

Docket Number: 1841

NEW ENTERPRISE STONE & LIME CO., INC.

Donna L. Fisher, Esquire

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

John J. Buchy, Assistant Counsel

***September 15, 1994**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$1,500.00+.

September 28, 1994

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

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.

CLOSED

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 30, 1994.

Preliminary Objections to Plaintiff's Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 27, 1994

Requests for Production of Documents of New Enterprise Stone & Lime Co., Inc. addressed to the Commonwealth of Pennsylvania, Department of Transportation - Set I filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 1, 1994

Brief in Support of Preliminary Objections to Plaintiff's Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 19, 1994

Brief of New Enterprise Stone & Lime Co., Inc. in Opposition to Preliminary Objections of the Commonwealth of Pennsylvania, Department of Transportation filed by attorney for Plaintiff. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 20, 1994

Department's Response to Plaintiff's First Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 1, 1995

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 1st day of February, 1995, upon consideration of the Statue creating the Board of Claims as will as the Briefs filed by both parties it is **ORDERED** and **DIRECTED** that the motion for a more specific Complaint must be **GRANTED**. It is further **ORDERED** and **DECREED** that the Plaintiff shall have twenty (20) days from the exit date of this order in which to file a Amended Complaint. It is hoped that in the future, that the Plaintiff will consider this opinion when filing Complaints with the Board of Claims.

February 15, 1995

Acceptance of Service of Opinion and Order dated February 1, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 9, 1995.

February 23, 1995

Acceptance of Service of Opinion and Order dated February 1, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 3, 1995.

***April 17, 1995**

First Amended Statement of Claim filed by attorney for Plaintiff.
Amount of Claim: \$3,805,831.00.

May 8, 1995

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

May 11, 1995

Acceptance of Service of Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 10, 1995.

May 25, 1995

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 10, 1995.

April 16, 1997

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

May 8, 1997

The Board rendered an Opinion and made the following Order: **AND NOW** this 8th day of May 1997 it is **ORDERED** and **DECREED** that this case be marked "settled and discontinued with prejudice".

May 2, 1997

Acceptance of Service of Opinion and Order dated May 8, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 13, 1997.

CLOSED

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