

Docket Number: 1324

JAY FULKROAD & SONS, INC.

Robert E. Heideck, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Claims Attorney~~
~~Jeffrey W. Davis, Assistant Counsel~~

December 15, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$36,000.00+.

December 29, 1988

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

January 3, 1989

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 29, 1988.

January 9, 1989

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 30, 1988.

January 27, 1989

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

February 23, 1989

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

August 10, 1990

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

February 28, 1991

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

February 28, 1991

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

April 22, 1991

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

January 31, 1992

Stipulation of Settlement executed by both parties and filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 21, 1992

The Board rendered an Opinion and made the following Order: "AND NOW, this 21st day of April, 1992, upon due consideration of the Stipulation of Settlement of the parties and other submissions, it is hereby **ORDERED** and **CREED** that the Defendant, Commonwealth of Pennsylvania, Department of Transportation, shall pay to Plaintiff, J. Fulkroad Sons, Inc., the sum of Twenty-two Thousand Dollars (\$22,000.00), which amount shall be paid in full satisfaction and settlement of the cases docketed to No. 1263 and 1324, respectively.

Upon receipt of payment of said award, Plaintiff shall forthwith file with the Board of Claims a Praecipe requesting that the matter 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 23, 1992

Acceptance of Service of Opinion and Order dated April 21, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 22, 1992.

April 30, 1992

Acceptance of Service of Opinion and Order dated April 21, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 27, 1992.

October 21, 1992

Order to Mark Action Settled, Satisfied, Discontinued and Ended filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 27, 1992

The Board made the following Order: "**AND NOW**, this 27th day of October, 1992, upon advice of Robert E. Heideck, Esquire, on behalf of Plaintiff, that Plaintiff has received the settlement payments from the Department in both matters and receipt of Order to Mark Action Settled, Satisfied, Discontinued and Ended filed by counsel for Plaintiff, same of which is docketed with this Board under date of October 21, 1992, it is **ORDERED** and **DIRECTED** that said case be marked settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 29, 1992

Acceptance of service of Opinion and Order dated October 27, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 28, 1992.

November 2, 1992

Acceptance of service of Opinion and Order dated October 27, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 30, 1992.

CLOSED