

Docket Number: 1425
*(Consolidated for trial with Docket No. 1534)

LISBON CONTRACTORS, INC.

~~Roger D. Susantin, Esquire~~

*~~Timothy A. Sullivan, Esquire~~

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

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

~~Stephen J. Busterna, Assistant Counsel~~

March 15, 1990

Complaint and filing fee filed. Amount of Claim: \$94,314.00+.

March 23, 1990

Copies of Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General. (Letter forwarded to attorney for Plaintiff requesting supporting documents to the Claim)

March 28, 1990

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 27, 1990.

CLOSED

Amended Claim (Documents in Support of statement of Claim) filed by attorney for Plaintiff.

April 5, 1990

Copies of Amended Claim (Documents in Support of Statement of Claim) forwarded to attorney for Defendant and Chief Deputy Attorney General.

April 9, 1990

Acceptance of Service of Amended Claim (Documents in Support of Statement of Claim) received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 6, 1990.

April 12, 1990

Acceptance of Service of Amended Claim (Documents in Support of Statement of Claim) received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 9, 1990.

December 11, 1991

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

***April 10, 1992**

Letter advising that Timothy A. Sullivan, Esquire will be representing Plaintiff and requesting that case be consolidated with Docket No. 1534 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

***April 20, 1992**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of April, 1992, it is **ORDERED** and **DECREED** that the cases docketed to Nos. 1425 and 1534 be, and are hereby, consolidated for trial." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 21, 1992

Acceptance of Service of Opinion and Order dated April 20, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 21, 1992.

April 27, 1992

Acceptance of Service of Opinion and Order dated April 20, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 22, 1992.

October 19, 1993

Hearing scheduled for April 5, 6, 7, and 8, 1994, April 11, 12, 13, 14, and 15, 1994, and April 18, 19, 20, 21, and 22, 1994, if necessary, in Board's Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, at 9:30 a.m.

March 8, 1994

Agreement and Release executed by parties, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 8, 1994

Hearing scheduled for April 5, 6, 7, and 8, 1994, April 11, 12, 13, 14, and 15, 1994, and April 18, 19, 20, 21 and 22, 1994, canceled due to settlement.

April 18, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 18th day of April, 1994, upon due consideration of the Agreement and Release of the parties and other submissions, it is hereby **ORDERED** that Defendant, Commonwealth of Pennsylvania, Department of Transportation, shall pay to Plaintiff, Lisbon Contractors, Inc., the sum of One Million Three Hundred Thousand Dollars (\$1,300,000.00) which amount shall include the One Hundred-Dollar filing fees paid by Plaintiff to commence these actions, in full satisfaction and settlement of the matter. It is further **ORDERED** that Plaintiff shall withdraw its Claims and, upon payment of the within award, file a Petition with the Board of Claims requesting that both cases be marked settled and discontinued with prejudice. Each party to bear its own costs and attorneys fees other than the filing fee which is included in the award." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 19, 1994

Acceptance of Service of Opinion and Order dated April 18, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 18, 1994.

April 21, 1994

Acceptance of Service of Opinion and Order dated April 18, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 18, 1994.

January 3, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 3rd day of January, 1995, a Rule to Show Cause is issued upon Plaintiff, Lisbon Contractors, 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." Copy forwarded to attorney for Plaintiff and attorney for Defendant.