, 1989

Stipulation and Agreement executed by parties filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 27, 1989

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 27th day of September, 1989, 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, Room 707 Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 11:00 a.m. on Tuesday, October 3, 1989." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 28, 1989

Acceptance of Service of Opinion and Order dated September 27, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 27, 1989.

October 3, 1989

Exploratory hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 11:00 a.m. Case settled.

October 6, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 6th day of October, 1989, premised on the record, the pleadings herein and the testimony presented, it is hereby **ORDERED** and **DECREED** that the Stipulation and Agreement be and hereby is approved and that the Defendant, Commonwealth of Pennsylvania, Department of Transportation, is obligated to pay the sum of Sixty-Five Thousand Two Hundred Three Dollars and Fifty-five Cents (\$65,203.55), the interest and costs, if any, having been merged into the settlement figure of \$65,203.55. Plaintiff, Bergethite Corporation, shall upon payment file a receipt to mark the suit settled and discontinued with prejudice." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

October 10, 1989

Acceptance of Service of Opinion and Order dated October 6, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 6, 1989.

October 12, 1989

Acceptance of Service of Opinion and Order dated October 6, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 11, 1989.

October 12, 1989

Acceptance of Service of Opinion and Order dated October 6, 1989 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 10, 1989.

November 7, 1989

Testimony for exploratory hearing held October 3, 1989 filed.

November 8, 1989

Copy of testimony for exploratory hearing held October 3, 1989 forwarded to attorney for Defendant.

November 13, 1989

Acceptance of Service of Testimony for exploratory hearing held October 3, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 9, 1989.

July 17, 1990

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 17th day of July, 1990, a Rule to Show Cause is issued upon Plaintiff, Mergentime Corporation, 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.

July 17, 1990

Acceptance of Service of Opinion and Order dated July 17, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 20, 1990.

July 23, 1990

Acceptance of Service of Opinion and Order dated July 17, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 19, 1990.

July 25, 1990

Praeceptum filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 8, 1990

The Board made the following Order: **"AND NOW,** this 8th day of August, 1990, upon receipt of Praeceptum to discontinue the above action pursuant to Pa. R.C.P. 229, acknowledging that monies have been paid, executed by Victor P. Stabile, Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of July 25, 1990, it is **ORDERED** and **DIRECTED** that said case be marked settle, discontinued and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 14, 1990

Acceptance of Service of Order dated August 8, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 13, 1990.

August 14, 1990

Acceptance of Service of Order dated August 8, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 10, 1990.

CLOSED