

Docket Number: 1518

RIBLET TRAMWAY COMPANY, INC. a Washington Corporation

Andrew S. Gordon, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES**

Michael J. Daley, Chief Counsel
*Elizabeth O'Reilly, Assistant Counsel
Peter M. Good, Assistant Counsel

March 6, 1991

Claim and filing fee filed. Amount of Claim: \$20,000.00+.

March 11, 1991

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

March 18, 1991

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 12, 1991.

March 25, 1991

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 22, 1991.

April 10, 1991

Preliminary Objections to Plaintiff's Complaint filed by attorney for Defendant (Elizabeth A. O'Reilly, Assistant Counsel). Copy forwarded to attorney for Plaintiff by attorney for Defendant.

***April 18, 1991**

Amended Statement of Claim filed by attorney for Plaintiff.

April 22, 1991

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

April 26, 1991

Acceptance of Service of Amended Statement of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 23, 1991.

April 30, 1991

Acceptance of Service of Amended Statement of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 25, 1991.

May 7, 1991

Letter received from attorney for Defendant stating that Defendant's Preliminary Objections to Plaintiff's Complaint are declared moot.

May 31, 1991

Defendant's Answer to Plaintiff's Amended Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 1, 1992

Claimant's First Set of Interrogatories Directed to Respondent filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 17, 1992

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

April 20, 1992

Interrogatories of Defendant, Commonwealth of Pennsylvania, Department of General Services to Plaintiff, Riblet Tramway Company, Inc. filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 16, 1992

Plaintiff's Answers to Interrogatories of Defendant Commonwealth Of Pennsylvania, Department of General Services filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

***December 31, 1992**

Praecipe for Entry of Appearances filed by Elizabeth O'Reilly, Assistant Counsel, and Peter M. Good, Assistant Counsel, attorneys for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 20, 1993

Expert Interrogatories and Request for Production of Documents of Defendant, Commonwealth of Pennsylvania, Department of General Services, to Plaintiff, Riblet Tramway Company, Inc. filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 5, 1993

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

March 22, 1993

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

April 14, 1993

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

May 17, 1993

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

June 17, 1993

Hearing scheduled for August 25, 26 and 27, 1993, if necessary, before Eastern District Hearing Panel, to be held in Board's Courtroom No. 2, Room 707 Transportation & Safety Building, Harrisburg, PA, commencing at 10:00 a.m.

August 25, 1993

Eastern District Panel Hearing held this date commencing at 10:00 a.m. Case settled.

September 2, 1993

Testimony of Eastern Panel Hearing held August 25, 1993 filed.

September 7, 1993

Copy of Testimony of Eastern Panel Hearing held August 25, 1993 forwarded to attorney for Defendant.

September 13, 1993

Acceptance of Service of testimony for Eastern Panel Hearing held August 25, 1993, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 10, 1993.

September 14, 1993

Eastern District Panel Report filed.

November 22, 1993

Settlement and Release Agreement, fully executed, filed by parties.

February 28, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of February, 1994, upon due consideration of the Settlement and Release Agreement of the parties and other submissions, it is hereby **ORDERED** that the Defendant, Commonwealth of Pennsylvania, Department of General Services, shall pay to Plaintiff, Riblet Tramway Company, Inc. a Washington Corporation, the sum of Twenty-Five Thousand Dollars (\$25,000.00), which amount shall include the Fifty-Dollar (\$50.00) filing fee paid by the Plaintiff to commence this action, in full satisfaction and settlement of the matter. Plaintiff, upon payment of the above amount, shall file a Praecipe with the Board of Claims requesting that the matter be marked 'withdrawn and discontinued with prejudice', and it is so **ORDERED**. Each party to bear its own costs and attorney fees other than the filing fee which is included in the award. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 23, 1994

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

November 3, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 3rd day of November, 1994, a Rule to Show Cause is issued upon Plaintiff, Riblet Tramway Company, Inc., a Washington Corporation, wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days from the exit date 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.

September 12, 1995

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 12th day of September, 1995, this Order is issued as a

September 12, 1995 (cont'd)

result of the failure of Plaintiff, Riblet Tramway Company, Inc. a Washington Corporation, to advise the Board of Claims within thirty (30) days of November 3, 1994, whether or not Plaintiff received the monies directed by paid to said Plaintiff. It is therefore, **DIRECTED** that the Rule is made **ABSOLUTE** and that the record shall be marked 'closed and settled with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 20, 1995

Acceptance of Service of Opinion and Order dated September 12, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 19, 1995.
