

Docket Number: 1840

PENNSYLVANIA COLLEGE OF TECHNOLOGY  
E. Eugene Yaw, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
STATE PUBLIC SCHOOL BUILDING AUTHORITY  
G. Richard Gold, Esquire

VS.  
**CLOSED**

\*NORLE C. QUINDE COMPANY  
James J. Roney, Esquire  
F. KRAMER ASSOCIATES, INC.  
Richard J. Mennies, Esquire

UNITED PACIFIC INSURANCE COMPANY  
Andrew J. Ruck, Esquire

RELIANCE INSURANCE COMPANY  
Andrew J. Ruck, Esquire

EMPLOYERS INSURANCE COMPANY OF WAUSAU  
Richard J. Mennies, Esquire

HAYES, LARGE, SUCKLING, FRUTH & WEDGE  
Kenneth Sable, Esquire

MINNICH ENGINEERING & ASSOCIATES, INC.  
Steven E. Grum, Esquire

VS.

\*\*ANTHRACITE MARBLE & TILE COMPANY  
Chester F. Dudick, Jr., Esquire

IBG INTERNATIONAL INC. c/o C.T. CORPORATION  
(ADDRESS UNKNOWN - COMPANY OUT OF BUSINESS, UNABLE TO JOIN)

**September 22, 1994**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$317,560.00+

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**September 28, 1994**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT OCTOBER 28, 1994

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**October 4, 1994**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 30, 1994.

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**CLOSED**

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

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**November 28, 1994**

Praecipe to Join Additional Defendants filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**December 8, 1994**

Letter forwarded to attorney for Defendant granting Defendant's Request to Join Additional Defendants. Copy forwarded to all parties of record by attorney for Defendant.

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**December 20, 1994**

Response to Defendant SPSBA's New Matter filed by attorney for Plaintiff. Copy forwarded to all parties of record by attorney for Plaintiff.

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**\*January 9, 1995**

Complaint to Join Additional Defendants filed by attorney for Defendant.

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**January 18, 1995**

Complaint to Join Additional Defendants forwarded to all parties of record.

**February 9, 1995**

Acceptance of Service of Complaint to Join Additional Defendants dated January 13, 1995 received from attorney for Additional Defendant, Employers Insurance of Wausau. Receipt of same acknowledged by Additional Defendant January 30, 1995.

**February 9, 1995**

Acceptance of Service of Complaint to Join Additional Defendant dated January 14, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 23, 1995.

**February 14, 1995**

Answer and New Matter of Defendant Hayes, Large, Suckling, Fruth & Wedge filed by Additional Defendant. Copy forwarded to attorney for Defendant by attorney for Additional Defendant.

**March 7, 1995**

Answer to Additional Defendant, Hayes, Large, Suckling, Fruth & Wedge's New Matter filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Additional Defendant.

**March 7, 1995**

Answer and New Matter of Additional Defendants, Noble C. Quandel, by Merger, The Quandel Group, Inc., Reliance Insurance Company and United Pacific Insurance Company filed by attorney for Additional Defendants. Copy forwarded to all parties of record by attorney for Additional Defendants.

**\*\*March 7, 1995**

Praecipe for Writ to Join Additional Defendants Anthracite Marble and Tile Company and IBG International, Inc. c/o C.T. Corporation System filed by Additional Defendants, Quandel, Reliance and United Pacific. Copy forwarded to all parties of record by attorney for Additional Defendants (Quandel, etc.)

**March 7, 1995**

Answer of Defendant, W. Kramer Associates, Inc. to Defendant Commonwealth of Pennsylvania, State Public School Building Authority's Complaint to Join Additional Defendants with New Matter and Crossclaim filed by attorney for Additional Defendants, W Kramer Associates, Inc., and Employers Insurance of Wausau. Copy forwarded to all parties of record by attorney for Additional Defendant, W. Kramer Associates, Inc. and Employers Insurance of Wausau.

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**March 15, 1995**

Plaintiff's Reply to New Matter of W. Kramer Associates, Inc. and Employers Insurance of Wausau filed by attorney for Plaintiff. Copy forwarded to all parties of record by attorney for Plaintiff.

