

Docket Number: 1268

AMMANN & WHITNEY PENNSYLVANIA, INC.

Robert B. Hoffman, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

**June 22, 1988**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$72,625.81+.

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**June 29, 1988**

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

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**June 30, 1988**

Acceptance of Service of Claim filed by attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 29, 1988.

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**July 7, 1988**

Acceptance of Service of Claim filed by Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 1, 1988.

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**December 1, 1988**

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

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**January 13, 1989**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 13th day of January, 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, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m. on Thursday, January 19, 1989."

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**January 17, 1989**

Copy of Opinion and Order dated January 13, 1989 forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 18, 1989**

Acceptance of Service of Opinion and Order dated January 13, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 17, 1989.

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**January 19, 1989**

Exploratory hearing held in Board's Courtroom No. 1 commencing at 10:07 a.m. Case settled.

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**January 23, 1989**

Acceptance of Service of Opinion and Order dated January 13, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 20, 1989.

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**January 25, 1989**

Testimony of exploratory hearing held January 19, 1989, filed.

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**January 26, 1989**

Copy of testimony of exploratory hearing held January 19, 1989 forwarded to attorney for Defendant.

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**January 27, 1989**

Acceptance of Service of Opinion and Order dated January 19, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 2, 1989.

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**February 2, 1989**

**CLOSED**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 2nd day of February, 1989, premised on the record, the pleadings herein and the testimony presented, it is hereby **ORDERED** and **DIRECTED** that the Defendant, Commonwealth of Pennsylvania, Department of Transportation, is obligated and **DIRECTED** to pay the Plaintiff, Ammann & Whitney Pennsylvania, Inc., the sum of Seventy-Five Thousand Six Hundred Twenty-Five Dollars and Eighty-One Cents (\$75,625.81). 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.

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**February 2, 1989**

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

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**February 6, 1989**

Acceptance of Service of Opinion and Order dated February 2, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 3, 1989.

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**September 29, 1989**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 29th day of September, 1989, a Rule to Show Cause is issued

upon Plaintiff, Ammann & Whitney Pennsylvania, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days of this Order whether or not Plaintiff 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.

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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.

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October 4, 1989

Acceptance of Service of Opinion and Order dated September 29, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 3, 1989.

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

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October 10, 1989

The Board made the following Order: "**AND NOW**, this 10th day of October, 1989, upon receipt of Letter/Praecipe executed by Robert B. Hoffman, Esquire on behalf of Plaintiff, same of which is docketed with this Board under date of October 4, 1989, it is **ORDERED** and **DIRECTED** that said case be marked settled, discontinued and ended with prejudice." Copy forwarded to Mr. Hoffman and Mr. Sable.

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October 12, 1989

Acceptance of Service of Order dated October 10, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 11, 1989.

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October 17, 1989

Acceptance of Service of Order dated October 10, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 13, 1989.

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