

Docket Number: 1770

**MID-ATLANTIC VEGETATION MANAGEMENT, INC.**

Walter R. Gearhart, President

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION**

John J. Robinson, Jr., Chief Claims Attorney

**November 31, 1993**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$3,624.01.

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**December 8, 1993**

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

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**December 10, 1993**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 9, 1993.

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**December 13, 1993**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by attorney for Defendant December 9, 1993.

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**January 24, 1994**

Answer recommending payment of the Claim in the amount of \$3,674.01 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**April 6, 1994**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 6th 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, Mid-Atlantic Vegetation Management, Inc., and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Three Thousand Six Hundred Twenty-Four Dollars and One Cent (\$3,624.01). Further, it is **ORDERED** that interest at the statutory rate of six percent (6%) shall be paid from November 31, 1993, the date the Claim was filed with the Board of Claims. Upon receipt of said award, the Plaintiff shall forthwith file with the Board of Claims a Praecipe that the said case be marked discontinued and ended with prejudice. Each party to bear its own costs and attorneys' fees." Copies forwarded to Plaintiff and attorney for Defendant.

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**April 8, 1994**

Acceptance of Service of Opinion and Order dated April 6, 1994, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 7, 1994.

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**April 13, 1994**

Acceptance of Service of Opinion and Order dated April 6, 1994, received from Plaintiff. Receipt of same acknowledged by Plaintiff April 8, 1994.

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**January 10, 1995**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of January, 1995, a Rule to Show Cause is issued upon Plaintiff, Mid-Atlantic Vegetation Management, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days 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 Plaintiff and attorney for Defendant.

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**June 2, 1995**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 2nd day of June, 1995, this Order is issued as a result of the failure of Plaintiff, Mid-Atlantic Vegetation Management, Inc., to advise the Board of Claims within thirty (30) days of January 10, 1995, whether or not Plaintiff received the monies directed be paid to said Plaintiff. It is, therefore, **DIRECTED** that the Rule of January 10, 1995, whether or not Plaintiff received the monies directed be paid to said Plaintiff. It is, therefor, **DIRECTED** that the Rule of January 10, 1995, be made **ABSOLUTE** and the record marked closed and settled with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**June 12, 1995**

Acceptance of Service of Opinion and Order dated June 2, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 6, 1995.

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