

Docket Number: 1297

AMMANN & WHITNEY PENNSYLVANIA, INC

Robert B. Hoffman, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

***September 21, 1988**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$111,760.99+.

September 22, 1988

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

September 23, 1988

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 22, 1988.

CLOSED

Amended Statement of Claim filed by attorney for Plaintiff. Amount of Claim: \$87,232.05+.

February 14, 1989

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

February 15, 1989

Acceptance of Service of Amended Statement of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 14, 1989.

March 7, 1989

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

March 24, 1989

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 24th day of March, 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 Court Room No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 2:00 on Tuesday, March 28, 1989." Copy forwarded to attorney for Plaintiff and

attorney for Defendant.

March 28, 1989

Exploratory Hearing held in Board's Courtroom No. 1 commencing at 2:09 p.m. Case settled.

March 28, 1989

Acceptance of Service of Opinion and Order dated March 24, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 27, 1989.

March 29, 1989

Acceptance of Service of Opinion and Order dated March 24, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 27, 1989.

April 17, 1989

The Board rendered an Opinion and made the following Order: **AND NOW**, this 17th day of April, 1989, 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, Ammann and Whitney Pennsylvania, Inc., the sum of Eighty-Seven Thousand Two Hundred Thirty-Two Dollars and Five Cents (\$87,232.05). 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.

April 18, 1989

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

April 21, 1989

Acceptance of Service of Opinion and Order dated April 17, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 20, 1989.

May 4, 1989

Testimony of exploratory hearing held Tuesday, March 28, 1989, filed.

May 9, 1989

Copy of Testimony of exploratory hearing held Tuesday, March 28, 1989 forwarded to attorney for Defendant.

May 10, 1989

Acceptance of Service of Testimony of exploratory hearing held Tuesday, March 28, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 9, 1989.

November 21, 1989

CLOSED
The Board rendered an opinion and made the following Order: "AND NOW, this 21st day of November, 1989, a Rule to Show Cause is issued upon Plaintiff, Ammann and Whitney Pennsylvania, 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 by attorney for Defendant.

November 27, 1989

Acceptance of Service of Opinion and Order dated November 21, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 22, 1989.

November 28, 1989

Letter/Praecipe acknowledging receipt of award received from attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 1, 1989

The Board made the following Order: "**AND NOW**, this 1st day of December, 1989, upon receipt of Letter/Praecipe acknowledging receipt of award, executed by Robert B. Hoffman, Esquire, on behalf of the Plaintiff, Ammann and Whitney Pennsylvania, Inc., same of which is docketed with this Board under date of November 28, 1989, it is **ORDERED** and **DIRECTED** that said case be marked 'closed and settled with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 6, 1989

Acceptance of Service of Order dated December 1, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 7, 1989.

December 7, 1989

Acceptance of Service of Order dated December 1, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 6, 1989.
