

Docket Number: 1301

MODJESKI & MASTERS, A Partnership

James H. Stewart, Jr., Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

October 3, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$46,121.62+.

October 7, 1988

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

October 12, 1988

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 11, 1988.

CLOSED

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

June 19, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 19th day of June, 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 Eastern Panel of the Board of Claims in Court Room No. 2, 707 Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 10:30 a.m. on Wednesday, June 21, 1989." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 21, 1989

Exploratory Hearing Held before the Eastern Panel District in Board's Courtroom No. 2 at 10:30 a.m. Case settled.

June 21, 1989

Acceptance of Service of Opinion and Order dated June 19, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 20, 1989.

June 21, 1989

Acceptance of Service of Opinion and Order dated June 19, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 20, 1989.

July 10, 1989

Eastern Hearing Panel Report filed.

July 20, 1989

Testimony of Eastern Panel/Exploratory Hearing held June 21, 1989 filed.

July 28, 1989

Copy of Testimony of Eastern Panel/Exploratory Hearing held June 21, 1989 forwarded to attorney for Defendant.

August 1, 1989

Acceptance of Service of Testimony of Hearing held June 21, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 31, 1989.

August 7, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW,** this 7th day of August, 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 to the Plaintiff, Modjeski & Masters, A Partnership, the sum of Forty-Six Thousand One Hundred Twenty-One Dollars and Sixty-Two Cents (\$46,121.62). 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 other than the filing fee included in the award." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

August 8, 1989

Acceptance of Service of Opinion and Order dated August 7, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 7, 1989.

August 10, 1989

Acceptance of Service of Opinion and Order dated August 7, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 9, 1989.

January 25, 1990

Praecipe to Discontinue filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 9, 1990

The Board made the following Order: **"AND NOW**, this 9th day of February, 1990, upon receipt of Praecipe to Discontinue marking the above-matter settled and discontinued with prejudice, executed by James H. Stewart, Jr., Esquire, on behalf of the Plaintiff Modjeski & Masters, A Partnership, same of which is docketed with this Board under date of January 25, 1990, it is **ORDERED** and **DIRECTED** that said case be marked "settled and discontinued with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

February 14, 1990

Acceptance of Service of Order dated February 9, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 13, 1990.

February 14, 1990

Acceptance of Service of Order dated February 9, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 11, 1990.
