

Docket Number: 1726

LAMBERT AND INTRERI, INC.

Bruce F. Bratton, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
STATE PUBLIC SCHOOL BUILDING AUTHORITY

~~Donald Bagenstose, Executive Director~~
~~Amy L. Putnam, Deputy General Counsel~~
Jose E. Morales, Esquire

VS.

~~*ROBERT A. BOSAK, individually,~~
ROBERT A. BOSAK & ASSOCIATES

~~Mark F. Brancato, Esquire~~
Kevin B. Watson, Esquire

and the HAZLETON AREA SCHOOL DISTRICT

~~James P. Ferry, Esquire~~
Conrad A. Falvello, Esquire
David L. Glassberg, Esquire

June 10, 1993

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$259,619.25.

June 17, 1993

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

June 23, 1993

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 21, 1993.

CLOSED

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

August 17, 1993

Complaint to Join Additional Defendants filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff and proposed Additional Defendants by attorney for Defendant.

***October 22, 1993**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 22nd day of October, 1993, the prayer of the Defendant, Commonwealth of Pennsylvania, State Public School Building Authority, to include the designated parties, and/or corporation, and/or school district, as named Additional Defendants is **GRANTED.**

The caption shall hereinafter be as follows: LAMBERT AND INTRERI, INC. VS. COMMONWEALTH OF PENNSYLVANIA, STATE PUBLIC SCHOOL BUILDING AUTHORITY VS. ROBERT A. BOSAK, individually, ROBERT A. BOSAK & ASSOCIATES, and the HAZLETON AREA SCHOOL DISTRICT, Additional Defendants." Copy forwarded to attorney for Plaintiff, attorney for Defendant, and attorney for Additional Defendants.

October 26, 1993

Acceptance of Service of Opinion and Order dated October 22, 1993, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 26, 1993.

November 1, 1993

Reply to New Matter and Answer to Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant and attorney for Additional Defendants.

November 4, 1993

Acceptance of Service of Opinion and Order dated October 22, 1993, received from Additional Defendant (Robert A. Sosak & Associates). Receipt of same acknowledged by Additional Defendant November 1, 1993.

November 8, 1993

Amended Complaint to Join Additional Defendants filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff and attorney for Additional Defendants.

November 12, 1993

Copy of Amended Complaint to Join Additional Defendants forwarded to Chief Deputy Attorney General.

November 15, 1993

Acceptance of Service of Opinion and Order dated October 22, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 8, 1993.

November 17, 1993

Acceptance of Service of Amended Complaint to Join Additional Defendants received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 15, 1993.

November 22, 1993

Acceptance of Service of Opinion and Order dated October 22, 1993, received from attorney for Additional Defendant (Hazleton Area School District). Receipt of same acknowledged by Additional Defendant October 28, 1993.

November 22, 1993

Answer, New Matter and Counterclaim to Complaint to Join Additional Defendants filed by attorney for Additional Defendant (Hazleton Area School District). Copy forwarded to all parties of record by attorney for Additional Defendant.

December 2, 1993

Plaintiff's Interrogatories Propounded Upon Defendant (First Set) filed by attorney for Plaintiff. Copy forwarded to all parties of record by attorney for Plaintiff.

December 2, 1993

Plaintiff's Request for Production of Documents directed to Defendant (First Set) filed by attorney for Plaintiff. Copy forwarded to all parties of record by attorney for Plaintiff.

December 8, 1993

Three (3) Proposed Orders, Preliminary Objections by Robert A. Bosak and Robert A. Bosak & Associates to Amended Complaint to Join Additional Defendants and Memorandum of Law in Support, thereof, filed by attorney for Additional Defendant (Robert A. Bosak). Copy forwarded to all parties of record by attorney for Additional Defendant.

December 22, 1993

Reply to New Matter of Additional Defendant Hazleton School District filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

January 10, 1994

Answer to Preliminary Objections to Amended Complaint to Join Additional Defendants filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

January 10, 1994

Defendant's Brief in Opposition to Preliminary Objections of Additional Defendant Robert A. Bosak & Associates filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

January 25, 1994

Reply to Brief by SPSBA in Opposition to Preliminary Objections of Additional Defendant Robert A. Bosak & Associates filed by attorney for Additional Defendant (Robert A. Bosak). Copy forwarded to all parties of record by attorney for Additional Defendant.

January 27, 1994

Entry of Appearance filed by Conrad A. Falvello, Esquire and David L. Glassberg, Esquire, attorneys for Additional Defendant (Hazleton Area School District). Copies forwarded to all parties of record by attorney for Additional Defendant.

April 29, 1994

CLOSED

The Board rendered an Opinion and made the following Order: "AND NOW, this 29th day of April, 1994, the Preliminary Objections filed by Additional Defendant, Robert A. Bosak, are **GRANTED**, and Robert A. Bosak is **DISMISSED** as named Additional Defendant. The remaining Preliminary Objections of the Additional Defendant, Robert A. Bosak & Associates, are **DENIED**. The new caption of this case will be as follows: LAMBERT & INTRERI, INC. VS. COMMONWEALTH OF PENNSYLVANIA, STATE PUBLIC SCHOOL BUILDING AUTHORITY VS. ROBERT A. BOSAK & ASSOCIATES and the HAZLETON AREA SCHOOL DISTRICT." Copies forwarded to all parties of record.

