

Docket Number: 3652

KTA-TATOR, INC.

~~Bruce Rutherford~~

*Rebecca A. Bowman, Esquire, P.E.

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

~~Andrew S. Gordon, Chief Counsel~~

Gerald T. Schultz, Assistant Counsel

July 29, 2003

Plaintiff filed Claim and filing fee. Amount of Claim: \$80,982.42+.

July 29, 2003

Board called Plaintiff advising of filing deficiency: need proof of mailing to Defendant. Faxed Notice to Plaintiff regarding change of filing requirements.

July 30, 2003

Board forwarded letter to Plaintiff advising of filing deficiency: need proof of mailing to Defendant.

August 6, 2003

Plaintiff filed proof of mailing Claim to Defendant via fax. **ACCEPTED FOR FURTHER PROCESSING.**

August 7, 2003

Board issued Acknowledgement letter and forwarded copy of Claim to Chief Deputy Attorney General.

August 26, 2003

Defendant filed Preliminary Objections as well as Brief in Support filed. Copy forwarded to Plaintiff.

***September 26, 2003**

Plaintiff filed Praecipe to Enter an Appearance of Rebecca A. Bowman, Esquire, P.E. on behalf of Plaintiff.

September 26, 2003

Plaintiff filed First Amended Claim. Copy forwarded to Defendant.

October 1, 2003

Board forwarded First Amended Claim to Chief Deputy Attorney General.

October 3, 2003

Board rendered Opinion and Order. Order as follows: **AAND NOW**, this 3rd day of October, 2003, the Preliminary Objections filed by the Defendant on August 26, 2003, are hereby **DENIED** as **MOOT.** Copy forwarded to Plaintiff and Defendant.

October 10, 2003

Plaintiff filed Acceptance of Service of Opinion and Order dated October 3, 2003. Receipt of same acknowledged by Plaintiff October 7, 2003.

October 14, 2003

Chief Deputy Attorney General filed Acceptance of Service of Amended Claim dated October 2, 2003. Receipt of same acknowledged October 8, 2003.

October 21, 2003

Defendant filed Answer and New Matter. Copy forwarded to Plaintiff.

November 3, 2003

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

November 4, 2003

Letter forwarded to parties directing parties to commence with discovery.

November 5, 2003

Defendant filed letter-type certificate of service of Department's First Request for the Production of Documents unto Plaintiff.

August 9, 2004

Board forward letter to parties requesting status.

August 19, 2004

Defendant filed letter advising that the parties have reached an amicable settlement and that the Defendant is processing payment.

October 8, 2004

Board forwarded letter requesting status from parties.

November 19, 2004

Defendant filed letter advising that it is there understanding that this case has been amicably settled and that payment has been made.

January 4, 2005

Plaintiff filed Praecipe to discontinue. Copy forwarded to Defendant.

January 5, 2005

Board rendered Opinion and Order. Order as follows:
"AND NOW, this 5th day of January, 2005, upon receipt of a Praecipe For Discontinuance filed by Rebecca A. Bowman, Esquire docketed with this Board under date of January 4, 2005, it is **ORDERED** and **DIRECTED** that said case be marked "closed, discontinued and ended and prejudice." Copy forwarded to Plaintiff and Defendant.

January 10, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated January 5, 2005. Receipt of same acknowledged by Plaintiff January 10, 2005.