

Docket Number: 1472

FAYLOR-MIDDLECREEK, INC.

C. Grainger Bowman, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

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

~~Michael D. Alsher, Assistant Counsel~~

**October 11, 1990**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$184,307.53+.

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**October 18, 1990**

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

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**October 22, 1990**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 19, 1990.

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**CLOSED**

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Answer to Plaintiff's Complaint with New matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**September 29, 1992**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 29th day of September, 1992, a Rule is issued upon Plaintiff, Faylor-Middlecreek, Inc., to show cause why the case should not be marked closed with prejudice in the event the Board does not receive a response to said Rule within 30 days of the date of this Order." Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**October 2, 1992**

Acceptance of Service of Opinion and Order dated September 25, 1992 received by attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 30, 1992.

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**October 29, 1992**

Plaintiff's Response to Rule to Show Cause dated September 29, 1992 received from attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 1, 1993**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 1st day of February, 1993, it is **ORDERED** and **DECREED** that the Rule to Show Cause dated September 29, 1992 be **DISMISSED** as being satisfied. It is further **ORDERED** and **DECREED** that counsel for both parties continue to diligently pursue discovery and advise the Board of Claims within sixty (60) days from the date of this Order as to the status of the litigation." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**February 3, 1993**

Acceptance of Service of Opinion and Order received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 1, 1993.

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**September 8, 1995**

Praecipe to Discontinue filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 4, 1995**

The Board made the following Order: **"AND NOW,** this 4th day of October, 1995, upon receipt of a Praecipe to Discontinue Action, requesting the matter be marked settled, discontinued and with drawn, executed by C. Grainger Bowman, attorney for Plaintiff, same of which is docketed with this Board under date of September 8, 1995, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**October 5, 1995**

Acceptance of Service of Opinion and Order received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 5, 1995.

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