

*** CLOSED ***

Consolidated with Docket No. 2554

Docket Number: 2850

NO. 1 CONTRACTING CORPORATION

Donna M. J. Clark, Esquire
Kenneth L. Joel, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

~~Andrew S. Gordon, Chief Counsel~~
Jeffrey W. Davis, Assistant Counsel

April 6, 1999

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$750,000.

April 9, 1999

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT [May 10, 1999.]

April 19, 1999

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 12, 1999.

April 19, 1999

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 13, 1999.

May 11, 1999

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

June 9, 1999

No. 1's Response to Defendant's Preliminary Objections and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 15, 1999

The Board rendered an Opinion and made the following Order: **AND NOW**, this 15th day of November, 1999, it is hereby **ORDERED** and **DECREED** that upon consideration of Plaintiff's, No. 1 Contracting Corporation, request to Defer Action on Defendant's, Commonwealth of Pennsylvania, Department of Transportation, Preliminary Objections pending a decision on Plaintiff's Petition to Intervene in Balfour Beatty Construction, Inc. v. Commonwealth of Pennsylvania, Department of Transportation, Docket No. 2554, and the apparent similarities of issues, action on Defendant's Preliminary Objections and Plaintiff's Opposition thereto is hereby held in abeyance pending a decision on Plaintiff's

Petition to Intervene in case Docket No. 2554.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 16, 1999

Acceptance of Service of Order dated November 15, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 16, 1999.

March 6, 2000

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 6th day of March, 2000, upon consideration of the various pleadings before the Board, for good cause and the reasons set forth in the above Opinion, it is **ORDERED** that the claim of No. 1 Contracting Corporation, formally listed at Docket No. 2850, is hereby consolidated for trial with the claim of Balfour Beatty Construction, Inc. and No. 1 Contracting Corporation as Intervenor, at Docket No. 2554.@ Copy forwarded to all attorneys of record.

March 8, 2000

Acceptance of Service of Opinion and Order dated March 6, 2000 received from attorneys for Plaintiff (Rubendall & Lewis). Receipt of same acknowledged by attorneys for Plaintiff March 7, 2000.

March 8, 2000

Acceptance of Service of Opinion and Order dated March 6, 2000 received from attorney for Intervenor. Receipt of same acknowledged by attorney for Intervenor March 7, 2000.

FOR ALL ADDITIONAL ENTRIES SEE DOCKET NO. 2554