Docket Number: 1558

GANNETT FLEMING, INC.

David A. Neely, Esquire John Sieminski, Esquire

COMM WEALTH OF PENNS VAN A DIPARTENT OF TRINSPOLATION

John J. Robinson, Chief Claims Attorney Stephen S. Stokwitz, Assistant Counsel Gerald Schultz, Assistant Counsel

August 12, 1991

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$793,659.89

August 21, 1991

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

August 26, 1991

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 26, 1991.

27. Augus ceptance of Claim 1 from ervice (ceil Attori me ackn rledge peral. Red ipt of 199 eral Augus 22,

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

April 13, 1992

Entry of Appearance of David A. Neely, Esquire on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 17, 1992

Notice of Withdrawal of Appearance of Barbara R. McLemore, Esquire on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 31, 1992

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

February 5, 1993

Requests for Admission and Accompanying Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 25, 1993

Defendant's Response to Plaintiff's Request for Admissions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 18, 1993

Notice of Deposition of Greg Bednar and George Tanner filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 16, 1994

Notice of Deposition of George Tanner and Greg Bednar filed by attrney or faintiff. Copy forwarded to a orney for Dere lant brattorne, for Plaintiff.

May 19

Modice of Service of Reliest for Production of Documents on behalf of net Floring folds attrney for Laip of log for Laed to attorney for Defendant by attorney for Plaintiff.

January 13, 1995

Request for Admission and Accompany Request for Production, as well as Notice of Service of Request for Admission and Accompanying Request for Production of Documents, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 1, 1995

Interrogatories Directed to Defendant, a Request for Production of Documents, and a Notice of Service of Interrogatories and Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 16, 1995

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

May 31, 1995

Entry of Appearance of Gerald Schultz, Assistant Counsel, on behalf of Defendant, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 19, 1995

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

August 14, 1995

Anglers to Interrogatorias fixed by atterney or Delend at. Copy of warded to storney for Plain iff by autors y for Defindant.

January 25, 26

Defendant's Interrogate ies to Plaintif - hird Set filed by attempt for Defendant. Sopy orwarded to a proper for Plaintiff by attorney for Defendant.

February 2, 1996

Hearing scheduled for September 9, 10, 11, 12 and 13, 1996, as well as September 16, 17, 18, 19 and 20, 1996, in Board's Courtroom No. 1, 6th Floor, Fulton Building, Harrisburg, PA, commencing at 9:30 a.m.

August 12, 1996

Notice of Service of Third Set of Interrogatories & Third Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 19, 1996

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

August 27, 1996

Plaintiff's Pre-Trial Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 27, 1996

Motion in Limine filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 27, 1996

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

August 30, 1996

Statement of Issues and Identification of Witnesses filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant

September 3 1996

Directed to Pe nDOT and Department's Response to Plaintiff is Requisit for Production of Decuments fixed by attractor or Decement to oppose to attorney for Defendant.

September 3, 1996

Plaintiff's First Supplemental Pre-Trial Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 4, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 4th day of September, 1996, upon consideration of Plaintiff's Motion in Limine, it is hereby ORDERED that the Motion if DENIED." Copies forwarded (via fax & U.S. Mail) to attorney for Plaintiff and attorney for Defendant.

September 9, 1996

Acceptance of Service of Opinion and Order dated September 4, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 6, 1996

September 9, 1996

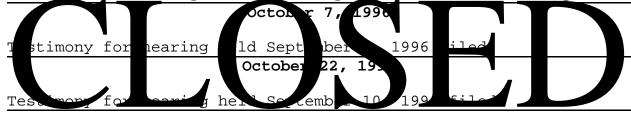
Second Supplemental Pre-Trial Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 9, 1996

Hearing held this date in Board's Courtroom No. 1, 6th Floor, Fulton Building, Harrisburg, PA commencing at 9:30 a.m.

September 10, 1996

Hearing held this date in Board's Courtroom No. 1, 6th Floor, Fulton Building, Harrisburg, PA commencing at 9:30 a.m. Case Completed.