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**March 23, 1995**

Acceptance of service of Complaint to join Additional Defendant dated January 13, 1995 received from attorney for Additional Defendant (W. Kramer Associates). Receipt of same acknowledged by attorney for Additional Defendant March 23, 1995

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**March 27, 1995**

Answer to Additional Defendant's Quandel, Reliance and United Pacific's New Matter filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

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**March 27, 1995**

Answer to Additional Defendants, W. Kramer Associates, Inc., and Employers Insurance of Wausau's Amended New Matter filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

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**March 28, 1995**

The Board rendered a Writ Joining Additional Defendants, IBG International, Inc., and Anthracite Marble and Tile Company. Copy forwarded to all parties of record.

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**March 29, 1995**

Amended Answer of Defendants, W. Kramer, and Employers Insurance of Wausau to Defendant's Commonwealth of Pennsylvania, State Public School Building Authority's Complaint to Join Additional Defendants, with New Matter and Cross-claim filed by attorney for Additional Defendants, W. Kramer and Employers Insurance of Wausau.

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**April 6, 1995**

Acceptance of Service of Praecipe for Writ to Join Additional Defendants, Anthracite Marble and Tile Complaint and IBG International, Inc. filed by attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 31, 1995.

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**April 20, 1995**

Plaintiff's Reply to Amended Answer and New Matter of W. Kramer and Employers Insurance of Wausau filed by attorney for Plaintiff. Copy forwarded to all parties of record by attorney for Plaintiff.

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**CLOSED**

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Return of Writ Joining Additional Defendant BIG International due to unknown whereabouts of company.

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**April 24, 1995**

Stipulation executed by Additional Defendants, Quandel, Reliance, United Pacific, W. Kramer and Employers Insurance of Wausau filed by attorney for Additional Defendants Quandel, Reliance and United Pacific.

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**May 2, 1995**

Acceptance of Service of Praecipe for Writ to Join Additional Defendants dated March 28, 1995 received from attorney for Additional Defendant, Quandel. Receipt of same acknowledged by attorney for Additional Defendant (Quandel) April 25, 1995.

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**May 3, 1995**

Acceptance of Service of Praecipe for Writ to Join Additional Defendants dated March 28, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant

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**May 8, 1995**

Answer of Additional Defendant, Minnich Engineering and Associates, Inc. to the Additional Defendant's Complaint of Commonwealth of Pennsylvania, State Public School Building Authority with New Matter and Counterclaims filed by attorney for Additional Defendant, Minnich Engineering & Associates, Inc. Copies forwarded to all attorneys of record by attorney for Additional Defendant (Minnich)

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**May 10, 1995**

Crossclaim as filed by W. Kramer Associates, Inc., dated March 7, 1995 has been withdrawn per Stipulation filed April 24, 1995 by attorney for Additional Defendants Quandel, Reliance, United Pacific, W. Kramer and Employers Insurance of Wausau.

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**CLOSED**  
Reply of W. Kramer & Associates and Employers Insurance of Wausau to the New Matter Crossclaim of Additional Defendant Minnich Engineering & Associates filed by Additional Defendants W. Kramer & Associates and Employers Insurance of Wausau filed by attorney for Additional Defendant. Copy forwarded to all parties of record by attorney for Additional Defendant.

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**May 30, 1995**

Answer to Additional Defendant Minnich Engineering & Associates New Matter filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

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**May 30, 1995**

Reply of Additional Defendant, Hayes, Large, Suckling, Fruth & Wedge to the Crossclaim of Additional Defendant, Minnich Engineering Associates filed by attorney for Additional Defendant, Hayes, Large, Suckling Fruth & Wedge. Copy forwarded to all parties of record by attorney for Additional Defendant, Hayes, etc.

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**July 27, 1995**

Reply of Additional Defendant Hayes, Large, Suckling Fruth & Wedge to the Crossclaims of Additional Defendant, W. Kramer Associates, Inc. and Employers Insurance of Wausau filed by attorney for Additional Defendant. Copy forwarded to all parties of record by attorney for Additional Defendant.

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**August 29, 1995**

Entry of Appearance of Chester Dudick, Esquire, on behalf of Additional Defendant, Anthracite Marble & Tile Co. filed by attorney for Anthracite Marble & Tile Co. Copies forwarded to all parties of record by attorney for Anthracite Marble & Tile Co.

