

Docket Number: 1411

JOSEPH CICCONE & SONS, INC.,
subcontractor to James D. Morrissey, Inc.

Paul A. Logan, Esquire

Mark F. Brancato, Esquire

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Claims Attorney~~

~~Michael D. Alsher, Assistant Counsel~~

Jeffrey W. Davis, Assistant Counsel

December 28, 1989

Complaint and filing fee filed. Amount of Claim: \$500,000.00.

January 22, 1990

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

January 25, 1990

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 24, 1990.

January 30, 1990

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 26, 1990.

CLOSED

March 29, 1990

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

April 16, 1990

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

August 10, 1990

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

August 27, 1991

Entry of Appearance filed by Mark F. Brancato, Esquire as co-counsel for Plaintiff. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 9, 1991

Defendant's Interrogatories to Plaintiff filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 21, 1992

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

November 30, 1992

Confidentiality Agreement and Proposed Order, executed by parties, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 10, 1992

Notice of Taking Deposition of Andrew Stasik filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 16, 1992

Motion to Compel Production of Deponent and of Documents at a Single Location, Memorandum of Law in Support of Motion to Compel Production of Deponent and of Documents at a Single Location and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 6, 1993

Proposed Order, as filed by attorney for Plaintiff, executed by Judge Pace. Order as follows: "**AND NOW**, this 6th day of January, 1993, upon consideration of the Motion by Plaintiff Joseph Ciccone & Sons, Inc. for an Order compelling the production of Andrew Stasek for his deposition on January 11, 1993 and for the production of all documents covered by Ciccone's Request for Production of Documents at a single location on January 15, 1993, it is hereby ORDERED that the Motion is granted. PaDOT shall produce Mr. Stasek for his deposition at its District 5-0 office on January 11, 1993 and Mr. Stasek shall have available in the conference room all documents referenced in the Notice of Taking Deposition. Defendant further is directed and ordered to produce all documents covered by Plaintiff's Request for Production of Documents at a single location on January 15, 1993." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

January 8, 1993

The Board made the following Amended Order: **"AND NOW**, this 8th day of January, 1993, the Board's Order entered in this matter on January 6, 1993 is amended to provide that the deposition of Mr. Stasek and the document production referred to therein shall take place on February 8, 1993." Copy forwarded to attorney for Plaintiff (via fax) and attorney for Defendant (hand delivered).

January 8, 1993

Acceptance of Service of Order dated January 6, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 7, 1993.

January 11, 1993

Acceptance of Service of Order dated January 6, 1993, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Defendant January 7, 1993.

January 13, 1993

Acceptance of Service of Amended Order dated January 8, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 11, 1993.

January 14, 1993

Acceptance of Service of Amended Order dated January 8, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 8, 1993.

May 17, 1993

Praecipe for Voluntary Discontinuance, with attached Agreement and Release, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 16, 1993

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 16th day of July, 1993, upon due consideration of the Agreement and Release and other submissions, including the Praecipe filed on May 17, 1993, it is **ORDERED** that the Board of Claims accepts and approves the Agreement and Release of the parties. It is further **ORDERED** that the Praecipe to Discontinuance and End the instant case.

The case docketed to number 1411 shall be marked 'settled, discontinued and ended with prejudice.' Each party to bear its own costs and attorney fees." Copies forwarded to attorneys for Plaintiff and attorney for Defendant.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Paul A. Logan). Receipt of same acknowledged by attorney for Plaintiff July 20, 1993.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Mark F. Brancato). Receipt of same acknowledged by attorney for Plaintiff July 23, 1993.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Paul A. Logan). Receipt of same acknowledged by attorney for Plaintiff July 20, 1993.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Mark F. Brancato). Receipt of same acknowledged by attorney for Plaintiff July 23, 1993.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Paul A. Logan). Receipt of same acknowledged by attorney for Plaintiff July 20, 1993.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Mark F. Brancato). Receipt of same acknowledged by attorney for Plaintiff July 23, 1993.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Paul A. Logan). Receipt of same acknowledged by attorney for Plaintiff July 20, 1993.

Acceptance of Service of Opinion and Order dated July 16, 1993 received from attorney for Plaintiff (Mark F. Brancato). Receipt of same acknowledged by attorney for Plaintiff July 23, 1993.