

Docket Number: 1754

LOUIS BERGER & ASSOCIATES, INC.

~~John A. Hotopp, Ph.D., Vice President~~
Bernard L. Sacks, Corporate Counsel

CLOSED

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

John J. Robinson, Jr., Chief Claims Attorney

October 19, 1993

Claim and filing fee filed by Plaintiff. Amount of Claim: \$37,007.76+.

November 3, 1993

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

November 3, 1993

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, requesting Plaintiff to have an attorney enter his appearance.

CLOSED

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 4, 1993.

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 5, 1993.

November 29, 1993

Letter/Entry of Appearance filed by Bernard L. Sacks, Esquire, attorney for Plaintiff.

January 24, 1994

Letter/Answer recommending payment of Claim be paid to Plaintiff in the sum of \$15,511.68, filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant.

March 1, 1994

Letter accepting Defendant's offer of payment in the amount of \$15,511.68 received from Plaintiff.

March 9, 1994

Copy of Letter accepting Defendant's offer of payment in the amount of \$15,511.68 forwarded to attorney for Defendant.

April 11, 1994

Acceptance of Service of Letter accepting Defendant's offer of payment of the Claim in the amount of \$15,511.68 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 10, 1994.

April 19, 1994

The Board rendered an Opinion and made the following Order: "AND NOW, this 19th day of April, 1994, upon due consideration of the pleadings and other submissions filed in this matter, it is hereby ORDERED and DECREED that an award be made in favor of the Plaintiff, Louis Berger & Associates, Inc., and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Fifteen Thousand Five Hundred Eleven Dollars and Sixty-Eight Cents (\$15,511.68). Upon receipt of said award, Plaintiff shall forthwith file with the Board of Claims a Praecipe that the case be marked settled, discontinued and closed with prejudice. Each party to bear its own costs and attorneys' fees." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

April 20, 1994

Acceptance of Service of Opinion and Order dated April 19, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 19, 1994.

April 25, 1994

Acceptance of Service of Opinion and Order dated April 19, 1994, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 22, 1994.

November 4, 1994

The Board rendered an Opinion and made the following Order: "AND NOW, this 4th day of November, 1994, a Rule to Show Cause is issued upon Plaintiff, Louis Berger & Associates, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days from the exit date of this Order, whether or not Plaintiff has received the sum of money awarded or other justifiable response. This Rule shall become absolute and the case shall be marked 'closed and settled with prejudice' in the event the Board does not receive a response to said Rule." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 10, 1994

Acceptance of Service of Opinion and Order dated November 4, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 8, 1994.

November 17, 1994

Acceptance of Service of Opinion and Order dated November 4, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 10, 1994.

November 17, 1994

"Certification" received from attorney for Plaintiff, advising that Plaintiff has not received the sum of money directed in Board's Order dated April 1, 1994.

December 1, 1994

"Certification" advising that Plaintiff HAS in fact, received payment from Defendant filed by Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 9, 1994

The Board made the following Order: **"AND NOW**, this 9th day of December, 1994, upon receipt of a "Certification" advising that Plaintiff **"HAS RECEIVED** the sum of money directed in the Board's Opinion" executied by Bernard L. Sacks, Corporate Counsel, on behalf of Louis Berger & Associates, Inc., same of which is docketed with the Board under date of December 1, 1994, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.