

Docket Number: 1585

ADONZIO BROTHERS, INC., a Pennsylvania Corporation and SWS
CONSTRUCTION COMPANY, INC., a Pennsylvania Corporation

Joseph F. Saporito, Jr., Esquire

CLOSED VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~John J. Robinson, Jr., Chief Claims Attorney~~
~~Stephen S. Stokwitz, Assistant Counsel~~

October 28, 1991

Complaint and filing fee filed by attorney for Plaintiff. Amount of Claim: \$60,000.00+.

October 31, 1991

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

November 4, 1991

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by attorney for Defendant November 1, 1991.

CLOSED

Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 27, 1992

Amended Answer filed by attorney for Defendant. Copy forwarded to attorney for plaintiff by attorney for Defendant.

February 4, 1992

Stipulation to Amend the Answer filed January 27, 1992 by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 6, 1992

By Order of Court this date, amendment to Answer filed January 27, 1992 is **ALLOWED**. Copies forwarded to attorney for Plaintiff and attorney for Defendant.

February 13, 1992

Acceptance of Service of Order of Court dated February 6, 1992 filed by attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 10, 1992.

April 1, 1997

Letter forwarded to parties requesting status. Response due from parties May 1, 1997.

May 7, 1997

2nd letter forwarded to parties requesting status. Response due from parties June 9, 1997.

May 14, 1997

Status letter received from attorney for Plaintiff advising that the parties are conducting settlement negotiations. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 16, 1997

Status letter received from attorney for Defendant advising that Defendant is in the process of ascertaining what discovery may need completed prior to proceeding with this case. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 22, 1997

Status letter received from attorney for Plaintiff advising that the parties are attempting settlement.

October 28, 1997

Status letter received from attorney for Defendant advising that the parties are attempting settlement and further requesting the Board to hold off for sixty-days.

May 1, 1998

Letter forwarded to parties requesting status. Response due from parties June 1, 1998.

July 13, 1998

2nd letter forwarded to parties requesting status. Response due from parties August 13, 1998.

July 29, 1998

Status letter received from attorney for Defendant advising that the parties are conducting settlement negotiations.

November 23, 1998

Letter forwarded to parties requesting status. Response due from parties December 23, 1998.

February 24, 1999

Second letter forwarded to parties requesting status. Response due from parties March 24, 1999.

March 3, 1999

Status letter received from Defendant advising that Defendant is currently reviewing all the facts in this case with the appropriate personnel in order to determine the best next course of action.

January 14, 2000

Letter forwarded to parties requesting status. Response due from parties February 14, 2000.

March 20, 2000

CLOSED

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of March, 2000, a Rule to Show Cause is issued upon Plaintiff Adonzio Brothers, Inc., a Pennsylvania Corporation and SWS Construction Company, Inc., a Pennsylvania Corporation, wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue the above-captioned matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked 'closed, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 5, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 5th day of June, 2000, this Order is issued as a result of the failure of Plaintiff, Adonzio Brothers, Inc., a Pennsylvania Corporation and SWS Construction Company, Inc., a Pennsylvania Corporation, to file with the Board of Claims, within thirty (30) days from March 20, 2000, a response to the Rule to Show Cause advising why this Claim should not be dismissed for failure to abide by the instructions of the Board of Claims. Therefore, it is **DIRECTED** that the Rule of March 20, 2000, be made **ABSOLUTE** and the record be marked 'closed and discontinued with prejudice.'" Copy forwarded to attorney for Plaintiff and attorney for Defendant.
