

Docket Number: 1882

WEST PENN ASPHALT COMPANY, INC.

Joshua D. Lock, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

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

January 23, 1995

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$13,175.99+.

January 27, 1995

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT FEBRUARY 27, 1995.

March 8, 1995

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

March 31, 1995

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

April 2, 1995

Agreement and Release executed by all parties of record filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 20, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 20th day of May, 1996, it is ORDERED and DECREED that Defendant, Commonwealth of Pennsylvania, Department of Transportation, is indebted unto the Plaintiff, West Penn Asphalt Company, Inc., in the full and true sum of Ten Thousand Dollars and no cents (\$10,000.00). Upon receipt of said award, Plaintiff shall forthwith file with the Board of Claims a Praecipe to mark the case 'settled, discontinued and ended with prejudice.' Each party to bear its own costs and attorneys' fees." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 29, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 29th day of July, 1996, a Rule to Show Cause is issued upon Plaintiff, West Penn Asphalt Company, 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 as response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 14, 1996

Praeipie to Settle filed by attorney for Plaintiff.

August 21, 1996

The Board rendered the following Order: "AND NOW, this 21st day of August, 1996, upon receipt of a Praeipie to Settle over the signature of Robyn R. Gallitto, Esquire on behalf of Plaintiff, West Penn Asphalt Co., Inc., which states: 'Since the Plaintiff, West Penn Asphalt Co., Inc., has received the stipulated award, please mark the above-referenced case 'settled and ended with prejudice.'

same of which is docketed with this Board under date of August 14, 1996, it is ORDERED and DIRECTED that said case be marked 'settled, discontinued and ended with prejudice.' Copy forwarded attorney for Plaintiff and attorney for Defendant.

August 26, 1996

Acceptance of Service & Opinion and Order dated August 21, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 23, 1996.

CLOSED