

Docket Number: 1539
(Consolidated with Docket No. 1526)

E-Z PARKS, INC.;
HARVEY SPEAR; ROBERT SPEAR; JEANNETTE SPEAR;
and
JEANNETTE SPEAR, ROBERT SPEAR and HARVEY SPEAR,
Co-Administrators of the Estate of LEON SPEAR, Deceased

~~Joseph E. Meo, Esquire~~
~~Gilbert B. Abramson, Esquire~~
~~Michael B. Tolcott, Esquire~~
CLOSED VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Kenneth L. Sable, Chief Claims Attorney~~
Gerald R. Schultz, Assistant Counsel

June 26, 1991

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$85,098.58+.

June 28, 1991

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

July 2, 1991

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 1, 1991.

July 8, 1991

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 7, 1991.

August 21, 1991

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

September 19, 1991

Stipulation for Consolidation of Actions executed and filed by parties.

October 7, 1991

Plaintiffs' Reply to New Matter of Commonwealth of Pennsylvania, Department of Transportation filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 31, 1991

Defendant's Interrogatories to Plaintiff - First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 9, 1991

Response of Plaintiffs to Defendant's Interrogatories to Plaintiff - First Set filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 9, 1991

Defendant's Interrogatories to Plaintiff - First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 19, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 19th day of December, 1991, the Stipulation for Consolidation of Actions as filed by Plaintiff is **GRANTED** and as of this date the two (2) matters as docketed to numbers 1526 and 1527 will advance forward as a consolidated case. All pleadings, depositions, and other discovery will contain the two (2) docket numbers and all discovery will be considered interchangeable between each case. At the time of trial, both cases will be tried simultaneously." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 18, 1993

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

July 21, 1994

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

August 30, 1996

Entry of Appearance filed by Gilbert B. Abramson, Esquire, attorney for Plaintiff.

September 27, 1996

Proposed Order as well as Motion for Protective Order Pursuant to Pa.R.C.P. 4011, 4012; Motion for Stay of Deposition Pursuant to Pa.R.C.P. 4013 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 11, 1996

Proposed Order as well as E-Z Parks, Inc.'s Answer to Defendant's Motion for Protective Order and for Stay of Deposition and Memorandum in Support, thereof, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 16, 1997

The Board rendered an Opinion and made the following Order: "**AND NOW**, This 16th day of July, 1997, Defendant's Commonwealth of Pennsylvania, Department of Transportation, request for a Protective Order and Stay of Deposition is hereby denied." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED

October 26, 1998
Status letter forwarded to parties. RESPONSE DUE 11/25/98.
November 11, 1998

Letter received from Defendant advising that the matter has been settled by amicable agreement of the parties and payment has been made by the Department of all monies due and owing pursuant to the settlement agreement filed by attorney for Defendant.

August 17, 1999

Letter forwarded to parties requesting that they file a Praecipe to Close and Discontinue the case.

January 27, 2000

Letter forwarded to parties requesting them to file a Praecipe with the Board.

May 26, 2000

Letter forwarded to parties requesting status. DUE 6/26/00.

June 16, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 16th day of June, 2000, upon receipt of an Order to Settle, Discontinue and End 'Kindly mark the above-captioned case SETTLED, DISCONTINUED and ENDED with prejudice upon payment of your costs only', executed by Joseph A. Meo, Esquire, attorney for Plaintiff, E-Z Parks, Inc., et al., docketed with this Board under date of June 9, 2000, it is hereby **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 5, 2000

Acceptance of Service of Order dated June 16, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 28, 2000.

June 1, 2000

Practicing to Discontinue and Close filed by attorney for Defendant.
