

Docket Number: 2962

G. M. McCROSSIN, INC.

Theodore A. Adler, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES

Jose Morales, Assistant Counsel

**August 25, 1999**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$1,452,902.00.

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**September 1, 1999**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 10/01/99.**

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**September 9, 1999**

Acceptance of Service of Claim received by Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 7, 1999.

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**September 10, 1999**

Acceptance of Service of Claim received by attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 8, 1999.

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**October 8, 1999**

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Reply/Response due from Plaintiff 11/20/99.

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**November 4, 1999**

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

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**March 23, 2000**

Proposed Order, Objections of Defendant, Commonwealth of Pennsylvania, Department of General Services to Request for Admissions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 28, 2000**

Answer of G. M. McCrossin, Inc., to Objections of Defendant, Commonwealth of Pennsylvania, Department of General Services to Request for Admissions filed by attorney for Plaintiff. Copy forwarded to attorney Defendant by attorney for Plaintiff.

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**May 3, 2000**

The Board made the following Order: "**AND NOW**, 3rd day of May, 2000, it is **ORDERED** and **DECREED** that this matter is set for a hearing before the Board beginning on October 30, 2000 through November 9, 2000, if necessary. Said hearing shall be held in Courtroom No. 1, 6th Floor, Fulton Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 3, 2000**

The Board rendered an Opinion and made the following Order: AND NOW this 3rd day of May, 2000, after due consideration of the submissions of the parties and the relevant Rule of Practice and Procedure, it is hereby **ORDERED** that the Defendant's Objections to Request for Admissions is **DENIED**. Defendant shall answer Plaintiff's Request for Admissions within thirty (30) days from the exit date of this Order. Copy forwarded to attorney for Plaintiff and Defendant.

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**May 9, 2000**

Acceptance of Service of Order dated May 3, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 8, 2000.

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**October 2, 2000**

Pre-Trial Statement of Plaintiff G. J. Morosini, Inc., and Attachments filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 3, 2000**

Commonwealth of Pennsylvania, Department of General Services' Pre-Trial Statement and attachments filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**October 30, 2000**

Hearing held in Board's Courtroom No.1, 6th Floor, Fulton Bank Building, Harrisburg, Pennsylvania commencing at **9:30 a.m.**

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**October 31, 2000**

Hearing held in Board's Courtroom No.1, 6th Floor, Fulton Bank Building, Harrisburg, Pennsylvania commencing at 9:30 a.m.

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**November 1, 2000**

Hearing held in Board's Courtroom No.1, 6th Floor, Fulton Bank Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**November 2, 2000**

Hearing held in Board's Courtroom No.1, 6th Floor, Fulton Bank Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m. Case Completed.

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**November 29, 2000**

Testimony of hearing held October 30, 31 & November 1, 2, 2000. Copy of testimony of hearing held October 30, 31 & November 1, 2, 2000 forwarded to attorney for Defendant. Plaintiff's Findings of Fact etc, due January 21, 2001.

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**December 13, 2000**

Acceptance of Service of Testimony for hearing held October 30, 31 and November 1, 2, 2000 filed by attorney for Defendant.

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**January 8, 2001**

Proposed Order Motion to Enlarge Time Within Which to File Post-Trial Suggested Findings of Fact and Conclusions of Law and Brief in Support filed by attorney for Plaintiff. **Pltf Due 2-23-01.**

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**January 9, 2001**

The Board made the following Order: **AND NOW**, this 9th day of January, 2001, upon Plaintiff, G.M. McCrossin, Inc., to enlarge time with which to file post-trial suggested findings of fact and conclusions of law, said motion is hereby granted. G.M. McCrossin, Inc., shall file its suggested findings of fact and conclusions of law no later than February 23, 2001. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 16, 2001**

Acceptance of Service of Order dated January 9, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 17, 2001.

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**February 15, 2001**

Suggested Findings of Fact filed by attorney for Plaintiff. Defendant's Findings of Fact due 2/21/01.

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**March 28, 2001**

Copy of Defendant's letter to Plaintiff confirming their conversation regarding an extension of time to file DGS's Findings of Fact, etc. Due 4/23/01.

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**April 30, 2001**

Commonwealth of Pennsylvania Department of General Services Proposed Findings of Fact, Conclusions of Law and Brief in Support thereof filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 5, 2002**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 5th day of February, 2002, an award is hereby entered in favor of the Plaintiff, G.M. McCrossin, Inc., and against the Defendant, Commonwealth of Pennsylvania, Department of General Services, in the amount of Three Hundred Ninety Thousand Four Hundred Thirty-Seven Dollars and Eighty Cents (\$390,437.80), with six percent (6%) interest from August 25, 1999, the date Plaintiff filed its claim with this Board. Upon receipt of said award by Plaintiff, Plaintiff shall forthwith file with the Board a Praecipe to mark the case settled and ended with prejudice. Each party to bear its own costs and attorneys fees. Copy forwarded to attorney for Plaintiff and Defendant.

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**February 7, 2002**

Acceptance of Service of Opinion and Order dated February 5, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 6, 2002.

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**February 15, 2002**

Acceptance of Service of Opinion and Order dated February 5, 2002 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 11, 2002.

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**February 26, 2002**

Acceptance of Service of Opinion and Order dated February 5, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 6, 2002.

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**March 15, 2002**

Copy of Defendant's letter to Plaintiff enclosing the Commonwealth's check in the amount of \$450,896.88. Defendant further advises Plaintiff to file a Praecipe to mark the case settled and ended with prejudice.

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**July 1, 2002**

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

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**August 29, 2002**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 29th day of August, 2002, it hereby **ORDERED** and **DECREED** that the above-captioned matter is settled, discontinued and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**September 4, 2002**

Acceptance of Service of Opinion and Order dated August 29, 2002, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 30, 2002.

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**September 18, 2002**

Acceptance of Service of Opinion and Order dated August 29, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 3, 2002.

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