

Docket Number: 1381

PERINI CORPORATION

Paul A. Logan, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

June 27, 1989

Complaint and filing fee filed. Amount of Claim: \$586,221.00.

July 7, 1989

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

July 7, 1989

Verification received from attorney for Plaintiff.

July 7, 1989

Acceptance of service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 7, 1989.

July 7, 1989

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

July 13, 1989

Acceptance of Service of Exhibits received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 12, 1989.

July 17, 1989

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 7, 1989.

July 18, 1989

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

July 19, 1989

Acceptance of Service of Verification received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 18, 1989.

July 26, 1989

Acceptance of Service of Verification received from Chief Deputy attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 19, 1989.

September 1, 1989

Exploratory Hearing scheduled for October 3, 1989 in Board's Court Room No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania at 10:00 a.m.

September 1, 1989

Answer admitting all allegation filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 7, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 7th day of September, 1989, 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, 707 Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m. on October 3, 1989." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 12, 1989

Acceptance of Service of Opinion and Order dated September 7, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 11, 1989.

September 15, 1989

Acceptance of Service of Opinion and Order dated September 7, 1989, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 12, 1989.

October 3, 1989

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

October 17, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 17th day of October, 1989, premised on the record, the pleadings herein and the testimony presented, it is hereby **ORDERED** and **DECREED** that the negotiated settlement be and hereby is approved and that the Defendant, Commonwealth of Pennsylvania, Department of Transportation, is obligated to pay the full and true sum of Five Hundred Eighty-Six Thousand Two Hundred Twenty-One Dollars (\$586,221) to the Plaintiff. This award includes interest of Thirty-Eight Thousand Two Hundred Fifty Dollars (\$38,250) based

October 17, 1989 (cont'd)

on the annual interest rate of six percent (6%). The interest and costs are merged into the settlement figure of \$586,221. Upon receipt of award by Plaintiff, 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.

October 19, 1989

Acceptance of Service of Opinion and Order dated October 17, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 18, 1989.

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October 20, 1989

Acceptance of Service of Opinion and Order dated October 17, 1989, received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 19, 1989.

October 25, 1989

Acceptance of Service of Opinion and Order dated October 17, 1989, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 18, 1989.

November 7, 1989

Testimony for exploratory hearing held October 3, 1989 filed.

November 8, 1989

Copy of testimony for exploratory hearing held October 3, 1989 forwarded to attorney for Defendant.

November 13, 1989

Acceptance of Service of Testimony for exploratory hearing held October 3, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 9, 1989.

May 8, 1991

The Board made the following Order: **"AND NOW**, this 8th day of May, 1991, this Order is issued as a result of the failure of Plaintiff, Perini Corporation to advise the Board of Claims whether or not Plaintiff received the monies directed be paid to said Plaintiff as stated in the Board's Order dated October 17, 1989. It is therefore, **DIRECTED** that the record be marked closed and settled with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

May 13, 1991

Acceptance of Service of Order dated May 8, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 10, 1991.

May 24, 1991

Letter/Praecipe advising that Plaintiff did receive monies filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

CLOSED