

Docket Number: 3435

BURCHICK CONSTRUCTION COMPANY, INC.

Kenneth R. Bruce, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Gregory C. Santoro, Chief Counsel~~
~~Jose E. Morales, Assistant Counsel~~
~~Nancy Kippenhan, Assistant Counsel~~

October 25, 2001

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$203,663.00+

October 26, 2001

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT NOVEMBER 26, 2001.

November 1, 2001

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 29, 2001.

CLOSED

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

January 10, 2002

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

July 25, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **August 26, 2002**.

August 29, 2002

Joint Status Report filed by parties advising that other claims have arisen with respect to prime contracts on the same project and while some have been amicably resolved, several remain pending decisions by DGS. The parties have deferred discovery of this matter until such time all related matters are known and pending before the Board, in order to minimize time and resources of the parties and the Board.

March 25, 2003

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 24, 2003**.

March 31, 2003

Letter received from Plaintiff advising that they are awaiting the processing by DGS of one change order that has not been paid under the settlement agreement and once that is approved by DGS for payment, Plaintiff will sign the settlement agreement and, under its terms, dismiss this action.

November 26, 2003

Board issued letter to parties requesting a Status Report. Status Report due on or before December 26, 2003.

December 10, 2003

Plaintiff filed Praecipe for Dismissal of Claim. Copy forwarded to Defendant.

December 24, 2003

Board issued order. Order as follows: **AND NOW**, this 24th day of December, 2003, upon receipt of a Praecipe for Dismissal, requesting the Board to "Kindly dismiss the above-captioned action", executed by Kenneth R. Bruce, Esquire, on behalf of Plaintiff, Burchick Construction Company, Inc., and docketed with this Board under date of December 10, 2003, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked "dismissed with prejudice". Copy forwarded to Plaintiff and Defendant.

January 5, 2004

Plaintiff filed Acceptance of Service of Order dated December 24, 2003. Receipt of same acknowledged December 30, 2003.

March 22, 2004

Defendant filed Acceptance of Service of Order dated December 24, 2003. Receipt of same acknowledged January 2, 2004.
