

Docket Number: 1955

M. J. MCTISH & ASSOCIATES, INC.  
t/a MCTISH, KUNKEL & ASSOCIATES

Harold J. Funt, Esquire

CLOSED VS.  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~John J. Robinson, Chief Claims Attorney~~  
Gerald R. Schultz, Assistant Counsel

**July 20, 1995**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$35,906.13+.

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**July 31, 1995**

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

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**August 8, 1995**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 2, 1995.

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September 20, 1995  
Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.  
October 16, 1995

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**CLOSED**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 16th day of October, 1995, it is **ORDERED** and **DECREED** that the Defendant, Commonwealth of Pennsylvania, Department of Transportation, is indebted unto the Plaintiff, M.J. McTish & Associates, Inc. t/a McTish, Kunkel & Associates in the full and true sum of Thirty-Five Thousand Nine Hundred Six Dollars and Thirteen Cents (\$35,906.13). Upon receipt of said award Plaintiff shall forthwith file with the Board of Claims a Praecipe requesting that the matter be marked 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.

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**July 22, 1996**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 22nd day of July, 1996 a rule to Show Cause is issued upon Plaintiff, M.J. McTish & Associates, Inc., t/a McTish, Kunkel & Associates, 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 a response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**July 31, 1996**

Acceptance of Service of Opinion and Order dated July 22, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 29, 1996.

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**August 12, 1996**

Acceptance of Service of Opinion and Order dated July 22, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 24, 1996.

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**August 16, 1996**

Letter Praecipe to Settle, Discontinue and End filed by attorney for Plaintiff.

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**August 21, 1996**

The Board rendered the following Order: "AND NOW, this 21st day of August, 1996, upon receipt of a Letter-type Praecipe over the signature of [redacted] Funt, Esquire, on behalf of said [redacted] M.J. McTish & Associates, which states: "To respond to the July 22, 1996 Order entered in the above-captioned matter, please know that McTish, Kunkel & Associates has received the sum of money awarded." same of which is docketed with this Board under date of August 16, 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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**August 30, 1996**

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

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**September 16, 1996**

Acceptance of Service of Order dated August 21, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 23, 1996.

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