

Docket Number: 1513

VALLEY FORGE LABORATORIES, INC.

~~Dr. James J. Schuster, P.E., President~~  
Michael A. Finio, Esquire

VS.  
**CLOSED**  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

**February 25, 1991**

Claim and filing fee filed by Plaintiff. Amount of Claim: \$48,753.11.

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**March 1, 1991**

Letter forwarded to Plaintiff requesting one (1) additional copy of the Complaint.

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**March 1, 1991**

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

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**March 5, 1991**

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 4, 1991.

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**March 7, 1991**

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 4, 1991.

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**June 14, 1991**

Entry of Appearance of Michael Finio, Esquire, on behalf of the Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 14, 1991**

Praecipe for Entry of Default Judgment (Important Notice) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 24, 1991**

Letter Answer filed by attorney for Defendant denying Plaintiff's Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**August 1, 1991**

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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**August 12, 1991**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 12th day of August, 1991, it is **ORDERED** and **DECREED** that the Notice of Default Judgment be, and is hereby, **DISMISSED** as being **MOOT**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 14, 1991**

Acceptance of Service of Opinion and Order dated August 12, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 13, 1991.

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**August 20, 1991**

Acceptance of Service of Opinion and Order dated August 12, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 18, 1991.

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**February 1, 1993**

Hearing scheduled for March 18, 19, 23, 24, 25 and 26, 1993, in Board's Court Room No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

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**March 18, 1993**

hearing held in Board's Court Room No. 1, 707 Transportation & Safety Building, commencing at 10:00 a.m. Case completed.

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**March 24, 1993**

Defendant's Exhibit 5 (D-5) filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 31, 1993**

Letter received from attorney for Plaintiff advising they do not object to the Defendant's Exhibit 5 (D-5). Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 5, 1993**

Testimony of hearing held March 18, 1993 filed. Copy forwarded to attorney for Defendant.

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**May 20, 1993**

Acceptance of Service of Testimony dated May 18, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 19, 1993.

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**June 10, 1993**

Proposed Finding of Fact and Conclusions of Law and Memorandum of Law in Support Thereof filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 23, 1993**

Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 23, 1993**

Memorandum of Law in Support of Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**April 28, 1994**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 28th day of April, 1994, an award in the amount of Thirty-One Thousand Nine Hundred Twenty-Six Dollars and Sixty-Four Cents (\$31,926.64) is hereby made in favor of this Plaintiff, Valley Forge Laboratories, Inc., and against the Commonwealth of Pennsylvania, Department of Transportation. The Board has calculated the same as follows:

	Amount
Project No. I: Additional Traffic Engineering work	\$21,569.51
Project No. I: Additional Topographic work	\$10,357.13
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Total	\$31,926.64

Plaintiff's Claim under Project No. IV in the amount of Three Thousand Four Hundred Three Dollars and Forty Cents (\$3,403.30) is hereby **DENIED**.

Further it is hereby **ORDERED** that interest at the statutory rate of six percent (6%) per annum shall be paid from the date of June 14, 1990, the date of the completion of the extra work."

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**May 4, 1994**

Acceptance of Service of Opinion and Order dated April 28, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 2, 1994.

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**May 5, 1994**

Acceptance of Service of Opinion and Order dated April 28, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 2, 1994.

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**May 9, 1994**

Acceptance of Service of Opinion and Order dated April 28, 1994 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 2, 1994.

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**June 22, 1995**

The Board made the following Order: "AND NOW, this 22nd day of June, 1995, upon receipt of a letter advising the Department has paid the judgment in the amount of Thirty-one Thousand Nine Hundred twenty-two Dollars and Sixty-Four Cents (\$31,926.64) and has paid the interest on the judgment in the amount of Eight Thousand Nine Hundred Fifty-Five Dollars and Forty Cents (\$8,955.40) executed by Gerald R. Schultz, Assistant Counsel for the Department of Transportation same of which is docketed with the Board under date of June 1, 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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**June 26, 1995**

Acceptance of Service of Opinion and Order dated June 22, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 23, 1995.

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**July 11, 1995**

Acceptance of Service of Opinion and Order dated June 22, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 26, 1995.

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