

Docket Number: 3350

CONSTRUCTION TECHNOLOGIES CORPORATION

David F. Wedge, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
STATE SYSTEM OF HIGHER EDUCATION,
MILLERSVILLE UNIVERSITY OF PENNSYLVANIA

~~Robert A. Mullen, Chief Legal Counsel~~
Wayne S. Melnick, Deputy Chief Counsel for Litigation

October 19, 2000

By Order of the Court of Common Pleas of Lancaster County, Order as follows: **"AND NOW**, this 19th day of October, 2000, upon consideration of the foregoing Motion to Transfer Complaint Pursuant to 42 Pa.C.S.A. § 5103, it is hereby **ORDERED AND DECREED** that the Complaint is hereby transferred to the Commonwealth of Pennsylvania Board of Claims, Suite 700, Fulton Building, 200 North Third Street, Harrisburg, PA 17101-1501."

THE FOLLOWING IS FILED IN COURT OF COMMON PLEAS OF LANCASTER COUNTY

March 19, 1999

Complaint - Filed by David F. Wedge, Esq.

March 19, 1999

Caption Entry is: Construction Technologies Corporation (M2) vs. Millersville University of Pennsylvania of the State System of Higher Education (MA)

March 29, 1999

Served - Complaint upon Millersville University of Pennsylvania of the State System of Higher Education by Handing a Copy to Dolores M. Storm, Executive Secretary at Dillworth Building, 2nd Floor, Millersville University, George St., Millersville, PA. So Answers, Paul W. Mennig, Deputy Sheriff of Lanc. Co.

April 12, 1999

Praecipe - Enter Appearance - of Wayne S. Melnick, Esq., Deputy Chief Counsel for Litigation State System of Higher Education, University Legal Counsel on behalf of Defendant, Millersville University of Pennsylvania of the State System of Higher Education. Certificate of Service of Same.

April 12, 1999

Motion - To Transfer Complaint Pursuant to 42 PA.C.S.A. 5103 Filed by Wayne S. Melnick, Esquire. Certificate of Service of Same.

April 12, 1999

Brief - in Support of Motion to Transfer complaint Pursuant to 42 PA.C.S.A. 5103 filed by Wayne S. Melnick, Esquire. Certificate of Service of Same.

March 15, 2000

Praecipe to List - Defendant Millersville University of Pennsylvania's Motion to Transfer on the Pretrial Proceedings list filed by: Wayne S. Melnick, Esq. Certificate of Service of same.

October 4, 2000

Praecipe filed to Assign. Defendant's, Millersville University of Pennsylvania, Motion to Transfer to the Court for Disposition. Certificate of Service of Same Filed by Wayne S. Melnick, Esq. (Judge Ashworth)

October 5, 2000

Praecipe to Please be Notified that Plaintiff Construction Technologies Corp., Acquiesces in Defendant's Motion to Transfer Complaint to the Commonwealth of Pennsylvania, Board of Claims, and Consents to an Order being signed by the Court in the form of that submitted by Defendant with its Motion to Transfer Complaint on or about April 9, 1999 filed by: David F. Wedge, Esq.

October 19, 2000

Order (No Fee) Filed - AND NOW, upon consideration of the foregoing Motion to Transfer Complaint Pursuant to 42 Pa.C.S.A. § 5103, it is hereby **ORDERED AND DECREED** that the Complaint is hereby transferred to the Commonwealth of Pennsylvania Board of Claims, Suite 700, Fulton Building, 200 North Third Street, Harrisburg, PA 17101-1501. By the Court: David L. Ashworth, Judge. CC's w/236 Notice to: Wayne S. Melnick, Esq.

BEFORE THE BOARD OF CLAIMS

October 19, 2000

Record transferred from Court of Common Pleas of Lancaster County.

December 11, 2000

File received from Court of Common Pleas of Lancaster County. Amount of Claim: \$22,265.92+

December 14, 2000

Letter forwarded to Plaintiff requesting additional copies of complaint and filing fee.

January 22, 2001

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 22nd day of January, 2001, a Rule to Show Cause is issued upon Plaintiff, Construction Technologies Corporation, wherein it is **DIRECTED** that Plaintiff file with the Board of Claim, an additional three copies of its Claims, along with the \$10.00 filing fee. In the event the Board does not receive the requested information, this Rule 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.

January 31, 2001

Additional copies of Claim and filing fee filed by attorney for Plaintiff.

January 31, 2001

Acceptance of Service of Opinion and Order dated January 22, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 29, 2001.

February 2, 2001

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant **March 5, 2001**.

February 8, 2001

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 6, 2001.

February 8, 2001

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 6, 2001.

March 2, 2001

Defendant's Answer, with New Matter, to Plaintiff's Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 22, 2001

Answer to Defendant's New Matter, with New Matter, filed by attorney for Plaintiff.

March 27, 2001

Certificate of Service of Answer to Defendant's New Matter, with New Matter, as served on Defendant, filed by attorney for Plaintiff. Defendant's response to Plaintiff's New Matter due on or before April 27, 2001.

April 1, 2001

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

October 19, 2001

Letter forwarded to parties requesting a Status Report. Same due on or before **November 19, 2001**.

November 5, 2001

Letter received from attorney for Plaintiff indicating that all future action in regard to this matter be discontinued.

November 6, 2001

Copy of letter received from Plaintiff, discontinuing action in regard to this matter, forwarded to attorney for Defendant.

November 8, 2001

The Board made the following Order: "**AND NOW**, this 8th day of November, 2001, upon receipt of a Letter/Praecipe, indicating that '. . . all future action in regard to that matter is to be discontinued', executed by David F. Wedge, Esquire, on behalf of Plaintiff, Construction Technologies Corporation, and docketed with this Board under date of November 5, 2001, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked 'settled, discontinued, and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 8, 2001

Acceptance of Service of Letter/Praecipe received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 7, 2001.

November 14, 2001

Acceptance of Service of Order dated November 8, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 13, 2001.

November 21, 2001

Acceptance of Service of Order dated November 8, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 13, 2001.

CLOSED