

Docket Number: 1311

THE GREAT LAKES CONSTRUCTION CO.

Stuart J. Moskovitz, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney  
Stephen S. Stokwitz, Assistant Counsel

**October 31, 1988**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$10,000.00+

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**November 3, 1988**

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

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**November 7, 1988**

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 7, 1988.

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**November 9, 1988**

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 4, 1988.

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**December 27, 1988**

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

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**January 18, 1989**

Reply to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 27, 1989**

Notice of Service of Defendant's Interrogatories to Plaintiff - First Set filed by attorney for Defendant.

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**April 18, 1989**

Plaintiff's Answers to Defendant's Interrogatories - First Set filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 22, 1989**

Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 4, 1990**

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

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**\*September 2, 1992**

Praecipe for Entry of Appearance of Stephen S. Stokwitz, Assistant Counsel, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**October 20, 1992**

Hearing scheduled for September 14 through , 1993, as well as September 21 through 24, 1993 if necessary, in Board's Courtroom No. 1, 707 Transportation and Safety Building, Harrisburg, PA, at 10 a.m.

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**March 5, 1993**

Plaintiff's First Set of Interrogatories to Defendant filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 13, 1993**

Hearing scheduled for September 14, 15, 16 and 17, 1993, as well as September 21, 22, 23 and 24, 1993 cancelled due to Plaintiff's counsel's religious holidays.

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**July 8, 1993**

Answers to Plaintiff's First Set of Interrogatories to Defendant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**August 4, 1993**

Hearing scheduled for January 11, 1994 through January 14, 1994, as well as January 18 through January 21, 1994 and January 25 through January 28, 1994, if necessary, in Board's Courtroom No. 1, 707 Transportation and Safety Building, Harrisburg, PA at 10 a.m.

**November 30, 1993**

Motion to Amend Complaint (attachments and proposed Amended Complaint attached to said Motion) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 7, 1993**

Defendant's Reply to Plaintiff's Motion to Amend Complaint and Defendant's Motion to Postpone Trial Date filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**December 13, 1993**

Copy of Amended Complaint forwarded to Chief Deputy Attorney General.

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**December 13, 1993**

Plaintiff's Reply in Opposition to Defendant's Motion to Postpone Trial Date filed Via Fax by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 15, 1993**

Acceptance of Service of Amended Complaint received from attorney for Defendant (unsigned). Receipt of same acknowledged by attorney for Defendant (unsigned) December 14, 1993.

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**December 16, 1993**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 16th day of December, 1993, it is **ORDERED** and **DECREED** that the Plaintiff's Motion to Amend Complaint be and is hereby **GRANTED**."

It is further **ORDERED** and **DECREED** that Defendant's Motion to Postpone Trial Date be, and is hereby **GRANTED**. It is further **ORDERED** and **DECREED** that counsel for both parties are **DIRECTED** to file timely responses to whatever pleadings they deem to be proper and timely progressing towards a hearing before the full Board. Counsel for both parties are further admonished to complete discovery within 60 days of the date of this Order and that no further delays will be tolerated." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**December 21, 1993**

Acceptance of Service of Opinion and Order dated December 16, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 17, 1993.

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**December 22, 1993**

Acceptance of Service of Amended Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 21, 1993.

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**January 14, 1994**

Answer to Amended Complaint and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 4, 1994**

Reply to New Matter (In Answer to Amended Complaint) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**April 1, 1994**

Notice of Deposition of Richard Harris filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**April 18, 1994**

Hearing scheduled for May 9, 10, 11 and 12, 1995; May 15, 16, 17, 19 and 19, 1995; as well as May 22, 23, 24, 25 and 26, 1995, in Board's Courtroom No. 1, 6th Floor, Fulton Bank Building, Harrisburg, PA, commencing at 9:30 a.m.

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**April 13, 1995**

Letter/Entry of Appearance of Michael Alsher, Assistant Counsel, and withdrawal of appearance of Stephen Stokwitz, Assistant Counsel, on behalf of Defendant, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**April 18, 1995**

Motion to Compel Responses to Defendant's Interrogatories to Plaintiff, First Set, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**April 24, 1995**

Answers to Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**April 24, 1995**

Plaintiff's Response to Motion to Compel filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**April 28, 1995**

Letter received from attorney for Defendant withdrawing its Motion to Compel Interrogatories, as being Moot. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 3, 1995**

Defendant's Pre-Trial Statement as well as Defendant's Trial Brief filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 19, 1995**

Plaintiff's Pre-Trial Statement filed, via fax, by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 8, 1995**

Supplement to Pre-Trial Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 8, 1995**

Expert Report of Coopers & Lybrand filed by attorney for Defendant. Copy hand delivered to attorney for Plaintiff by attorney for Defendant.

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**May 9, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 10, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 11, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 12, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 15, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 16, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 17, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 18, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 19, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 22, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**May 23, 1995**

Hearing held in Board's Courtroom No. 1, Fulton Bank Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m. Case completed

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**June 6, 1995**

Testimony of hearing held May 9 and 10, 1995 filed.

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**June 22, 1995**

Copy of testimony of hearing held May 9 and 10, 1995 forwarded to attorney for Defendant.

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**June 22, 1995**

Testimony of hearing held May 11, 12 and 15, 1995 filed.

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**June 29, 1995**

Acceptance of Service of testimony of hearing held May 9 and 10, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 27, 1995.

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**July 5, 1995**

Copy of testimony of hearing held May 11, 12 and 15, 1995 forwarded to attorney for Defendant.

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**July 10, 1995**

Acceptance of Service of testimony for hearing held May 11, 12 and 15, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 7, 1995.

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**July 11, 1995**

Testimony of hearing held May 16, 17 and 18, 1995 filed.

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**July 18, 1995**

Copy of testimony of hearing held May 16, 17 and 18, 1995 forwarded to attorney for Defendant.

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**July 21, 1995**

Acceptance of Service of testimony of hearing held May 16, 17 and 18, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 21, 1995

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**July 25, 1995**

Testimony of hearing held May 19, 22 and 23, 1995 filed.

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**August 16, 1995**

Copy of testimony of hearing held May 19, 22 and 23, 1995 forwarded to attorney for Defendant.

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**August 25, 1995**

Acceptance of Service of testimony from hearing held May 19, 22 and 23, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 22, 1995.

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**November 14, 1995**

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

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**February 26, 1996**

Letter received from attorney for Defendant requesting an extension of time until 3/8/96 to file its Findings of Fact, Conclusions of Law and Brief in Support thereof.

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**March 6, 1996**

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant's request for extension of time.  
**Def's Findings, etc. due 3/8/96.**

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**March 8, 1996**

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

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**October 6, 1997**

The Board rendered an Opinion and made the following Order: "AND NOW this 6th day of October, 1997, we find in favor of the Defendant, Commonwealth of Pennsylvania, Department of Transportation, and against the Plaintiff, The Great Lakes Construction Company. The Plaintiff's claims are hereby **DELETED** in full. All costs are to be borne respectively by the parties to this litigation." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

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**October 14, 1997**

Acceptance of Service of Opinion and Order dated October 6, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 8, 1997.

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