

Docket Number: 1476

KENSINGER ELECTRIC, INC.

John W. Heslop, Jr., Esquire
W. Lee Oswald, III, Esquire

vs.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

Michael J. Daley, Chief Counsel

October 19, 1990

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$90,226.25+.

October 26, 1990

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

November 1, 1990

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 29, 1990.

CLOSED

Preliminary Objections to Plaintiff's Complaint filed by John J. Buchy, Chief of Litigation (Department of General Services). Copy forwarded to attorney for Plaintiff by John J. Buchy, Chief of Litigation.

January 4, 1991

Stipulation to Discontinue Claims for Liquidated Damages, executed by the parties, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 1, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 1st day of February, 1991, it is **ORDERED** and **DECREED** that the Stipulation to Discontinue Claims for Liquidated Damages be and is hereby approved. It is further **ORDERED** and **DECREED** that the portion of Paragraph 12(k) which sets forth a claim for liquidated damages in the amount of \$31,840.00 be stricken, but leaving intact that portion of Paragraph 12(k) which request payment to Kensinger Electric Inc. should have been paid to the date that interest finally was paid. The Defendant is hereby **DIRECTED** to file an Answer to the Complaint within 30 days of the date of this Order. It is further **ORDERED** and **DECREED** that the Preliminary Objections filed on behalf of the Defendant are **DISMISSED** as being moot." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 11, 1991

Acceptance of Service of Opinion and Order dated February 1, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 4, 1991.

February 12, 1991

Acceptance of Service of Opinion and Order dated February 1, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 4, 1991.

March 28, 1991

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

May 1, 1991

Plaintiff's Interrogatories/Request for Production of Documents to the Defendant Commonwealth of Pennsylvania, Department of General Services filed by H. Lee Oswald, Esquire (Hensinger Electric, Inc.). Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 1, 1991

Defendant's Response to Plaintiff's Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 23, 1991

Motion for Leave to Join Fidelity and Deposit Company of Maryland as an Additional Defendant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 23, 1991

Petition to Discontinue Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 5, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 5th day of November, 1991, Defendant's Motion for Leave to Join Fidelity and Deposit Company of Maryland as an Additional Defendant is hereby **DENIED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 13, 1991

Acceptance of Service of Opinion and Order dated November 5, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 7, 1991.

November 26, 1991

Acceptance of Service of Opinion and Order dated November 5, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 25, 1991.

May 11, 1992

The Board made the following Order: "AND NOW, this 11th day of May, 1992, the Board of Claims having reviewed Plaintiff, Kensington Electric, Inc.'s Petition to Discontinue Action and the Board having concluded that it is appropriate to grant Plaintiff's request, it is hereby **ORDERED** and **DECREED** that Plaintiff's Complaint in the above-entitled matter be **DISMISSED** and the matter be marked closed and discontinued with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 15, 1992

Acceptance of Service of Order dated May 11, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 13, 1992.

May 18, 1992

Acceptance of Service of Order dated May 11, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 13, 1992.
