

Docket Number: 3447

NELLO CONSTRUCTION COMPANY and  
CROWDER CONSTRUCTION COMPANY

David, J. Greenberg, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES

Gregory C. Santoro, Chief Counsel  
Elizabeth A. O'Reilly, Assistant Counsel

**January 15, 2002**

\*Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$21,122.36.

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**January 17, 2002**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT **February 18, 2002.**

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**January 25, 2002**

Acceptance of Service of Claim filed by Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 22, 2002.

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**January 29, 2002**

Commonwealth's Preliminary Objections to Claimants' Complaint and Brief in Support of Preliminary Objections to Claimants' Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 1, 2002**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 22, 2002.

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**February 13, 2002**

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

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**February 20, 2002**

Copy of Amended Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **Response due from Defendant March 20, 2002.**

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**February 28, 2002**

Acceptance of Service of Amended Claim dated February 20, 2002, received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 22, 2002.

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**March 8, 2002**

The Board rendered an Opinion and made the following Order: **AND NOW,** this 8th day of March 2002, it is **ORDERED** and **DECREED** that Defendant's Preliminary Objections to Plaintiff's Complaint are **MOOT** and said Preliminary Objections shall, therefore, be **DISMISSED**. Copies forwarded to attorney for Plaintiff and Defendant.

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**March 13, 2002**

Acceptance of Service of Opinion and Order dated March 8, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 11, 2002.

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**March 13, 2002**

Acceptance of Service of Opinion and Order dated March 8, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 11, 2002.

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**March 21, 2002**

Answer With New Matter filed by attorney for Defendant. Response due from Pltff. 4/29/02. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**April 15, 2002**

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

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**June 14, 2002**

Letter received from attorney for Plaintiff advising that the parties have not scheduled any discovery depositions or interrogatories. The Plaintiff request a hearing date in the above-captioned case. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 16, 2002**

The Board rendered the following Order: AND NOW, this 16th day of July, 2002, it is **ORDERED** and **DECREED** that this matter is set for a hearing before the Board's Panel, composed of Daniel F. Bekavac, Esquire, Panel Attorney, and A.T. McLaughlin, Jr., P.E., Panel Engineer, beginning on October 24, 2002 and October 25, 2002, if necessary. Said hearing shall be held at St. Joseph's Center, 2900 Seminary Drive, Greensburg, Pennsylvania, commencing at 9:30 a.m." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 1, 2002**

Acceptance of Service of Order dated July 26, 2002, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 30, 2002.

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**September 11, 2002**

Pretrial Statement of Nello Construction Company, Claimant. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 10, 2002**

Panel Hearing scheduled for October 24 and 25, 2002, cancelled per Plaintiff's telephone request.

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**October 15, 2002**

Letter received from attorney for Plaintiff advising that the above-captioned case has been settled between the parties.

Therefore, the hearing scheduled for October 24 and 25, 2002, has been cancelled. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 22, 2002**

The Board rendered the following Opinion: **"AND NOW**, this 22nd day of October, 2002, upon consideration of Plaintiff's letter advising the Board that the parties have reached a settlement of all claims, it is **ORDERED** and **DECREED** that the case be **DISMISSED WITH PREJUDICE**.

The hearing scheduled for October 24 and 25, 2002, is canceled. Each party to bear its own costs." Copy forwarded to attorney for Plaintiff and Defendant.

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**October 28, 2002**

Acceptance of Service of Opinion dated October 22, 2002, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 25, 2002.

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**October 31, 2002**

Acceptance of Service of Opinion dated October 22, 2002, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 23, 2002.

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**CLOSED**