

Docket Number: 3367

MCTISH, KUNKEL & ASSOCIATES

Kenneth E. Sable, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

John J. Robinson, Jr., Assistant Counsel

**February 1, 2001**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: 25,150.90+.

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**February 13, 2001**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT March 13, 2001.

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**February 21, 2001**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 20, 2001.

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**August 20, 2001**

Answer filed by Defendant.

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**September 11, 2001**

Letter filed by attorney for Defendant advising that in their Answer to Count I, in the Wherefore clause they request an award of damages in the amount of \$90,401.59 plus interest to be paid to the Plaintiff.

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**September 17, 2001**

Clarification letter received from attorney for Defendant advising that in their Answer to Count I, they request the Board to award damages in the amount of \$90,401.59 to Plaintiff.

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**October 1, 2001**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 1st day of October 2001, after due consideration of the Statement of Claim and the Answer thereto, the Board of Claims finds in favor of the Plaintiff, McTish, Kunkel & Associates and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation on Count I in the amount of Ninety Thousand Four Hundred One Dollars and Fifty-Nine Cents (\$90,401.59) plus interest at the legal rate of 6% per annum from the date the Claim was filed.

The Board of Claims finds in favor of the Plaintiff on Count II of the Statement of Claim in the amount of Twenty-Five Thousand One Hundred Fifty Dollars and Ninety Cents (\$25,150.90) plus interest at the legal rate of 6% per annum from the date the claim was filed.

Upon receipt of said award Plaintiff shall forthwith file a Praecipe with the Board requesting that the matter be marked, closed, discontinued and ended with prejudice. Copy forwarded to attorney for Plaintiff and Defendant.

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**October 5, 2001**

Acceptance of Service of Opinion and Order dated October 1, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 4, 2001.

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