

Docket Number: 1872

AKINS BROTHERS MECHANICAL CONTRACTORS

Ellen S. Wallace, Esquire

Mark L. Taylor, Esquire

CLOSED

vs.

COMMONWEALTH OF PENNSYLVANIA  
STATE SYSTEM OF HIGHER EDUCATION,  
INDIANA UNIVERSITY

Linda L. McClellan, University Legal Counsel

**November 30, 1994**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$19,400.00 (\$20,012.93).

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**January 4, 1995**

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

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**January 18, 1995**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 13, 1995.

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**CLOSED**

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Praecipe for Entry of Appearance of Ellen Wallace, Esquire, filed on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 30, 1995**

Preliminary Objections and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 9, 1995**

Withdrawal of Appearance of Robert E. Vonada, II, Esquire, on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 1, 1995**

Amended Preliminary Objections in the Nature of a Demurrer or Motion to Dismiss, or Alternatively, Motion for a More Specific Statement and Defendant's Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**January 2, 1996**

Plaintiff's Reply to Amended Preliminary Objections and Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 2, 1996**

Petitioner's Reply to Amended Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 14, 1996**

The Board rendered an Opinion and made the following Order: "AND NOW, this 14th day of March, 1996, it is **ORDERED** and **DECREED** that the Preliminary Objections of the Defendant, Commonwealth of Pennsylvania, State System of Higher Education, Indiana University, in the nature of a request for more specific pleading is hereby **GRANTED**. The Plaintiff, Akins Brothers Mechanical Contractors, is **DIRECTED** to file an Amended Complaint in accordance with this Opinion and in accordance with the Pennsylvania Rules of Civil Procedure. Said Amended Complaint is to be filed within thirty (30) days of this exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**March 20, 1996**

Acceptance of Service of Opinion and Order dated March 14, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 18, 1996.

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**April 1, 1996**

Acceptance of Service of Opinion and Order dated March 14, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 27, 1996.

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**\*April 15, 1996**

Amended Claim filed by attorney for Plaintiff. **AMOUNT OF CLAIM: \$20,012.93.**

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**April 25, 1996**

Copy of Amended Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **Response due from Defendant May 25, 1996.**

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**May 1, 1996**

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 29, 1996.

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**May 2, 1996**

Acceptance of Service of Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 29, 1996.

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**June 19, 1996**

Answer and New Matter to Plaintiff's Amended Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 1, 1996**

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

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**July 15, 1996**

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

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**October 31, 1996**

Praecipe to Discontinue Action filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 12, 1996**

The Board rendered the following Order: "**AND NOW**, this 12th day of November, 1996, upon receipt of a Praecipe to Discontinue Action over the signature of Mark L. Taylor, Esquire on behalf of Plaintiff, Akins Brother Mechanical Contractors, which states: Please discontinue the above-captioned action, the parties having amicably resolved the matters in dispute." same of which is docketed with this Board under date of October 31, 1996, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 15, 1996**

Acceptance of Service of Opinion and Order dated November 12, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 14, 1996.