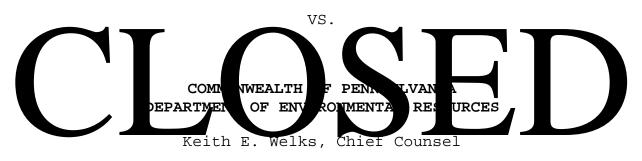
Docket Number: 1375

# MELE CONSTRUCTION COMPANY, INC.

W. Boyd Hughes, Esquire



Edward Morris, Assistant Counsel

#### June 13, 1989

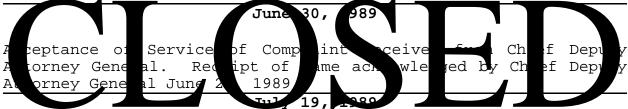
Complaint and filing fee filed by attorney for Plaintiff. Amount of Claim: \$\$337,286.30.

June 19, 1989

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

## June 21, 1989

Acceptance of Service of Complaint received from attorney for Defendant. receipt of same acknowledged by attorney for Defendant June 20, 1989.



Answer to Complaint of Mele Construction Company, Inc. filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

## August 18, 1989

Request for Production of Documents as well as DER's First Set of Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 13, 1990

Plaintiff's Answers to Defendant's First Set of Interrogatories with attached Documentation in Accordance with Request to Produce filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

## November 26, 1990

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

November 26, 1990

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

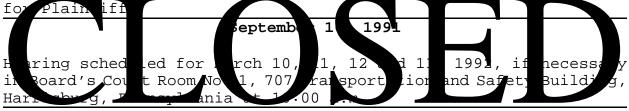
March 22, 1991

Response to Interrogatories as well as Answer to Plaintiff's Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

Second Set of Interrogatories and Second Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

## August 20, 1991

Mele's Response to Second Set of Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney



September 26, 1991

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

## February 14, 1992

Commonwealth of Pennsylvania, Department of Environmental Resources' Motion to Compel Answers to Request For Interrogatories and Production of Documents and In Lieu Thereof For Sanctions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

## February 21, 1992

Mele's Response to Third Set of Interrogatories and Third Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 5, 1992

The Board rendered an Opinion and made the following Order: "AND NOW, this 5th day of March, 1992, it is ORDERED and DECREED that the Motion to Compel filed on February 14, 1992, is hereby DISMISSED as being moot.

Docket No. 1375

#### March 10, 1992

Hearing held in Board's Courtroom No. 1, 707 Transportation and Safety Building Harrisburg, Pennsylvania commencing at 10:40 a.m.

## March 11, 1992

Hearing held in Board's Courtroom No. 1, 707 Transportation and Safety Building Harrisburg, Pennsylvania commencing at 10:10 a.m.

### March 11, 1992

Letter/Amendment to Plaintiff's Answer to Interrogatory 2(d) of Defendant's First Set of Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney

for Plain iff									
		March	2,	992			-		
Haring held i					Trai	portat	ior	nd Saf	Y
Bt lding Harr	burg, Pe	ısylvar	a c	ommen	lng	t 10:1	D a	n.	
		Kam II	13,	0.02					

Hearing held in Board's Courtroom No. 1, 707 Transportation and Safety Building Harrisburg, Pennsylvania commencing at 10:15 a.m. Case completed.

## April 10, 1992

Testimony for hearing held March 10, 11, 12, and 13, 1992, filed. April 14, 1992

Copies of testimony for hearing held March 10, 11, 12, and 13, 1992, forwarded to attorney for Defendant.

## April 21, 1992

Acceptance of Service of testimony for hearing held March 10, 11, 12, and 13, 1992, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 16, 1992.

### June 5, 1992

Findings of Fact, Conclusions of Law and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

#### July 2, 1992

Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

### October 22, 1993

The Board rendered an Opinion and made the following Order: "AND NOW, this 22nd day of October, 1993, it is hereby ORDERED and DECREED that the Defendant, Commonwealth of Pennsylvania, Department of Transportation is indebted unto the Plaintiff, Mele Construction Co., Inc. in the full and true sum of One Hundred Fifty-Four Thousand Seven Hundred Fifty-One Dollars and Forty-Five Cents (\$154,751.45) of ith Interest ix pelcer to eqa. rat ther the (6% er um from th date of he fili the Com aint with the Bo d d hint. e 13, 1 9. bon re Claims, wł ch is Jı of s ld awaı f Claims intiff sha h file th the ard Praect forthw `set dis the nti ued and ded h cas be ma ed tie to ar ⇒ir. Swn ata vs′ pre fees." Copies forwarded to attorney for Plaintiff, attorney for Defendant, and Chief Deputy Attorney General.

October 27, 1993

Acceptance of Service of Opinion and Order dated October 22, 1993 received from Chief Deputy Attorney General. Receipt of same acknowledged Chief Deputy Attorney General October 26, 1993.

#### October 29, 1993

Acceptance of Service of Opinion and Order dated October 22, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 25, 1993.

#### November 17, 1993

The Board made the following Amended Order: "AND NOW, this 17th day of November, 1993, it is hereby ORDERED and DECREED that the Defendant, Commonwealth of Pennsylvania, Department of Environmental Resources, is indebted unto the Plaintiff, Mele Construction Co., Inc., in the full and true sum of One Hundred Fifty-Four Thousand Seven Hundred Fifty-One Dollars and Forty-Five Cents (\$154,751.45) together with interest at the legal rate of six percent (6%) per annum from the date of the filing of the Complaint with the Board of Claims, which is June 13, 1989. Upon receipt of said award, Plaintiff shall forthwith file with the Board of Claims a Praecipe be marker tha the cas 'se tled, dls onti aea and aea ith judice.Y ll parti sts\_and to be eir bwn ttorne p ntif for Pla es." Copie forward l to at , at rne orney endant, an Chief D uty Att ral ney G lovembe 18, 199 Acceptance of Service of Opinion and Order dated November 15, 1993 received from attorney for Defendant. Receipt of same acknowledged

November 22, 1993

by attorney for Defendant November 17, 1993.

Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Defendant.

#### November 23, 1993

Acceptance of Service of Order dated November 17, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 19, 1993.

#### November 23, 1993

acceptance of Service of Order dated November 17, 1993 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 19, 1993.

#### December 6, 1993

Copy of Cross-Petition for Review as filed in Commonwealth Court filed by attorney for Plaintiff.

#### December 15, 1993

Petition for Review received from Commonwealth Court. [No. 2884 C.D. 1993]

### December 17, 1993

Cross-Petition for Review received from Commonwealth Court. [No. 2740 C.D. 1993]

## January 24, 1994

File transferred to Commonwealth Court.

## August 30, 1994

Copy of Order received from Commonwealth Court. Order as follows: "NOW, June 23, 1994, Petitioner/Appellant having failed to file briefs and reproduced record pursuant to this Court's previous Order,

the above action is disrussed is of cour e."	
August 30, 994	
F e returned from Com nwealth court.	