

Docket Number: 1412

PENNONI ASSOCIATES, INC.

C. William Watts, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

January 18, 1990

Complaint and filing fee filed by attorney for Plaintiff. Amount of Claim: \$151,525.04+.

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.

CLOSED

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

April 13, 1990

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 13th day of April, 1990, 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 Court Room No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 2:30 p.m. on Friday, April 20, 1990." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

April 17, 1990

Acceptance of Service of Opinion and Order dated April 13, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 16, 1990.

April 20, 1990

Exploratory hearing held in Board's Court Room No. 2, 707 Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 2:30 p.m. Case settled.

April 30, 1990

Affidavit in Support of a request for a reduced judgment in favor of Plaintiff in the amount of \$149,525.04 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 2, 1990

Letter acknowledging Plaintiff's Affidavit and advising that judgement in the amount of \$149,525.04 should be made the favor of Plaintiff filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

CLOSED

May 29, 1990

The Board rendered an opinion and made the following Order: "AND NOW, this 29th day of May, 1990, it is ORDERED and DECREED that the Defendant, Commonwealth of Pennsylvania Department of Transportation, is indebted to the Plaintiff, Penn Wheel Leases, Inc., in the full and true sum of One Hundred Forty-Nine Thousand Five Hundred Twenty-Five Dollars and Four Cents (\$149,525.04). This sum is in full settlement of Plaintiff's Claim and there is to be no interest and/or attorneys' fees awarded. Upon receipt of the \$149,525.04, counsel for the Plaintiff is directed to notify the Board of Claims, in writing and within thirty (30) days of said receipt, that the monies have been received and that the Claim be marked closed with prejudice. Each party to bear its own costs."

Copies forwarded to attorney for Plaintiff and attorney for Defendant.

June 1, 1990

Acceptance of Service of Opinion and Order dated May 29, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 31, 1990.

June 6, 1990

Acceptance of Service of Opinion and Order dated May 29, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 1, 1990.

June 5, 1990

Testimony of Exploratory Hearing held April 20, 1990 filed.

June 8, 1990

Copy of testimony for Exploratory Hearing held April 20, 1990 forwarded to attorney for Defendant.

June 12, 1990

Acceptance of Service of testimony for Exploratory Hearing held April 20, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Defendant June 11, 1990.

October 9, 1990

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 9th day of October, 1990, a Rule to Show Cause is issued upon Plaintiff, Pennoni Associates, Inc., wherein it is directed that Plaintiff advise the Board within thirty (30) days of this Order whether or not Plaintiff has received the sum of money awarded or other justifiable response. This Rule shall become absolute and the case shall be marked closed and settled with prejudice in the event the Board does not receive a response to said Rule." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

October 11, 1990

Acceptance of Service of Opinion and Order dated October 9, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 19, 1990.

October 17, 1990

Acceptance of Service of Opinion and Order dated October 9, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 15, 1990.

May 20, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of May, 1991, this Order is issued as a result of the failure of Plaintiff, Pennoni Associates, Inc., to advise the Board of Claims within thirty (30) days of October 9, 1990 whether or not Plaintiff received the monies directed to be paid to said Plaintiff. It is therefore, **DIRECTED** that the Rule of October 9, 1990 be made **ABSOLUTE** and the record be marked closed and settled with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

May 23, 1991

Acceptance of Service of Opinion and Order dated May 20, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 22, 1991.

June 7, 1991

Acceptance of Service of Opinion and Order dated May 20, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 3, 1991.

CLOSED