

Docket Number: 2449

KEYSTONE MECHANICAL SYSTEMS, INC.

Paul T. Oven, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Gregory C. Santoro, Chief Counsel~~
~~Elizabeth A. O'Reilly, Assistant Counsel~~

May 30, 1997

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:\$290,821.55+.

June 3, 1997

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 7/3/97.**

June 9, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 4, 1997.

July 2, 1997

Answer with New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **RESPONSE DUE FROM PLAINTIFF 8/7/97**

July 25, 1997

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

July 28, 1997

Letter forwarded to parties directing parties to commence with discovery.

October 2, 1997

Defendant's Motion to Compel Answers to Interrogatories filed. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 14, 1997

Letter forwarded to Plaintiff requesting response to Defendant's Motion to Compel. Response due November 14, 1997.

March 10, 1998

Letter forwarded to parties requesting status. Response due from parties April 10, 1998.

March 30, 1998

Hearing scheduled for August 3-7, 1998, in Board's Court Room No. 1, 200 North Third Street, Suite 600, Harrisburg, Pennsylvania commencing at 9:30 a.m. RESCHEDULED

July 22, 1998

Letter received from attorney for Defendant requesting that the hearing set for August 3-7, 1998, be changed to August 10-14, 1998.

July 23, 1998

Hearing rescheduled for August 10-14, 1998, in Board's Courtroom No. 1, 200 North Third Street, Suite 700, Harrisburg, PA, commencing at 9:30 a.m.

August 3, 1998

Plaintiff's Pre-Trial Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 3, 1998

Defendant's Pre-Trial Statement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 4, 1998

Defendant's Amended Pre-Trial Statement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 4, 1998

Plaintiff's Amended Pre-Trial Statement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 10, 1998

Hearing held in Board's Courtroom No. 1, 200 North Third Street, Suite 600, Harrisburg, PA commencing at 9:30 a.m.

August 11, 1998

Hearing held in Board's Courtroom No. 1, 200 North Third Street, Suite 600, Harrisburg, PA commencing at 9:30 a.m.

August 12, 1998

Hearing held in Board's Courtroom No. 1, 200 North Third Street, Suite 600, Harrisburg, PA commencing at 9:30 a.m.

September 9, 1998

Testimony for hearing held August 10 & 11, 1998 filed.

September 11, 1998

Copy of testimony for hearing held August 10 & 11, 1998 forwarded to attorney for Defendant.

September 14, 1998

Testimony for hearing held August 12, 1998 filed.

September 23, 1998

Copy of testimony for hearing held August 12, 1998 forwarded to attorney for Defendant.

September 22, 1998

Acceptance of Service of testimony for hearing held August 10 & 11, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 23, 1998.

September 23, 1998

Letter forwarded to parties requesting Findings of Fact, Conclusions and Brief. Plaintiff's due 10/23/98. Defendant's due 11/23/98.

October 22, 1998

Letter received via facsimile request an undetermined extension in which to file Plaintiff's Findings of Fact, Conclusions and Brief.

October 23, 1998

Letter forwarded to Plaintiff granting Plaintiff's request for an extension of time until November 23, 1998 in which to file Plaintiff's Findings of Fact, Conclusions and Brief.

November 18, 1998

Acceptance of Service of testimony dated September 23, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 24, 1998.

December 2, 1998

Exhibit from trial to be included in the record filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 7, 1998

Proposed Findings of Fact and Conclusions of Law submitted by Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 8, 1999

Letter received from attorney for Defendant requesting until February 8, 1999 in which to file Defendant's Findings of Fact, Conclusions and Brief.

February 1, 1999

Defendant's Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 16, 1999

The Board rendered an Opinion and made the following Order: "AND NOW, this 16th day of June, 1999, it is ORDERED and DECREED that the Defendant, Commonwealth of Pennsylvania, Department of General Services is indebted unto the Plaintiff, Keystone Mechanical Systems, Inc. in the full and true sum of Seventy-Seven Thousand Five Hundred Fifty-Three Dollars and Fifteen Cents (\$77,553.15) with interest at the legal rate of six percent (6%) per annum from the date of the filing of the Claim. Upon receipt of payment of said award, Plaintiff shall forthwith file with the Board a Praecipe that the case be marked settled and ended with prejudice. Each party to bear its own costs other than above noted." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 21, 1999

Acceptance of Service of Opinion and Order dated June 16, 1999 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General.

June 23, 1999

Acceptance of Service of Opinion and Order dated June 16, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 17, 1999.

June 30, 1999

Acceptance of Service of Opinion and Order dated June 16, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 18, 1999.

September 17, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 17th day of September, 1999, a Rule to Show Cause is issued upon Keystone Mechanical Systems, Inc., wherein it is **DIRECTED** that Plaintiff file with the Board a Praecipe to mark the case settled, discontinued and ended with prejudice within thirty (30) days from the date of this Order. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked "closed, discontinued and ended with prejudice"." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 22, 1999

Acceptance of Service of Opinion and Order dated September 17, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant at September 20, 1999.

CLOSED

September 23, 1999

Acceptance of Service of Opinion and Order dated September 17, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 21, 1999.

December 10, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of December, 1999, this Order is issued as a result of the failure of Plaintiff, Keystone Mechanical Systems, Inc., to file with the Board of Claims, within thirty (30) days from September 17, 1999, a response to the Rule to Show Cause advising why this Claim should not be dismissed for failure to abide by the instructions of the Board of Claims. Therefore, it is **DIRECTED** that the Rule of September 17, 1999, be made **ABSOLUTE** and the record be marked "closed and discontinued with prejudice."

December 20, 1999

Acceptance of Service of Order dated December 10, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 13, 1999.