

Docket Number: 1395

PRECISION PIPING, INC.

Anthony P. Krzywicki, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES

~~John J. Buchy, Chief of Litigation~~

Jose E. Morales, Assistant Counsel

**September 27, 1989**

Complaint and filing fee filed. Amount of Claim: \$578,834.00+.

**October 5, 1989**

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

**October 12, 1989**

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 10, 1989.

**November 1, 1989**

Preliminary Objections to Plaintiff's Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**December 1, 1989**

Department's Brief in Support of Preliminary Objections to Plaintiff's Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**January 8, 1990**

Memorandum in Opposition to Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**March 16, 1990**

The board rendered an Opinion and made the following Order: **"AND NOW,** this 16th day of March, 1990, upon consideration of the Preliminary Objections filed on behalf of the Defendant herein, Commonwealth of Pennsylvania, Department of General Services, as to the Complaint filed by Plaintiff, Precision Piping, Inc., it is hereby **ORDERED** that the Motion for a More Specific Complaint as to Counts I, II, and III of Plaintiff's Complaint is hereby **GRANTED.**

The Motion for a Demurrer as to the Claim for punitive damages contained in Count III of Precision's Complaint in hereby **GRANTED,** and the claim for punitive damages is **DISMISSED.**

**March 16, 1990 (cont'd)**

The Motion to Strike Off Plaintiff's Complaint because of Impertinent Matter is **DENIED** as moot, due to this Board's granting of the Demurrer.

Precision Piping, Inc. shall have thirty (30) days from its receipt of this Order in which to file an Amended Complaint in accordance with the Opinion which accompanies this Order." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

**March 21, 1990**

Acceptance of Service of Opinion and Order dated March 16, 1990, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 20, 1990.

**June 8, 1990**

Amended Complaint filed by attorney for Plaintiff. Amount of Claim: \$80,000.00+. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**June 8, 1990**

Pursuant to letter of Anthony P. Krzywicki, Esquire, attorney for Plaintiff, service of the Amended Complaint is made upon the Department of General Services.

**June 8, 1990**

Copy of Amended Complaint forwarded to Chief Deputy Attorney General.

**June 15, 1990**

Acceptance of Service of Amended Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 12, 1990.

**July 9, 1990**

Answer and New Matter filed attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**July 12, 1990**

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

**April 17, 1991**

Hearing scheduled for September 24, 25, 26, 27 and 28, 1991 as well as October 1, 2, 3, and 4, if necessary, in Board's Court Room No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania at 10:00 a.m.

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**June 19, 1991**

Hearing re-scheduled for September 10, 11, 12 and 13, 1991 as well as September 17, 18, 19 and 20, 1991, if necessary, in Board's Courtroom No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania at 10:00 a.m.

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**July 19, 1991**

Notice of Taking Depositions On Oral Examination Under Pa. R.C.P. 407.1 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**CLOSED**

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**August 20, 1991**

Answers to Defendant's Interrogatories to Plaintiff - First Set filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 10, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

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**September 11, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

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**September 11, 1991**

Resume of Joseph A. Herzog, P.E. and summation of questions of witness for the Plaintiff hand-delivered at time of hearing by attorney for Plaintiff.

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**September 12, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

**September 13, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

**September 17, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

**September 18, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

**September 19, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

**September 19, 1991**

Testimony for hearing held September 10, 1991 filed.

**September 20, 1991**

Hearing held in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

**September 24, 1991**

Copy of testimony for hearing held September 10, 1991 forwarded to attorney for Defendant.

**September 27, 1991**

Acceptance of Service of testimony for hearing held September 10, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 25, 1991.

**October 4, 1991**

Testimony of hearings held September 11, 12, 13 and 17, 1991 filed.

**October 7, 1991**

Copies of testimony for hearings held September 11, 12, 13 and 17, 1991 forwarded to attorney for Defendant.

**October 16, 1991**

Testimony of hearings held September 18 and 19 filed.

**October 17, 1991**

Copies of testimony for hearings held September 18 and 19, 1991 forwarded to attorney for Defendant.

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**October 18, 1991**

Testimony of hearing held September 20, 1991 filed.

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**October 22, 1991**

Copies of testimony for hearings held September 1001 forwarded to attorney for Defendant.

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**October 28, 1991**

Acceptance of Service of testimony for hearing held September 20, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant at October 24, 1991.

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**November 27, 1991**

Acceptance of Service of testimony received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 24, 1991.

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**February 6, 1992**

Plaintiff's Proposed Findings of Fact and Conclusions of Law and Plaintiff's Memorandum of Law filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 1, 1992**

Department's Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 8, 1992**

Department's Brief in Support of its Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 17, 1993**

Withdrawal of Appearance of John J. Buchy, Chief of Litigation on behalf of Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 17, 1993**

Entry of Appearance of Jose E. Morales, Chief of Litigation on behalf of Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**October 28, 1993**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of October, 1993 we find in favor of the Defendant, the Commonwealth of Pennsylvania, Department of General Services, and against the Plaintiff, Precision Piping, Inc. The Plaintiff's Claim are hereby denied in full. All costs are to be borne respectively by the parties to this litigation."

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**CLOSED**

October 29, 1993  
Copies of Opinion and Order dated October 28, 1993 forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

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November 5, 1993

Acceptance of Service of Opinion and Order dated October 28, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 2, 1993.

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**November 8, 1993**

Acceptance of Service of Opinion and Order dated October 28, 1993 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 4, 1993.

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**November 22, 1993**

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

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**December 13, 1993**

Petition for Review received from Commonwealth Court. (No. 2780 C.D. 1993).

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**January 24, 1994**

File transmitted to Commonwealth Court.

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**February 10, 1994**

Copy of Appellant Precision Piping, Inc.'s Application For Extension of Time to File Brief and Record Under PA. R.A.P. 123 as filed in Commonwealth Court.

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**March 15, 1994**

Plaintiff's Exhibits 22, 23 & 24 forwarded to Commonwealth Court.

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**June 15, 1994**

Notice of Discontinuance received from Commonwealth Court. CASE CLOSED.

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**CLOSED**