

Docket Number: 1481

WYOMING SAND & STONE COMPANY

~~C. Grainger Bowman, Esquire~~
S. Berne Smith, Esquire

VS.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Claims Attorney~~
Jeffrey W. Davis, Assistant Counsel

November 14, 1990

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$49,922.58+.

November 20, 1990

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

November 26, 1990

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 21, 1990.

CLOSED

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

February 14, 1991

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

February 22, 1991

Amended Reply to New Matter (Verification) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 7, 1991

Wyoming Sand's Interrogatories to Defendant, Commonwealth of Pennsylvania, Department of Transportation (Set No. 1) and Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 4, 1991

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

June 18, 1991

Answers to Wyoming Sand's Interrogatories to Defendant, Commonwealth of Pennsylvania, Department of Transportation (Set No. 1) filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 5, 1992

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

September 24, 1993

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

December 21, 1993

The Board rendered an Opinion and made the following Order: **AND NOW, this 21st day of December, 1993, it is ORDERED and DECIDED** that the Defendant, Commonwealth of Pennsylvania, Department of Transportation, is indebted unto the Plaintiff, Wyoming Sand & Stone Company in the full and true sum of Twenty-Five Thousand Dollars (\$25,000.00). Upon receipt of payment of said award, Plaintiff shall forthwith file with the Board a Praecipe that the case be marked 'settled and ended with prejudice.' Each party to bear its own costs and attorneys' fees." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 23, 1993

Acceptance of Service of Opinion and Order dated December 21, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 22, 1993.

December 27, 1993

Acceptance of Service of Opinion and Order dated December 21, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 23, 1993.

December 27, 1993

Praecipe That Case be Marked and Ended with Prejudice filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 12, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 12th day of January, 1994, upon receipt of a Praecipe That Case Be Marked Settled And Ended With Prejudice, executed by S. Berne Smith, Esquire, on behalf of Plaintiff, Wyoming Sand & Stone Company, which states "Plaintiff respectfully files this Praecipe with the Board of Claims and prays that the case be marked settled and ended with prejudice. Same of which is docketed with this Board under date of December 27, 1993, 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.

CLOSED January 14, 1994
Acceptance of Service of Order dated January 12, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 13, 1994.
January 14, 1994

Acceptance of Service of Order dated January 12, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 13, 1994.
