

Docket Number: 3288

YOUR BUILDING CENTER

Terressa E. George, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~Andrew R. Gordon, Chief Counsel~~  
Audrey Fineman Miner, Assistant Counsel

**September 25, 2000**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$9358.08+.

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**September 27, 2000**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 10/27/00.

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**October 4, 2000**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 28, 2000.

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**CLOSED**

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October 26, 2000  
Preliminary Objections and Brief filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Plaintiff's response & Brief in Opposition due 11/29/00.

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**November 27, 2000**

Amended Complaint filed by attorney for Plaintiff. Amount of Claim: Unchanged.

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**December 1, 2000**

Copy of Amended Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant January 2, 2000.

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**December 7, 2000**

Acceptance of Service of Order dated December 4, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 5, 2000.

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**December 27, 2000**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 27th day of December, 2000, Defendant's Commonwealth of Pennsylvania, Department of Transportation, Preliminary Objections are hereby adjudicated as **MOOT** and are **DISMISSED** with prejudice. Defendant is hereby directed to file the appropriate pleading no later than twenty (20) days from the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 9, 2001**

Acceptance of Service of Order dated January 2, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 3, 2001.

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**January 17, 2001**

Preliminary Objections and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff February 20, 2001.

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**February 13, 2001**

Petition for Extension of Time in order to file an Answer and Supporting Brief in Opposition to Defendant's Preliminary Objections.

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**February 14, 2001**

Letter forwarded to Plaintiff granting Plaintiff's Petition for Extension of Time in order to file an Answer and Supporting Brief in Opposition to Defendant's Preliminary Objections until March 14, 2001.

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**March 19, 2001**

Plaintiff's Response and Brief in Opposition to Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 17, 2001**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 17th day of May, 2001, upon consideration of Preliminary Objections filed by the Defendant, Commonwealth of Pennsylvania, Department of Transportation and the Opposition filed by Plaintiff, Your Building Centers, Inc., it is **ORDERED** and **DECREED** that the Preliminary Objections are overruled for the reasons set forth in this Opinion. Defendant shall respond to Plaintiff's Claim within thirty (30) days of the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 24, 2001**

Acceptance of Service of Opinion and Order dated May 17, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 23, 2001.

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**June 18, 2001**

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.  
**RESPONSE DUE FROM PLAINTIFF JULY 19, 2001.**

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**July 19, 2001**

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

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**July 23, 2001**

Letter forwarded to parties directing parties to commence with discovery.

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**January 11, 2002**

Notice of Service of Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**April 2, 2002**

Letter received from attorney for Plaintiff advising that the parties have completed all discovery and Plaintiff believes this case is now ready to be scheduled for trial.

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**May 9, 2002**

Letter received from attorney for Plaintiff advising that the parties have concluded that the best possible dates for hearing in this matter will be July 29-August 2, 2002.

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**May 17, 2002**

The Board rendered the following Order: "**AND NOW**, this 17th day of May, 1999, it is **ORDERED** and **DECREED** that this matter is set for a hearing before the Board's Panel, composed of Frederick D. Giles, Esquire, Panel Attorney, and Conrad E. Kambic, P.E., Engineer Member, beginning on July 30, 2002 through August 1, 2002, if necessary. Said hearing shall be held in Courtroom No. 2, 6th Floor, Fulton Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m. It is further **ORDERED** and **DECREED** that all discovery be completed no later than forty-five (45) days prior to the commencement of the trial." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 23, 2002**

Acceptance of Service of Order dated May 17, 2002 received from Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 20, 2002.

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**July 1, 2002**

Status letter received from attorney for Plaintiff advising that the parties have reached a tentative settlement and are in the process of preparing and executing a Release and Settlement Agreement.

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**July 2, 2002**

Hearing scheduled for July 30 & 31, as well as, August 1, 2002, cancelled due to settlement.

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**CLOSED**

October 21, 2002  
Status letter received from attorney for Plaintiff advising that the parties have settled this matter and Plaintiff requests this matter be marked settled and discontinued.  
November 6, 2002

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 6th day of November, 2002, based upon the letter received from Plaintiff's, Your Building Center, counsel, the docket in the within matter shall be marked 'settled, discontinued and ended with prejudice.'" Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 13, 2002**

Acceptance of Service of Opinion and Order dated November 6, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 11, 2002.