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**September 27, 1995**

Defendant's Motion for Judgment on the Pleadings and Brief in Support filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

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**October 10, 1995**

Plaintiff's Answer to Defendant's Motion for Judgment on the Pleadings filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 2, 1995**

Plaintiff's Brief in Opposition to Defendant's Motion for Judgment on the Pleadings filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 4, 1995**

Defendant's Reply to Plaintiff's Brief in Opposition to Defendant's Motion for Judgment on the Pleadings filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 11, 1996**

Motion for Default and Brief in Support of Motion for Default filed by attorney for Additional Defendant (Anthracite Marble). Copies forwarded to attorneys of record by attorney for Additional Defendant (Anthracite Marble).

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**April 1, 1997**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 1st day of April, 1997, it is **ORDERED** and **DECREED** that Defendant's, Commonwealth of Pennsylvania, State Public School Building Authority, 's Motion for Judgment on the Pleadings, pursuant to 72 P.S. Sec. 4651-8 and Rule 1034 of the Pennsylvania Rules of Civil Procedure, is hereby **DENIED**. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**April 4, 1996**

Acceptance of Service of Opinion and Order dated April 1, 1996

received from attorney for Additional Defendant (W. Kramer Associates, Inc.). Receipt of same acknowledged by attorney for Additional Defendant April 2, 1996.

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**April 4, 1996**

Acceptance of Service of Opinion and Order dated April 1, 1996 received from attorney for Additional Defendant (Hayes, Large, Suckling, Fruth & Wedge). Receipt of same acknowledged by attorney for Additional Defendant April 2, 1996.

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**April 5, 1996**

Acceptance of Service of Opinion and Order dated April 1, 1996 received from attorney for Additional Defendant (Anthracite Marble & Tile Co.). Receipt of same acknowledged by attorney for Additional Defendant April 2, 1996.

**CLOSED**

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**April 6, 1996**

Acceptance of Service of Opinion and Order dated April 1, 1996 received from attorney for Additional Defendant (United Pacific Insurance Company). Receipt of same acknowledged by attorney for Additional Defendant April 8, 1996.

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**April 22, 1996**

Acceptance of Service of Opinion and Order dated April 1, 1996 received from attorney for Additional Defendant (Minnich Engineering). Receipt of same acknowledged by attorney for Additional Defendant April 8, 1996.

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**June 7, 1996**

The Board rendered an Opinion and made the following Order: "AND NOW, this 7th day of June, 1996, a Rule is hereby granted upon Nobel C. Quandel Company, Reliance Insurance Company and United Pacific Insurance Company, Additional Defendant's, to file their Complaint herein against Anthracite Marble & Tile Company and BIG International, Inc., Additional Defendants, within thirty (30) days after service hereof or suffer the entry of a Judgment of Non Pros. It is further ORDERED that upon due consideration, the Motion for Default by Additional Defendant Anthracite Marble & Tile Company is hereby DENIED. Copy forwarded to all parties of record."

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**June 12, 1996**

Acceptance of Service of Opinion and Order dated June 7, 1996 received

from attorney for Additional Defendant. Receipt of same acknowledged by attorney for Additional Defendant June 10, 1996.

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**June 14, 1996**

Acceptance of Service of Opinion and Order dated June 7, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 11, 1996.

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**June 18, 1996**

Acceptance of Service of Opinion and Order dated June 7, 1996 received from attorney for Additional Defendant. Receipt of same acknowledged by attorney for Additional Defendant June 17, 1996.

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**June 19, 1996**

Acceptance of Service of Opinion and Order dated June 7, 1996 received from attorney for Additional Defendant (Mannick Engineering). Receipt of same acknowledged by attorney for Additional Defendant June 17, 1996.

**CLOSED**

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**June 24, 1996**

Acceptance of Service of Opinion and Order dated June 7, 1996 received from attorney for Additional Defendant (Anthracite Marble & Tile Company). Receipt of same acknowledged by attorney for Additional Defendant June 16, 1996.

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**June 27, 1996**

Complaint to Join Additional Defendant filed by attorney for Additional Defendant Noble C. Quandel. Copy forwarded to all parties of record by attorney for Additional Defendant Noble C. Quandel.

