

Docket Number: 1421

HRI, INC., SUCCESSOR TO HERBERT R. IMBT, INC. AND SECTIONAL  
FOUNDATIONS, INC.

Paul A. Logan, Esquire

CLOSED VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Counsel~~  
Michael D. Alsher, Assistant Counsel

**March 12, 1990**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$17,500.00+.

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**March 14, 1990**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

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**March 16, 1990**

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 15, 1990.

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**March 19, 1990**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 15, 1990.

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**April 27, 1990**

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

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**June 19, 1990**

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

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**February 14, 1991**

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

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**October 31, 1991**

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

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**September 18, 1992**

Defendant's Responses to Plaintiffs' Request for Admissions, Answer to Plaintiffs' Interrogatories Addressed to Defendant - First Set, as well as Defendant's Response to Plaintiffs' Second Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**September 25, 1992**

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

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**September 25, 1992**

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

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**October 8, 1992**

Defendant, Pennsylvania Department of Transportation Request for Admissions Addressed to Plaintiff Herbert R. Imbt, Inc. and Sectional Foundations, Inc. (First Set) filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**October 26, 1992**

Proposed Order, Motion to Deem Requests for Admission Admitted, and Plaintiff's Memorandum of Law and Support thereof, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 28, 1992**

Defendant's Response to Plaintiff's Motion to Deem Requests for Admission Admitted filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**October 28, 1992**

Defendant's Nunc Pro Tunc Motion for An Extension of Time to File Its Responses to Plaintiff's Requests for Admission filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**November 6, 1992**

Answer to Requests for Admission filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 16, 1992**

Memorandum of Law in Support of Defendant's Response to Plaintiff's Motion to Deem Requests for Admission Admitted and in Support of Defendant's Nunc Pro Tunc Motion for an extension of Time to File Responses to Plaintiff's Requests for Admission filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**November 30, 1992**

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

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**November 30, 1992**

Plaintiff's 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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**December 2, 1992**

Plaintiff's Memorandum of Law in Opposition to Defendant's Nuc Pro Tunc Motion for Extension of Time to File Responses to Plaintiffs' Request for Admission and Reply Memorandum of Law in Support of Plaintiffs' Motion to Deem Request for Admissions Admitted filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 4, 1992**

Plaintiff's Response to Defendant's Nunc Pro Tunc Motion for an Extension of Time to File its Responses to Plaintiff's Requests for Admission filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 25, 1993**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 25th day of February, 1993, the Motion of the Defendant, Commonwealth of Pennsylvania, Department of Transportation, for an Extension of Time in which to file its Response to Plaintiff's Requests for Admission Nunc Pro Tunc is hereby **GRANTED**. Defendant is hereby **DIRECTED** to file its Responses to Plaintiff's Requests for Admission Nunc Pro Tunc within forty five (45) days of the date of this Order. Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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Acceptance of Service of Opinion and Order dated February 25, 1993, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 8, 1993.

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**April 7, 1993**

Acceptance of Service of Opinion and Order dated February 25, 1993, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 25, 1993.

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**April 9, 1993**

Defendant's Responses to Plaintiff's Request for Admissions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 7, 1996**

Hearing scheduled for August 5, 6, 7, 8 and 9, 1996, if necessary, in Board's Courtroom No. 1, 6th Floor, Fulton Bank Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**July 23, 1996**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 23rd day of July, 1996, it is **ORDERED** and **DECREED** that all proceedings in the above-referenced matter be stayed

indefinitely. It is further **ORDERED** and **DECREED** that the hearing set to begin on August 5, 1996 is hereby continued indefinitely." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 5, 1996**

Acceptance of Service of Opinion and Order dated July 23, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 1, 1996.

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**September 19, 1997**

Status letter forwarded to parties. RESPONSE DUE 10/20/97.

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July 20, 1998  
**CLOSED**  
Status letter forwarded to parties. RESPONSE DUE 8/20/98.  
October 19, 1998

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Status letter forwarded to parties. RESPONSE DUE 11/16/98.

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**October 22, 1998**

Status letter received from David Dunn, Esquire advising that when the above-captioned case went from Chapter 11 to Chapter 7, his connection with this case ended. Mr. John Martin, Esquire of Honesdale was appointed the Chapter 7 trustee for this case.

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**February 23, 1999**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 23rd day of February, 1999, it is **ORDERED** and **DECREED** that a Rule to Show Cause is issued upon John Martin Esquire, Trustee for the above-referenced Claim and to show cause why this case should not be dismissed for failure to prosecute. Should no response be received by the Board of Claims within thirty (30) days of the exit date of this Order, the rule shall become absolute. Copy forwarded to attorney for Plaintiff and Defendant.

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**March 2, 1999**

Acceptance of Service of Opinion and Order dated February 23, 1999 received by attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 26, 1999.

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**November 29, 1999**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 29th day of November, 1999, this Order is issued as a result of the failure of Plaintiff, HRI, Inc., Successor to Herbert R. Imbt, Inc., and Sectional Foundations, Inc., to file with the Board of Claims, within thirty (30) days from February 23, 1999, a response to the Rule to Show Cause advising why this Claim should not be dismissed for failure to abide by the instructions of the Board of Claims. Therefore, it is **DIRECTED** that the Rule of February 23, 1999, be made **ABSOLUTE** and the record be marked 'closed and discontinued with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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December 13, 1999

Acceptance of service of Opinion and Order dated November 29, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 13, 1999.

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CLOSED