

Docket Number: 1267

FREDERICK C. SPOTT AND MARY ANN SPOTT

~~Frederick C. Spott~~  
~~Marcy Ann Spott~~  
Raymond W. Ferrario, Esquire

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Jeffrey W. Davis, Assistant Counsel

**June 16, 1988**

Claim and filing fee filed by Plaintiff. Amount of Claim: \$12,085.00.

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**June 27, 1988**

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

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**June 29, 1988**

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

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**June 31, 1988**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 28, 1988.

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**CLOSED**

**July 26, 1988**

Answer and New Matter filed by attorney for Defendant. Copy forwarded to Plaintiffs by attorney for Defendant.

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**August 10, 1988**

Answer to New Matter filed by Plaintiffs. Copy forwarded to attorney for Defendant by Plaintiffs.

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**September 9, 1988**

Defendant's First Request for Production of Documents filed by attorney for Defendant. Copy forwarded to Plaintiffs by attorney for Defendant.

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**September 9, 1988**

Interrogatories from Defendant, Commonwealth of Pennsylvania, Department of Transportation to Plaintiffs, Frederick C. Spott and Mary Ann Spott, First Set filed by attorney for Defendant. Copy forwarded to Plaintiffs by attorney for Defendant.

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**October 31, 1988**

Answers to Interrogatories from Defendant, Commonwealth Pennsylvania, Department of Transportation to Plaintiffs, Frederick C. Spott and Mary Ann Spott, First Set filed by Plaintiffs. Copy forwarded to attorney for Defendant by Plaintiffs.

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**November 23, 1988**

Notice of Deposition of Frederick C. Spott, Frederick M. Spott and Dale Cook filed by attorney for Defendant. Copy forwarded to Plaintiffs by attorney for Defendant.

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**February 14, 1989**

Hearing scheduled for March 15, 16 and 17, 1989 before the Eastern Panel to be held in Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

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**March 15, 1989**

Eastern Panel Hearing held in Board's Courtroom No. 1, commencing at 10:00 a.m. Case completed.

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**April 1, 1989**

Testimony for hearing held March 15, 1989 filed.

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**April 12, 1989**

Copy of Testimony for hearing held March 15, 1989 forwarded to attorney for Defendant.

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**April 13, 1989**

Acceptance of Service of Testimony received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 12, 1989.

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**July 17, 1989**

Plaintiff's Proposed Findings of Fact, Conclusions of Law and Brief in Support of filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**August 16, 1989**

Proposed Findings of Fact and Conclusions of Law submitted on Behalf of Commonwealth of Pennsylvania, Department of Transportation filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**August 16, 1989**

Brief for Defendant, Commonwealth of Pennsylvania, Department of Transportation in Support of its Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**September 29, 1989**

Eastern Panel report filed.

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**October 31, 1989**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 31st day of October, 1989, the Board finds in favor of the Plaintiffs, Frederick C. Spott and Mary Ann Spott and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Sixteen Thousand Five Hundred Seventy-Three Dollars and Ninety Cents (\$16,573.90) with interest thereon from November 30, 1988 at the legal rate of six percent (6%) per annum. The Defendant is further **ORDERED** to return to the Plaintiff the sum of One Hundred Dollars (\$100.00) evidencing the initial security deposit made to the Plaintiff." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

**CLOSED**

**November 2, 1989**

Acceptance of Service of Opinion and Order dated October 31, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 1, 1989.

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**November 6, 1989**

Acceptance of Service of Opinion and Order dated October 31, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 1, 1989.

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**November 9, 1989**

Acceptance of Service of Opinion and Order dated October 31, 1989 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 1, 1989.

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**December 4, 1989**

Copy of Petition for Review filed in Commonwealth Court by attorney for Defendant.

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**December 4, 1989**

Petition for Review received from Commonwealth Court. [No. 2282 C.D. 1989]

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**December 22, 1989**

File transmitted to Commonwealth Court.

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**June 13, 1990**

Copy of Opinion and Order received from Commonwealth Court. Order as follows: NOW, June 11, 1990, it is hereby ordered that the order of the Board of Claims dated October 31, 1989, is reversed and remanded for findings and conclusions consistent with this opinion. Jurisdiction relinquished."

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**August 23, 1990**

File returned from Commonwealth Court.

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**February 28, 1991**

Stipulation filed by both parties.

**CLOSED**

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**March 13, 1991**

The Board rendered an opinion and made the following Order: "AND NOW, this 13th day of March, 1991, it is **ORDERED** and **DECREED** that Defendant, Commonwealth of Pennsylvania, Department of Transportation, is indebted into the Plaintiff, Frederick C. Spott and Mary Ann Spott, in the full and true sum of Eleven Thousand Forty-Five Dollars and Ninety-Five Cents (\$11,045.95), plus interest on that amount at six percent (6%) per annum from November 30, 1988, plus a return by the Defendant to the Plaintiff of the One Hundred Dollar (\$100.00) deposit. Upon receipt of payment of said award, Plaintiff shall forthwith filed with the Board a Praecipe that the case be marked 'settled and ended with prejudice.' Other than the above, the parties will bear their own costs." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

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**March 14, 1991**

Acceptance of Service of Opinion and Order dated March 13, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 14, 1991.

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**March 20, 1991**

Acceptance of Service of Opinion and Order dated March 13, 1991 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 14, 1991.

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**March 20, 1991**

Opinion and Order returned due to address change (Attorney for Plaintiff).

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**March 25, 1991**

Opinion and Order reforwarded due to address change (Attorney for Plaintiff).

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**April 2, 1991**

Acceptance of Service of Opinion and Order dated March 13, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 27, 1991.

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**May 7, 1991**

Satisfaction of Judgment and Award filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 10, 1991**

The Board made the following Order: "NOW, this 10th day of May, 1991, upon receipt of Satisfaction of Judgment and Award, acknowledging receipt of award executed by Raymond W. Ferraro, Esquire, on behalf of Plaintiffs, Frederick C. Spott and Mary Ann Spott, same of which is docketed with this Board under date of May 7, 1991, it is hereby **ORDERED** and **DIRECTED** that said case be marked 'settled and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 14, 1991**

Acceptance of Service of Order dated May 10, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 13, 1991.

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**June 3, 1991**

Acceptance of Service of Order dated May 10, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 16, 1991.

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