

Docket Number: 1616

M. R. MIKKILINENI, PE, formerly MRM Engineers, PC

~~James P. Ross, Esquire~~  
M. R. Mikkilineni, P.E.

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
~~John J. Robinson, Jr., Chief Claim Attorney~~  
~~Stephen J. Gustafson, Assistant Counsel~~  
John J. Buchy, Assistant Counsel

**February 25, 1992**

Complaint and filing fee filed by attorney for Plaintiff. Amount of Claim: \$254,196.50+.

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**February 25, 1992**

Entrance of Appearance filed by James P. Ross, Esquire, attorney for Plaintiff.

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**February 28, 1992**

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

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**March 3, 1992**

Acceptance of service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 28, 1992.

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**March 6, 1992**

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 2, 1992.

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**April 2, 1992**

Defendant's Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 23, 1992**

Brief in Support of Defendant's Preliminary Objections to Plaintiff's Statement of Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**September 30, 1992**

Plaintiff's Brief in Opposition to Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 4, 1992**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of November, 1992, the Order of the Board of claims is as follows: 1. The Preliminary Objections as filed by the Defendant to Count I are **OVERRULED**. 2. The Preliminary Objections as filed by the Defendant to Count II are hereby **GRANTED**. The Defendant is given thirty (30) days from this date of this Order to file appropriate pleadings." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 6, 1992**

Acceptance of Service of Opinion and Order dated November 4, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 6, 1992.

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**November 16, 1992**

Acceptance of Service of Opinion and Order dated November 4, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 5, 1992.

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**November 24, 1992**

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

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**September 28, 1993**

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

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**October 4, 1993**

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

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**October 4, 1993**

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

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**September 12, 1994**

Praecipe to Withdrawal as Counsel for Plaintiff filed by James P. Ross, Esquire. Copy forwarded to attorney for Defendant by James P. Ross, Esquire.

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**October 2, 1995**

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

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**October 20, 1995**

Copy of Amended Complaint forwarded to Chief Deputy Attorney General.

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**October 20, 1995**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 20th day of October, 1995, it is **ORDERED** and **DECREED** that the Caption of this Case be amended as follows: M.R. Mikkilineni, PE, formerly MRM Engineers, PC vs. Commonwealth of Pennsylvania, Department of Transportation." Copies forwarded to Plaintiff and attorney for Defendant.

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**October 26, 1995**

Acceptance of Service of Opinion and Order dated October 20, 1995 received from Plaintiff. Receipt of same acknowledged by Plaintiff October 23, 1995.

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**October 27, 1995**

Acceptance of Service of Opinion and Order dated October 20, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 24, 1995.

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**October 27, 1995**

Acceptance of Service of Amended Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 24, 1995.

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**November 21, 1995**

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

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**December 12, 1995**

Plaintiff's Motion for Leave of Court to Allow Amended Complaint and Brief to Strike Defendant's Objections filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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**January 4, 1996**

Department's Brief in support of Preliminary Objections to Plaintiff's Amended Complaint filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant.

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**January 30, 1996**

Letter/Response to Plaintiff's Motion for Leave of Court to Allow Amended Complaint and Brief to Strike Defendant's Objections filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant.

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**February 22, 1996**

The Board rendered an Opinion and Made the following Order: "AND NOW, this 22nd day of February, 1996, the Motion of the Plaintiff, Mr. R. Mikkilineni, PE, formerly NME Engineers, PC, to file an amended complaint is **GRANTED** in accordance with this Opinion. The Plaintiff is directed to file an amended complaint in accordance with this Opinion. Said amended complaint must be filed within thirty (30) days of the date of this Opinion. If an amended complaint is not filed, the Board will accept the Complaint as amended in accordance with this Opinion and paragraph #17 will be omitted. The Defendant's, Commonwealth of Pennsylvania, Department of Transportation, Preliminary Objections are hereby rendered **MOOT**." Copies forwarded to Plaintiff and attorney for Defendant.

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**February 28, 1996**

Acceptance of Service of Opinion and Order dated February 22, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 23, 1996.

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**March 1, 1996**

Acceptance of Service of Opinion and Order dated February 22, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 27, 1996.

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**March 6, 1996**

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

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**March 19, 1996**

Acceptance of Service forwarded to attorney for Defendant acknowledging receipt of Amended Complaint. Response due from Defendant April 18, 1996.

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**March 19, 1996**

Amended Complaint forwarded to Chief Deputy Attorney General.

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**March 25, 1996**

Acceptance of Service of Amended Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 21, 1996.

