

Docket Number: 1319

KOZEL ENGINEERING, CO., INC.

David A. Scotti, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Claims Attorney~~
~~Stephen Busterna, Assistant Counsel~~

December 2, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$8,100.21+.

December 7, 1988

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

December 8, 1988

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

CLOSED

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

June 28, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of June, 1989, upon due consideration of the pleadings and other submissions filed in this matter, it is hereby **ORDERED** and **DECREED** that an award be made in favor of the Plaintiff, Kozel Engineering Co., Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Eight Thousand One Hundred Dollars and Twenty-One Cents (\$8,100.21). The demand for costs and interest are merged in this award. It is further **ORDERED** that upon receipt of payment of said Award, Plaintiff, Kozel Engineering Co., Inc., shall forthwith file with the Board of Claims a Praecipe that the case be marked settled, discontinued and ended with prejudice. Each party to bear its own costs except as otherwise indicated." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 29, 1989

Acceptance of Service of Opinion and Order dated June 28, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 28, 1989.

July 10, 1989

Acceptance of Service of Opinion and Order dated July 28, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 30, 1989.

January 11, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 11th day of January, 1991, a Rule to Show Cause is issued upon Plaintiff, Kozel Engineering Co., Inc., wherein it is directed that Plaintiff advise the Board within thirty (30) days of the Order whether or not Plaintiff has received the sum of money directed by the Board of Claims. 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.

January 16, 1991

Acceptance of Service of Opinion and Order dated January 11, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 14, 1991.

May 9, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 9th day of May, 1991, this Order is issued as a result of the failure of Plaintiff, Kozel Engineering Co., Inc., to advise the Board of Claims within thirty (30) days of January 11, 1991 whether or not Plaintiff received the monies directed be paid to said Plaintiff. It is, therefore, **DIRECTED** that the Rule of January 11, 1991 be made **ABSOLUTE** and the record be marked closed and settled with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 13, 1991

Acceptance of Service of Opinion and Order dated May 9, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 10, 1991.

May 17, 1991

Acceptance of Service of Opinion and Order dated May 9, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff.