November 5, 1996

Copy of Testimony for hearing held September 9 & 10, 1996, forwarded to attorney for Defendant. Plaintiff's Findings of Fact, Conclusions and Brief due 12/5/96. Defendant's Findings of Fact, Conclusions and Brief due 1/5/97.

December 5, 1996

Plaintiff's Proposed Findings of Fact, Conclusions and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 6, 1997

Letter received from attorney for Defendant requesting an extension of time until January 17, 1997 to file its Findings, etc.

January 7, 1997

Corrected copy of Volume I and II of testimony of hearing held October 9 and 10, 1996 filed.

January 13, 1997

Copy of corrected copy of Volume I and II of testimony of hearing held October 9 and 10, 1996 forwarded to attorney for Defendant. January 13, 1997

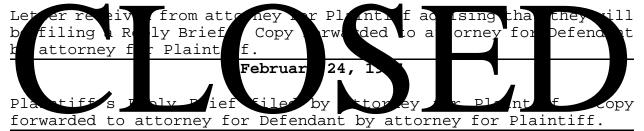
January 13, 1997

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant's request for an extension of time to file Defendant's Findings, etc. DEFENDANT'S FINDINGS, ETC DUE 1/17/97

January 23, 1997

Defendant's Proposed Findings of Fact, Conclusions of Law and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 30, 1997



September 9, 1997

The Board rendered an Opinion and made the following Order: " AND NOW, this 9th day of September, 1997, judgment is hereby entered in favor of Gannett Fleming, Inc., in the amount of Seven Hundred Hundred Forty-Seven Thousand Seven Ninety-Seven Dollars (\$747,797.00), with interest at the rate of six percent (6%) per annum from February 26, 1991. Upon receipt of said award, Plaintiff shall forthwith file with the Board of Claims a Praecipe requesting that this matter be marked "closed, discontinued and ended with prejudice". Each party to bear its own costs and attorney fees." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

September 15, 1997

Acceptance of Service of Opinion and Order dated September 9, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 11, 1997.

September 15, 1997

Acceptance of Service of Opinion and Order dated September 9, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 10, 1997.

September 19, 1997

Motion to Amend Order of September 9, 1997 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 23, 1997

The Board rendered an Opinion and made the following Order: NOW, this 23rd day of September, 1997, the Board of Claims' Opinion and Order of September 9, 1997, is amended as follows: 1) Judgment is hereby entered in favor of Plaintiff, Gannett Fleming, Inc., in the amount of Seven Hundred Seventy-Four Thousand Seven Hundred Ninety-Seven Dollars (\$774,797.00) with interest at the legal rate 26 perant 5%) per ar am 1 om Fø rua unt specified on Pag pinion ar 35 of Order of he Septem ed to 1997, is lso ame fle the am Jpon rece 74,797.00. ot of sa lawar Plai tiff shall Eorthwi e with the ims a I bard of C aekipe r rues ing that is mat tinu ar ar end isco party to bear its own costs and attorney fees." Copies forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

September 29, 1997

Acceptance of Service of Opinion and Order dated September 23, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 25, 1997.

September 30, 1997

Acceptance of Service of Opinion and Order dated September 23, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 25, 1997.

November 17, 1997

Praecipe to Close Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 19, 1997

The Board made the following Order: "AND NOW, this 19th day of November, 1997, upon receipt of a Praecipe to Close Matter, requesting that the above-entitled matter be 'closed, discontinued and ended with prejudice', executed by John Sieminski, Esquire, on behalf of Plaintiff, Gannett Fleming, Inc., and docketed with this Board under date of November 17, 1997, it is ORDERED and DIRECTED that said case be marked 'closed, discontinued and ended with prejudice'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 24, 1997

Acceptance of Service of Order dated November 19, 1997 received from attrney or faintiff. Accept of same acking ledged he attrney for Plaintiff November 1, 1995

November 25, 297

Alleptance of dervice of Order de ded November 1, 1997 received from attempt for fendalt. Secerat o same ack where de de attempt for November 20, 1997.