

Docket Number: 1377

MOSITES CONSTRUCTION COMPANY,
on its own behalf and to the use of NOCIM, INC., formerly known
as MICON SERVICES, INC.

~~John R. Dinges, Esquire~~

~~Carleton O. Strouss, Esquire~~

CLOSED

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA TURNPIKE COMMISSION

~~Louis Martin, Acting Chief Counsel~~

Jacqueline M. Verney, Assistant Counsel

June 16, 1989

Complaint and filing fee filed. Amount of Claim: \$426,135.29+.

June 21, 1989

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

June 28, 1989

Acceptance of service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General.

July 6, 1989

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 22, 1989.

September 27, 1989

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 27th day of September, 1989, further premised on the record, the pleadings filed, and the need for an in-depth determination, it is hereby **ORDERED** and **DIRECTED** that an exploratory hearing be held before the Board of Claims in Courtroom No. 1, Room 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 11:00 a.m. on Thursday, October 5, 1989." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 29, 1989

Acceptance of Service of Opinion and Order dated September 27, 1989, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 28, 1989.

October 2, 1989

Acceptance of Service of Opinion and Order dated September 27, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 28, 1989.

October 5, 1989

Exploratory hearing held this date in Board's Courtroom No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania commencing at 11:00 a.m. Case settled.

November 7, 1989

Testimony for exploratory hearing held October 5, 1989 filed.

November 8, 1989

Copy of testimony for exploratory hearing held October 5, 1989 forwarded to attorney for Defendant.

November 13, 1989

Acceptance of Service of Testimony for exploratory hearing held October 5, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 9, 1989.

December 11, 1989

Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 14, 1989

The Board rendered an Opinion and made the following Order: **AND NOW**, this 14th day of December, 1989, it is **ORDERED** and **DECREED** that the Defendant, Pennsylvania Turnpike Commission, shall pay to Plaintiff, Mosites Construction Company, on its own behalf and to the use of Nocim, Inc., formerly known as Micon Services, Inc., the full and true sum of One Hundred Thousand Dollars (\$100,000). It is further **ORDERED** and **DECREED** that the Defendant shall pay to the Plaintiff the full and true sum of One Hundred Thirty-Seven Thousand Six Hundred Sixty-One Dollars and Fifty-Seven Cents (\$137,661.57).

All interest and costs, if any, shall merge into the settlement amounts. All interest and costs, if any, shall merge into the settlement amounts. Upon receipt of said award, Plaintiff shall forthwith file with the Board a Praecipe to mark the case settled and discontinued with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

December 18, 1989

Acceptance of Service of Opinion and Order dated December 14, 1989, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 15, 1989.

December 20, 1989

Acceptance of Service of Opinion and Order dated December 14, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 18, 1989.

February 5, 1990

Praecipe to Discontinue filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 13, 1990

The Board rendered the following Order: "**AND NOW**, this 13th day of February, 1990, upon receipt of Praecipe to Discontinue, executed by Carleton O. Strouss, Esquire, on behalf of Plaintiff, same of which is docketed with this Board under dated of February 5, 1990, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice.'" Copies forwarded to attorney for Plaintiff and attorney for Defendant.

February 15, 1990

Acceptance of Service of Order dated February 13, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 14, 1990.

February 14, 1990

Acceptance of Service of Order dated February 13, 1990, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 14, 1990.