

Docket Number: 1735

JOHN GULISEK, JR., RICHARD J. KACZMAREK, LAWRENCE R. PAUL,
individually and t/d/b/a John Gulisek Construction Company

Kenneth W. Lee, Esquire

CLOSED VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

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

July 13, 1993

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$88,974.25+.

July 26, 1993

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

July 28, 1993

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 27, 1993.

July 29, 1993

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 28, 1993.

October 6, 1993

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

November 14, 1994

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

January 9, 1995

Answers to Plaintiff's First Set of Continuing Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 3, 1997

Board Hearing scheduled for December 9, 10, 11 and 12, 1997, as well as December 19, 20, 21, 22 and 23, 1997, if necessary, in Board's Courtroom No. 1, 6th Floor, Fulton Bank Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

November 26, 1997

Letter received from attorney for Plaintiff confirming his conversation with Mr. McLaughlin granting the parties an extension of time to and including December 4, 1997 in which to file their Pre-Trial Statements pending possible settlement of the matter.

December 5, 1997

Plaintiff's Pre-Trial Statement with Expert Reports attached as Exhibits, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 5, 1997

Plaintiff's **Amended** Pre-Trial Statement filed by attorney for Plaintiff, via facsimile. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 8, 1997

Telephone call received from attorney for Defendant advising that the parties have settled. Hearing which was scheduled to commence December 9, 1997 now canceled.

December 8, 1997

Plaintiff's **Amended** Pre-Trial Statement filed by attorney for Plaintiff, via facsimile. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 8, 1997

Letter received from attorney for Plaintiff, via facsimile, confirming that the hearing in this matter is canceled due to the parties settlement agreement and that the Plaintiff will file a Praecipe with the Board once the settlement has been consummated. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 10, 1998

Letter forwarded to parties requesting a status report. Status Report due on or before April 9, 1998.

March 12, 1998

Copy of letter directed to Defendant, received from Plaintiff, advising that they have received the \$40,000 settlement check and are now awaiting the interest payment to close the case with the Board.

April 14, 1998

Letter forwarded to parties requesting a status report. Status Report Due on or before May 14, 1998.

May 6, 1998

Letter/Status Report received from Plaintiff advising that they are still awaiting payment of the interest due and Defendant just advised him that payment is being processed.

July 8, 1998

Letter forwarded to parties requesting a Status Report. Status Report due on or before August 7, 1998.

July 23, 1998

Letter received from attorney for Plaintiff advising that final payment still has not been received and if same is not received by August 31, 1998, they will file an appropriate motion. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 15, 1998

Letter forwarded to parties requesting status. Status Report due on or before October 15, 1998.

September 18, 1998

Letter/Status Report received from attorney for Defendant advising that the Defendant is currently processing payment in this matter and will provide Plaintiff with same as soon as it is complete. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 30, 1998

Letter forwarded to parties requesting status. Status Report due on or before December 30, 1998.

February 1, 1999

Letter received from attorney for Plaintiff advising that they are still awaiting a check from Defendant in the sum of \$453.56 for interest on the settlement. Requests this letter be treated as a Motion to Enforce Settlement. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 25, 1999

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

March 9, 1999

The Board made the following Order: "**AND NOW**, this 9th day of March, 1999, upon receipt of a Praecipe to Settle and Discontinue, requesting the Board to 'Please settle and discontinue the above-captioned matter . . .', executed by Kenneth W. Lee, Esquire, attorney for Plaintiff, John Gulisek Jr., Richard J. Kaczmarek, Lawrence R. Paul, individually and t/d/b/a John Gulisek Construction Company, and docketed with this Board under date of February 25, 1999, 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.

March 15, 1999

Acceptance of Service of Order dated March 9, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 11, 1999.

March 18, 1999

Acceptance of Service of Order dated March 9, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 16, 1999.

CLOSED