

Docket Number: 3574

THOMAS A. MEKIS & SONS, INC.

James W. Kutz, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Andrew S. Gordon, Assistant Counsel
Christopher F. Wilson, Assistant Counsel

CLOSED

February 10, 2003

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$19,798.87+.

February 14, 2003

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 3/17/03

February 25, 2003

Acceptance of Service of Claim filed by Chief Deputy Attorney General dated February 14, 2003. Receipt of same acknowledged by Chief Deputy Attorney General February 20, 2003.

April 15, 2003

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Reply/Response due from Plaintiff 5/5/03.**

May 5, 2003

Plaintiff filed Reply to New Matter. Copy forwarded to Defendant.

May 9, 2003

Board issued letter to parties to proceed with discovery.

November 10, 2003

Board issued letter requesting a status report.

April 15, 2004

Board issued the following Rule to Show Cause: **AND NOW**, this 15th day of April, 2004, a Rule to Show Cause is issued upon Plaintiff, Thomas A. Mekis & Sons, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to the status of the case and whether or not Plaintiff wishes to pursue the above-captioned matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked "closed, discontinued and ended with prejudice". Copy forwarded to all parties of record.

April 20, 2004

Defendant filed Notice of Service of Responses to Plaintiff's First Set of Interrogatories. Copy forwarded to Plaintiff.

April 22, 2004

Plaintiff filed Acceptance of Service of Opinion and Order dated April 15, 2004. Receipt of same acknowledged by attorney for Plaintiff May 19, 2004.

May 11, 2004

Plaintiff filed a letter advising that they do intend to pursue this matter to a hearing. Discovery is on going and should be completed in 60-90 days after which time a hearing will be scheduled.

May 19, 2004

Defendant filed a letter in which they concur with Plaintiff and advise that if settlement is not able to be accomplished, discovery will continue.

December 12, 2005

Plaintiff filed Praecipe to Discontinue. Copy forwarded to Defendant.

December 13, 2005

Board issued an Order. Order as follows: **AND NOW**, this 13th day of December, 2005, upon receipt of a Praecipe to Discontinue executed by James W. Kutz, Esquire, on behalf of Plaintiff, Thomas A. Mekis & Sons, Inc., requesting that the Board "kindly mark the above-captioned proceeding as settled, discontinued, and ended." Docketed with this Board under date of December 12, 2005, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked "settled, discontinued and ended with prejudice." Copy forwarded to all parties of record.

December 27, 2005

Defendant filed Acceptance of Service of Order dated December 13, 2005. Receipt of same acknowledged December 15, 2005.

CLOSED