May 5, 1994

Acceptance of Service of Opinion and Order dated April 29, 1994, received from attorney for Additional Defendant (Robert A. Bosak & Associates). Receipt of same acknowledged by attorney for Additional Defendant May 2, 1994.

May 9, 1994

Petition for Review of Order Denying Motion to Compel Arbitration as filed in Commonwealth Court filed by attorney for Additional Defendant (Robert A. Bosak & Associates). Copy forwarded to all parties of record by attorney for Additional Defendant.

May 10, 1994

Acceptance of Service of Opinion and Order dated April 29, 1994, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 2, 1994.

May 10, 1994

Acceptance of Service of Opinion and Order dated April 29, 1994, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 5, 1994.

May 12, 1994

Petition for Review received from Commonwealth Court. [No. 1178 C.D. 1994]

May 18, 1994

Letter/Withdraw of Appearance of James P. Ferry, Esquire, on behalf of Hazleton Area School District.

May 24, 1994

File transmitted to Commonwealth Court.

August 23, 1994

Courtesy copy of Order received from Commonwealth Court. Order as follows: "**NOW**, August 17, 1994, upon consideration of petitioner's (sic) application for reconsideration of this court's order of July 18, 1994, and respondent Hazleton Area School District's answer thereto, and it appearing that the overruling of the preliminary objections does not constitute a final order or an interlocutory order appealable as of right, the application is denied."

February 14, 1995

File returned from Commonwealth Court.

February 22, 1995

Courtesy copy of Order received from Commonwealth Court, via Fax. Order as follows: "**NOW**, July 18, 1994, it appearing that the order herein either the original defendant or the second additional defendant from the case, and it further appearing that the order of the Board of Claims was issued on April 29, 1994, and consequently that Pa. R.A.P. 341, as amended May 6, 1992, and January 10, 1994, is applicable, this appeal is quashed on the basis it was taken from an interlocutory order. See also, Official Not to Pa. R.A.P. 341."

January 2, 1996

Letter/Withdrawal of Appearance of mark F. Brancato, Esquire and Entry of Appearance of Kevin B. Watson, Esquire, attorney for Additional Defendant (Robert A. Bosak & Associates). Copies forwarded to attorney for Defendant and attorneys for Additional Defendant (Hazleton Area School District) by attorney for Additional Defendant (Robert A. Bosak & Associates).

January 26, 1996

Praeipice to Withdraw Appearance of Mark F. Brancato, Esquire as well as Praeipice for Entry of Appearance of Kevin B. Watson, Esquire, attorney for Additional Defendant (Robert A. Bosak & Associates). Copies forwarded to all parties of record by attorney for Additional Defendant (Robert A. Bosak & Associates).

February 13, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 13th day of February, 1996, it is **ORDERED** and **DECREED** that all proceedings herein are **STAYED**. It is further **ORDERED** and **DECREED** that counsel for either party may request that the stay be lifted at any time." Copy forwarded to all parties of record.

February 21, 1996

Acceptance of Service of Opinion and Order dated February 13, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 16, 1996.

February 22, 1996

Acceptance of Service of Opinion and Order dated February 13, 1996 received from attorney for Additional Defendant. Receipt of same acknowledged by attorney for Additional Defendant February 16, 1996.

March 11, 1996

Acceptance of Service of Opinion and Order dated February 13, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 6, 1996.

May 6, 1997

Status letter forwarded to parties.

Response due 6/5/97.

May 27, 1997

Entry of Appearance of Jose E. Morales, Esquire, attorney for Defendant, filed. Copies forwarded to all parties of record by attorney for Defendant.

June 25, 1997

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 25th day of June, 1997, a Rule to Show Cause is issued upon Plaintiff, Lambert & Intreri, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days of this Order why this case should not be marked closed for failure to prosecute.

This Rule shall become absolute and the case shall be marked closed with prejudice in the event the Board does not receive response to said Rule. Copy forwarded to all parties of record.

July 9, 1997

Acceptance of Service of Opinion and Order dated June 25, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 27, 1997.

July 9, 1997

Acceptance of Service of Opinion and Order dated June 25, 1997 received from attorney for Additional Defendant (Hazleton Area School District). Receipt of same acknowledged by attorney for Additional Defendant June 26, 1997.

July 11, 1997

Acceptance of Service of Opinion and Order dated June 25, 1997 received from attorney for Additional Defendant (Robert A. Bosak). Receipt of same acknowledged by attorney for Additional Defendant July 8, 1997.

August 26, 1997

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 26th day of August, 1997, this Order is issued as a result of the failure of Plaintiff, Lambert & Intreri, Inc., to advise the Board of Claims within 30 days of June 25, 1997, why the case should not be dismissed for failure to prosecute. It is, therefore, **DIRECTED** that the Rule to Show Cause be made **ABSOLUTE** and the record marked 'closed and settled with prejudice'." Copy forwarded to attorneys for all parties of record.

August 29, 1997

Acceptance of Service of Opinion and Order dated August 26, 1997, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 27, 1997.

September 5, 1997

Acceptance of Service of Opinion and Order dated August 26, 1997, received from attorney for Additional Defendant (Robert A. Bosak & Associate). Receipt of same acknowledged by attorney for Additional Defendant.

September 19, 1997

Acceptance of Service of Opinion and Order dated August 26, 1997 received from Conrad Falvello, Esquire. Receipt of same acknowledged by Conrad Falvello Esquire August 27, 1997.

CLOSED