

Docket Number: 1625

G. R. SPONAUGLE & SONS, INC.

Diane M. Tokarsky, Esquire

~~C. Grainger Bowman, Esquire~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Michael J. Daley, Chief Counsel~~

~~*John J. Buchy, Chief of Litigation~~

~~*Catherine A. Foley, Assistant Counsel~~

~~Jerry R. Russo, Esquire~~

***Pat Patterson, Legal Liaison

Jose E. Morales, Chief of Litigation

Peter M. Good, Assistant Counsel

March 25, 1992

Complaint and filing fee filed by attorneys for Plaintiff. Amount of Claim: \$16,592.77+.

March 31, 1992

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

April 9, 1992

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 8, 1992.

April 17, 1992

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 8, 1992.

***May 11, 1992**

Praecipe for Entry of Appearances filed by John J. Buchy, Chief of Litigation, and Catherine A. Foley, Assistant Counsel, attorneys for Defendant. Copy forwarded to attorneys for Plaintiff by attorneys for Defendant.

July 31, 1992

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

August 24, 1992

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

September 15, 1992

Motion for Leave to Join Biehn Construction, Inc. as an Additional Defendant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

****October 16, 1992**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 16th day of October, 1992, it is **ORDERED** and **DECREED** that the Motion for Leave to Join Biehn Construction, Inc. as an Additional Defendant, be, and is hereby, **GRANTED**. In the future, the caption is to read as follows: G. R. Sponaugle & Sons, Inc. vs. Commonwealth of Pennsylvania, Department of General Services vs. Biehn Construction, Inc. Additional Defendant." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

October 27, 1992

Acceptance of Service of Opinion and Order dated October 16, 1992, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 20, 1992.

October 28, 1992

Acceptance of Service of Opinion and Order October 16, 1992, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 27, 1992.

November 12, 1992

Complaint Against Additional Defendant filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff and Additional Defendant by attorney for Defendant.

November 16, 1992

Copy of Complaint Against Additional Defendant forwarded to Chief Deputy Attorney General.

December 11, 1992

Acceptance of Service of Complaint Against Additional Defendant received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 8, 1992.

December 30, 1992

Answer to Complaint Against Additional Defendant and New Matter filed by attorney for Additional Defendant. Copy forwarded to attorneys for Plaintiff and attorney for Defendant by attorney for Additional Defendant.

March 12, 1993

Reply to Additional Defendant's New Matter filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff and attorney for Additional Defendant by attorney for Defendant.

March 17, 1993

Praecipe withdrawing the appearance of John J. Buchy, Chief of Litigation, and entering the appearance of Jose E. Morales, Chief of Litigation, attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 19, 1993

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

April 19, 1993

Interrogatories of Plaintiff, G.R. Sponaugle & Sons, Inc. directed to Defendant, Commonwealth of Pennsylvania, Department of General Services, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 12, 1993

Praecipe withdrawing the appearance of Catherine A. Foley, Assistant Counsel, and entering the appearance of Peter M. Good, Assistant Counsel, attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

July 9, 1993

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

*****August 20, 1993**

Proposed Order and Praecipe to Withdraw Appearance of Buchanan Ingersoll Professional Corporation filed by Andrew S. Gordon, Esquire. Copies forwarded to attorney for Plaintiff, attorney for Defendant, and attorney for Additional Defendant by Andrew S. Gordon, Esquire.

August 26, 1993

Proposed Order executed by Judge Pace, filed by Andrew S. Gordon, Esquire. Order as follows: "On this 26th day of August, upon consideration of the foregoing Praecipe, the withdrawal of the appearance of Buchanan Ingersoll Professional Corporation as counsel for Biehn Construction, Inc. is hereby granted." Copies forwarded to attorneys for Plaintiff, attorneys for Defendant, attorney for Additional Defendant, and Andrew S. Gordon, Esquire.

August 31, 1993

Acceptance of Service of Order dated August 26, 1993, received from Andrew S. Gordon, Esquire. Receipt of same acknowledged by Andrew S. Gordon, Esquire, August 30, 1993.

September 1, 1993

Acceptance of Service of Order August 26, 1993, received from attorney for Plaintiff (Diane M. Tokarsky, Esquire). Receipt of same acknowledged by attorney for Plaintiff August 30, 1993.

September 7, 1993

Acceptance of Service of Order dated August 26, 1993, received from attorney for Additional Defendant. Receipt of same acknowledged by attorney for Additional Defendant August 31, 1993.

September 23, 1993

Acceptance of Service of Order dated August 26, 1993, received from attorneys for Defendant. Receipt of same acknowledged by attorney for Defendant August 30, 1993.

April 26, 1994

Praecipe to Withdraw Appearance filed by C. Grainger Bowman, Esquire. Copy forwarded to all parties of record by C. Grainger Bowman, Esquire.'

June 27, 1994

Motion for Severance filed by attorney for Plaintiff. Copies forwarded to attorney for Defendant and attorney for Additional Defendant by attorney for Plaintiff.

August 30, 1994

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 30th day of August, 1994, it is **ORDERED** and **DECREED** that the request to withdraw the Motion for Severance is hereby **GRANTED** and that the Motion for Severance is hereby rendered MOOT." Copies forwarded to all parties of record.

September 2, 1994

Acceptance of Service of Opinion and Order dated August 30, 1994, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 1, 1994.

September 6, 1994

Acceptance of Service of Opinion and Order dated August 30, 1994, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 1, 1994.

September 8, 1994

Acceptance of Service of Opinion and Order dated August 30, 1994, received from attorney for Additional Defendant. Receipt of same acknowledged by attorney for Additional Defendant September 6, 1994.

May 13, 1996

Praecipe for discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 31, 1996

The Board made the following Order: **"AND NOW**, this 31st day of May, 1996, upon receipt of a Praecipe for Discontinuance requesting the matter be settled and discontinued executed by Diane M. Tokarsky, Esquire, on behalf of G.R. Sponaugle & Sons, Inc., same of which is docketed with this Board under date of May 13, 1996, it is **ORDERED** and **DECREED** that said case be marked 'settled, discontinued and ended with prejudice'." Copies forwarded to all parties involved.

June 4, 1996

Acceptance of Service of Order dated May 31, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 3, 1996.

June 7, 1996

Acceptance of Service of Order dated May 31, 1996 received from attorney for Plaintiff. Receipt of same acknowledged for Additional Defendant June 4, 1996.

June 20, 1996

Acceptance of Service of Order dated May 31, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 3, 1996.