

Docket Number: 1326

MARTELL CONSTRUCTION COMPANY, INC.

Eugene Martell, Secretary-Treasurer
~~Fred Gumkowski, Project Manager~~

VS.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF MILITARY AFFAIRS

~~Dennis T. Guise, Chief Counsel~~
Eclemus Wright, Chief Counsel

December 19, 1988

Claim and filing fee filed. Additional information to be requested.
Amount of Claim: \$12,780.00.

December 29, 1988

Letter forwarded to Mr. Martell, with a copy to attorney for Defendant, requesting additional information.

December 29, 1988

Notice of Claim letter forwarded to attorney for Defendant.

January 6, 1989

Letter received from Mr. Gumkowski entering the appearance of Fred Gumkowski, Project Manager and withdrawing the appearance of Eugene Martell, Secretary-Treasurer.

February 14, 1989

Additional information (letter entering the appearance of Eugene Martell, Secretary-Treasurer) received from Mr. Gumkowski.

February 22, 1989

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

February 28, 1989

Acceptance of Service of Claim received from attorney for Defendant.
Receipt of same acknowledged by attorney for Defendant February 24, 1989.

March 2, 1989

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 23, 1989.

March 21, 1989

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,

Martell Construction Company, Inc., and against the Defendant, Commonwealth of Pennsylvania, Department of Military Affairs, in the amount of Twelve Thousand Seven Hundred Eighty Dollars (\$12,780.00). Each party to bear its own costs." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 5, 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 29, 1989.

July 7, 1989

Acceptance of Service of Opinion and Order dated June 28, 1989 received from Plaintiff. Receipt of same acknowledged by Plaintiff July 1, 1989.

CLOSED

January 22, 1991

The Board rendered an Opinion and made the following Order: **AND NOW**, this 22nd day of January, 1991, a Rule to Show Cause is issued upon Plaintiff, Martell Construction Company, 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 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 Plaintiff and attorney for Defendant.

January 29, 1991

Acceptance of Service of Opinion and Order dated January 22, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 24, 1991.

February 11, 1991

Acceptance of Service of Opinion and Order dated January 22, 1991 received from Plaintiff. Receipt of same acknowledged by Plaintiff February 1, 1991.

May 17, 1991

The Board rendered an Opinion and made the following Order: **AND NOW**, this 17th day of May, 1991, this Order is issued as a result of the failure of Plaintiff, Martell Construction Company, Inc., to advise the Board of Claims within thirty (30) days of January 22, 1991 whether or not Plaintiff received the monies directed by paid to said Plaintiff. It is, therefore, **DIRECTED** that the Rule

of January 22, 1991 be made **ABSOLUTE** and the record be marked 'closed and settled with prejudice'." Copy forwarded to Plaintiff and attorney for Defendant.

May 23, 1991

Acceptance of Service of Opinion and Order dated May 17, 1991 received from Plaintiff. Receipt of same acknowledged by Plaintiff May 20, 1991.

May 28, 1991

Acceptance of Service of Opinion and Order dated May 17, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 21, 1991.

CLOSED