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**July 9, 1996**

Acceptance of Service of Opinion and Order dated June 7, 1996 received from attorney for Additional Defendant. Receipt of same acknowledged by attorney for Additional Defendant July 8, 1996.

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**July 29, 1996**

Answer, New Matter and Counterclaim filed by attorney for Additional Defendant (Anthracite Marble & Tile Company). Copy forwarded to all parties of record by attorney for Additional Defendant.

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**August 1, 1996**

Withdrawal of Appearance of Bruce A. Gelting, Esquire on behalf of Additional Defendant, Hayes, Large, Suckling and Fruth. Copy forwarded to all parties of record by attorney for Additional

Defendant.

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**August 2, 1996**

Reply of Additional Defendant W. Kramer and Employers Insurance of Wausau to Crossclaim of Additional Defendant Anthracite filed by attorney for Additional Defendant. Copy forwarded to all parties of record by attorney for Additional Defendant.

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**August 9, 1996**

Answer to Additional Defendant Anthracite's Crossclaim filed by attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

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August 12, 1996  
Status letter received from attorney for Defendant. Copy forwarded to all parties of record by attorney for Defendant.

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**August 13, 1996**

Reply of Hayes, Large, Suckling, Fruth & Wedge to Crossclaim of Anthracite filed by attorney for Additional Defendant. Copy forwarded to all parties of record by attorney for Additional Defendant.

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**August 26, 1997**

Reply of Additional Defendant, Minnich Engineering & Associates, Inc. to Crossclaim of Additional Defendant, Anthracite Marble & Tile Company filed by attorney for Additional Defendant. Copy forwarded to all parties of record by attorney for Additional Defendant.

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**August 29, 1997**

Noble C. Quandel Company's Answer to New Matter and Counterclaim of Additional Defendant, Anthracite Marble & Tile Company filed by attorney for Additional Defendant. Copy forwarded to **all parties** of record by attorney for Additional Defendant.

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**October 29, 1997**

Letter received from attorney for Defendant requesting a settlement conference be held.

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**December 10, 1997**

Letter received from attorney for Defendant requesting the Board

to set a settlement conference.

**July 14, 1998**

Reply to Cross Claim of Minnich Engineering and Associates, Inc. filed by attorney for Anthracite Marble & Tile.

**October 28, 1998**

Letter forwarded to parties requesting status. Response due from parties November 30, 1998.

**February 24, 1999**

Letter forwarded to parties requesting status. Response due from parties March 24, 1999.

**April 19, 1999**

Praecipe to settle, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**April 23, 1999**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 23rd day of April, 1999, upon receipt of a Praecipe to Settle, Discontinue and End, requesting that the above-captioned matter be marked 'settled, discontinued and ended', executed by E. Eugene Yaw, Esquire, on behalf of Plaintiff, Pennsylvania College of Technology, and docketed with this Board under date of April 19, 1999, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**April 26, 1999**

Acceptance of Service of Order dated April 23, 1999 received from G. Richard Gold, Esquire filed. Receipt of same acknowledged by attorney for Defendant April 26, 1999.

**April 27, 1999**

Acceptance of Service of Order dated April 23, 1999 received from Chester F. Dudick, Jr., Esquire. Receipt of same acknowledged by Chester F. Dudick, Jr., Esquire April 23, 1999.

**April 27, 1999**

Acceptance of Service of Order dated April 23, 1999 received from Kenneth L. Sable, Esquire. Receipt of same acknowledged by Kenneth L. Sable, Esquire April 26, 1999.

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**April 28, 1999**

Acceptance of Service of Order dated April 23, 1999 received from James J. Riley, Esquire. Receipt of same acknowledged by James J. Riley, Esquire April 26, 1999.

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**April 29, 1999**

Acceptance of Service of Order dated April 23, 1999 received from Guy H. Brooks, Esquire. Receipt of same acknowledged by Guy H. Brooks, Esquire April 25, 1999.

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**May 3, 1999**

Acceptance of Service of Order dated April 23, 1999 received from E. Eugene Yaw, Esquire filed by attorney for Defendant. Receipt of same acknowledged by E. Eugene Yaw, Esquire April 26, 1999.

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**CLOSED**