

Docket Number: 1544

STEEL CITY PAINTING COMPANY

Kenneth W. Lee, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

July 3, 1991

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$77,298.34+.

July 10, 1991

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

July 11, 1991

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 10, 1991.

July 16, 1991

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 11, 1991.

August 12, 1991

Answer and New Matter filed by attorney for Defendant (Stephen J. Busterna, Assistant Counsel). Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 7, 1991

Letter relative to partial settlement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 11, 1991

Agreement and Release filed by attorney for Defendant, executed by parties.

December 6, 1991

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 6th day of December, 1991, upon due consideration of the Agreement and Release of the parties and other submissions, it is **ORDERED** and **DECREED** that Defendant, Commonwealth of Pennsylvania, Department of Transportation, shall pay to Plaintiff, Steel City Painting Company, the sum of Nine Thousand Five Hundred Dollars (\$9,500.00), 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 shall withdraw its Complaint and Upon receipt of the within award, file a Praecipe

with the Board of Claims requesting that the matter be

December 6, 1991

marked settled and discontinued with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 10, 1991

Acceptance of Service of Opinion and Order dated December 6, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 9, 1991.

December 12, 1991

Acceptance of Service of Opinion and Order dated December 6, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 9, 1991.

April 29, 1992

The Board rendered an Opinion and Order for Settlement. **AND NOW,** this 29th day of April, 1992, a Rule to Show Cause is issued upon Plaintiff wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days 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.

May 1, 1992

Acceptance of Service of Opinion and Order dated April 29, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 30, 1992.

May 12, 1992

Acceptance of Service of Opinion and Order dated April 29, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 6, 1992.

May 12, 1992

Praeipie to Settle and Discontinue filed by attorney for Plaintiff.

May 14, 1992

Copy of Praeipie to Settle and Discontinue forwarded to attorney for Defendant.

May 18, 1992

The Board made the following Order: "AND NOW, this 18th day of May, 1992, upon receipt of a Praecipe to Settle and Discontinue filed by Kenneth W. Lee, Esquire, representing Plaintiff, same of which is docketed with this Board under date of May 12, 1992, 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.

May 18, 1992

Acceptance of Service of a Praecipe to Settle and Discontinue received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 15, 1992.

May 18, 1992

Acceptance of Service of Order dated May 18, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 18, 1992.

May 28, 1992

Acceptance of Service of Order dated May 18, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 21, 1992.
