

Docket Number: 1667

HIGH STEEL STRUCTURES, INC.

Kenneth M. Cushman, Esquire
Mason Avrigian, Jr., Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

~~John J. Robinson, Jr., Chief Claims Attorney~~
Jeffrey W. Davis, Assistant Counsel

September 17, 1992

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$1,500,000.00+.

September 24, 1992

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

September 29, 1992

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 25, 1992.

October 5, 1992

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

October 26, 1992

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

November 25, 1992

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

December 15, 1992

Proposed Order as well as Claimant's Brief in Opposition to Defendant's Preliminary Objections filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

March 3, 1993

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 3rd day of March, 1993, the Preliminary Objections of the Respondent, Commonwealth of Pennsylvania, Department of Transportation, are **DENIED** in accordance with this Order. The allegations contained in Count II are now incorporated in Count I under the caption 'Breach of Contract'. Any request of the Claimant in the nature of a declaratory judgment is **DENIED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 8, 1993

Acceptance of Service of Opinion and Order dated March 3, 1993,

received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 4, 1993.

April 1, 1993

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

April 26, 1993

Claimant's Response to the Answer and New Matter of Defendant, Commonwealth of Pennsylvania, Department of Transportation filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 23, 1995

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

April 3, 1995

The Board made the following Order: "**AND NOW**, this 3rd day of April, 1995, upon receipt of a Praecipe to Discontinue Action, requesting that the matter be discontinued, executed by Kenneth M. Cushman, attorney for Plaintiff, High Steel Structures, Inc., same of which is docketed with this Board under date of March 23, 1995, 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.

April 13, 1995

Acceptance of Service of Order dated April 3, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 5, 1995.
