

Docket Number: 1813

WILBUR SMITH ASSOCIATES

Charles F. Perego, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

~~John J. Robinson, Jr., Chief Claims Attorney~~
Cheryl L. Kovaly, Assistant Counsel

April 20, 1994

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$111,684.32+.

April 25, 1994

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

April 27, 1994

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 26, 1994.

April 28, 1994

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by attorney for Chief Deputy Attorney General April 26, 1994.

September 26, 1994

Answer recommending payment of the Claim in the sum of \$103,392.41 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 28, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of October, 1994, it is hereby **ORDERED** and **DECREED** that Defendant, Commonwealth of Pennsylvania, Department of Transportation, is indebted unto the Plaintiff, Wilbur Smith Associates, in the amount of One Hundred Three Thousand Ninety-Two Dollars and Forty-One Cents (\$103,392.41). Upon receipt of said award, Plaintiff shall forthwith file with the Board of Claims a Praecipe that the case be marked settled, discontinued and ended with prejudice. Each party to bear its own costs and attorneys' fees." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 3, 1994

Acceptance of Service of Opinion and Order dated October 28, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 1, 1994.

November 10, 1994

Acceptance of Service of Opinion and Order dated October 28, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 2, 1994.

March 27, 1995

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 27th day of March, 1995, a Rule to Show Cause is issued upon Plaintiff, Wilbur Smith Associates, wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days of this Order whether or not Plaintiff 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.

March 29, 1995

Praecipe to Settle, Discontinue and End with Prejudice filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 13, 1995

Acceptance of Service of Opinion and Order dated March 27, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 30, 1995.

April 13, 1995

Letter/Praecipe acknowledging receipt of payment filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 2, 1995

The Board made the following Order: "**AND NOW**, this 2nd day of May, 1995, upon receipt of Praecipe to Settle, Discontinue and End with Prejudice acknowledging receipt of award by Charles F. Perego, Esquire on behalf of Wilbur Smith Associates, same of which is docketed with this Board under date of March 29, 1995, 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.

May 8, 1995

Acceptance of Service of Order dated May 2, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 4, 1995.

May 8, 1995

Acceptance of Service of Order dated May 2, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 4, 1995.
