

Docket Number: 1339

TYSON FENCE CO.

Timothy J. Swartz, Partner

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

**January 25, 1989**

New Claim and filing fee received, additional information to be requested. Amount of Claim: \$15,623.15.

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**January 31, 1989**

Letter forwarded to Mr. Swartz requesting additional information. Copy of letter forwarded to Mr. Sable.

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**January 31, 1989**

Notice of Claim letter forwarded to attorney for Defendant.

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**February 1, 1989**

Additional information received from Mr. Swartz.

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**February 2, 1989**

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

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**February 14, 1989**

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 3, 1989.

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**April 5, 1989**

Letter Answer recommending payment of Claim in the amount of \$15,623.15 filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant.

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**May 26, 1989**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 26th day of May, 1989, upon due consideration of the pleadings filed in this matter, it is hereby **ORDERED** and **DECREED** that an award be made in favor of Plaintiff, Tyson Fence Company, and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Fifteen Thousand Six Hundred Twenty-Three Dollars and Fifteen Cents (\$15,623.15). Each party to pay its own costs." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 30, 1989**

Acceptance of Service of Opinion and Order dated May 26, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 26, 1989.

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**May 31, 1989**

Acceptance of Service of Opinion and Order dated May 26, 1989 received from Plaintiff. Receipt of same acknowledged by Plaintiff May 29, 1989.

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**January 23, 1991**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 23rd day of January, 1991, a Rule to Show Cause is issued upon Plaintiff, Tyson Fence Co., 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.

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**January 24, 1991**

Acceptance of Service of Opinion and Order dated January 23, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 23, 1991.

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**January 31, 1991**

Letter/Praecipe filed by attorney for Plaintiff.

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**February 6, 1991**

Copy of Letter/Praecipe forwarded to attorney for Defendant.

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**February 8, 1991**

Acceptance of Service of Letter/Praecipe received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 7, 1991.

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**February 13, 1991**

The Board made the following Order: "**AND NOW**, this 13th day of February, 1991, upon receipt of Letter/Praecipe acknowledging that monies have been paid executed by Timothy J. Swartz, vice President, on behalf of Plaintiff, same of which is docketed with this Board under date of January 31, 1991, 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.

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**February 19, 1991**

Acceptance of Service of Order dated February 13, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 15, 1991.

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**February 19, 1991**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 11, 1991.

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**February 20, 1991**

Acceptance of Service of Order dated February 13, 1991 received from Plaintiff. Receipt of same acknowledged by Plaintiff February 14, 1991.

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CLOSED