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**April 29, 1996**

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

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**May 1996**

Letter forwarded to Plaintiff directing them to file a response to Defendant's New Matter. **Response due June 10, 1996.**

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**June 12, 1996**

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

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**July 15, 1996**

Answer to Plaintiff's Third Amended Complaint and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 30, 1996**

Letter forwarded to Plaintiff requesting a Reply to Defendant's New Matter. **Response due 8/29/96.**

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**September 3, 1996**

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

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**May 5, 1997**

Status letter forwarded to parties.

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**May 29, 1997**

Plaintiff's Motion to Compel Discovery from Defendant filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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**June 27, 1997**

Department's Answer to Plaintiff's Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant.

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**July 3, 1997**

Department's Motion for Protective Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 7, 1997**

Department's Motion for Partial Summary Judgment filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 7, 1997**

Brief in Support of Department's Motion for Partial Summary Judgment filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 24, 1997**

Plaintiff's Reply to Defendant's Answer to Compel Discovery, Plaintiff's Opposition to Defendant's Motion for Summary Judgment and Protective Order, as well as Plaintiff's Motion for Sanctions Against Defendant filed by Plaintiff.

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**August 15, 1997**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of August, 1997, after a review of all pertinent information on file in this case, it is hereby **ORDERED** and **DECREED**, that Plaintiff's, M. R. Mikkilineni, PE (formerly MRM Engineers, PC), Motion to Compel Discovery from Defendant, Commonwealth of Pennsylvania, Department of Transportation is **GRANTED**. Defendant is hereby **ORDERED** to produce for Plaintiff within fifteen (15) days from the date of this Order, all minutes/notes taken at the prequalification committee hearing. It is further **ORDERED** that Robert Peda shall answer any and all questions directed to him by Plaintiff, or his counsel, with respect to any prequalification requirements of MRM Engineers for the period 1992 to 1996 at a deposition to be held within thirty (30) days of the date of this Order. Any failure to comply with this Order shall result in the issuance of sanctions pursuant to Pa. R.C.P. 4019." Copy forwarded to Plaintiff and attorney for Defendant.

Acceptance of Service of Opinion and Order dated August 15, 1997, received from Plaintiff. Receipt of same acknowledged by Plaintiff August 19, 1997.

**August 26, 1997**

Acceptance of Service of Opinion and Order dated August 15, 1997, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 18, 1997.

**March 20, 1998**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of March, 1998, it is hereby **ORDERED** and **DECREED** that Defendant's, Commonwealth of Pennsylvania, Department of Transportation, Motion for Partial Summary Judgment to the Complaint of Plaintiff, M. R. Mikkilineni, P.E. formerly MRM Engineers, PC, is hereby granted. Paragraphs 15 and 20 of Plaintiff's Third Amended Complaint are hereby stricken with prejudice." Copies forwarded to Plaintiff and attorney for Defendant.

**March 31, 1998**

Acceptance of Service of Opinion and Order dated March 20, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 25, 1998.



**July 2, 1998**

M.R. Mikkilineni's Petition for Review and or Complaint, as filed in Commonwealth Court, filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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**July 30, 1998**

Petition for Review received from Commonwealth Court [No. 1781 C.D. 1998].

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**July 30, 1998**

Courtesy copies of Motion to Quash Petition for Review and Brief in Support thereof as well as Preliminary Objections to Petition for Review and Brief in Support thereof, filed by attorney for Defendant.

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**August 10, 1998**

Plaintiff's Motion for Reconsideration of Order Entered on 3/10/1998 filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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**August 10, 1998**

M. R. Mikkilineni's Petition/Amended Complaint filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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**August 26, 1998**

Courtesy copy of Proposed Order as well as Petition for Date Certain to Respond to Amended Petition for Review filed by D. Michael Fisher, Attorney General; Lisa W. Basial, Deputy Attorney General; and Susan J. Forney, Chief Deputy Attorney General.

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**August 27, 1998**

File transmitted to Commonwealth Court.

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**September 14, 1998**

Plaintiff's Brief in Support of Motion for Reconsideration of Order Entered on 3/20/1998 filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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**September 22, 1998**

Department's Answer to Plaintiff's Motion for Reconsideration of Order Entered on 03/20/98 and Brief in Support thereof filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant.

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**October 2, 1998**

Plaintiff's Reply to PennDOT's Brief in Opposition for Reconsideration of this Court's Order Entered on 3/20/1998 filed by Plaintiff.

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**December 4, 1998**

Order received from Commonwealth Court. Order as follows: NOW, October 1, 1998, it appearing that this Court and the parties agree that this Court lacks jurisdiction to hear this action for damages, the order of September 24, 1998 is vacated. This matter is transferred to the Court of Common Pleas of Allegheny County. The Chief Clerk shall certify a photocopy of the docket entries of the above matter and the record to the Prothonotary of the Court of Common Pleas of Allegheny County."

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