

Docket Number: 1416

*ADAMS COUNTY ASPHALT CO., on its own behalf and to the use of
KUHARCHIK CONSTRUCTION CO., INC.

~~Norman I. White, Esquire~~

~~***Robert E. Heideck, Esquire~~

~~**Andrew L. Swore, Esquire (Kuharchik)~~

~~***Roy Cohen, Esquire~~

~~Edward Seglias, Esquire (Adams)~~

~~Roy C. Cohen, Esquire (Adams)~~

CLOSED

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

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

~~James W. Kutz, Assistant Counsel~~

~~Gerald R. Schultz, Assistant Counsel~~

****February 1, 1990**

Complaint and filing fee filed. Amount of Claim: \$133,655.53+.

February 6, 1990

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

February 8, 1990

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 8, 1990.

February 14, 1990

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 9, 1990.

March 26, 1990

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

*** **April 13, 1990**

Amended complaint filed by attorney for Plaintiff. Amount of Claim: \$142,611,52+.

April 13, 1990

Motion for Leave to Amend and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Defendant.

April 26, 1990

Letter Response to Motion for Leave to Amend filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 3, 1990

Second Amended Complaint filed by attorney for Plaintiff.

May 22, 1990

Letter Response relative to not objecting to Second Amended Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 24, 1990

Order of Court granting Plaintiff Leave to File Second Amended Complaint forwarded to attorney for Plaintiff and attorney for Defendant.

May 24, 1990

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

June 4, 1990

Acceptance of Service of Amended Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 29, 1990.

June 4, 1990

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

June 21, 1990

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

July 11, 1990

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

August 23, 1990

Request for Production of Documents directed to Department of Transportation as well as Claimant's Interrogatories Addressed Department of Transportation - First Set filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 9, 1990

Department of Transportation's Response to Plaintiff's First Request for Production of documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 9, 1990

Answers to Claimant's Interrogatories addressed to Department of Transportation - First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

*****March 20, 1992**

Withdrawal of Appearance of Diane M. Tokarsky, Esquire and Norman I. White, Esquire, on behalf of Plaintiff and Entry of Appearance of Robert E. Heideck, Esquire, on behalf of Plaintiff filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff (Robert E. Heideck).

******May 4, 1993**

Petition to Withdraw filed by attorney for Plaintiff (Robert E. Heideck, Esquire). Copy forwarded to Robert E. Summa, II, President, Adams County Asphalt, Inc. and attorney for Defendant.

August 20, 1993

The Court rendered an Opinion and made the following Order: "AND NOW, this 20th day of August, 1992, it is **ORDERED** and **DECREED** that counsel for the Plaintiff, i.e. Robert E. Heideck, Esquire, and his firm of Pepper, Hamilton and Sheetz is hereby permitted to withdraw from further representation of the Plaintiff, Adams County Asphalt Co., on its own behalf and to the use of Kuharchik Construction Co., Inc. in these matters." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 25, 1993

Acceptance of Service of Opinion and Order dated August 20, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 23, 1993.

*******November 18, 1993**

Entry of Appearance of Andrew W. Swope, Esquire filed on behalf of Kuharchik Construction Co., Inc. Copy forwarded to Plaintiff and attorney for Defendant by Andrew W. Swope, Esquire on behalf of Kuharchik Construction Co., Inc.

*******December 3, 1993**

Entry of Appearance of Roy S. Cohen, Esquire filed on behalf of Plaintiff, Adams County Asphalt Co., on its own behalf and to the use of Kuharchik Construction Co., Inc.

July 14, 1997

Letter forwarded to parties requesting status of case. Response due August 14, 1997.

August 11, 1997

Letter received from attorney for Defendant advising of the status of the case. Copy forwarded to attorney for Defendant and Additional Defendant by attorney for Defendant.

August 14, 1997

Letter received from attorney for Additional Defendant advising of the status of the case. Copy forwarded to attorney for Plaintiff and Defendant by attorney for Additional Defendant.

CLOSED

Letter forwarded to parties requesting status. Response due from parties January 10, 1998.

January 9, 1998

Status letter filed by attorney for Additional Defendant Kuharchik advising that Additional Defendant does not agree with the settlement in this case because his issues remain unsolved.

February 12, 1998

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 12th day of February, 1998, it is **ORDERED** and **DECREED** that this matter be marked "Closed and Terminated with Prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 19, 1998

Acceptance of Service of Opinion and Order dated February 12, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 13, 1998.

February 20, 1998

Acceptance of Service of Opinion and Order dated February 12, 1998 received from attorney for Plaintiff (Kuharchik). Receipt of same received from attorney for Plaintiff February 19, 1998.

February 27, 1998

Acceptance of Service of Opinion and Order dated February 12, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 23, 1998.

CLOSED