

Docket Number: 3678

KUHARCHIK CONTRUCTION, INC.

Leonard A. Windish, Esquire  
George E. Pallas, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~Andrew S. Gordon, Chief Counsel~~  
~~Robert T. Kuntz, Assistant Counsel~~

\*AMERICAN SIGNAL COMPANY  
Michael D. Reed, Esquire

and

\*\*GENERAL HIGHWAY PRODUCTS, INC.  
Kenneth L. Sable, Esquire  
Thomas L. Isenberg, Jr., Esquire

**November 26, 2003**

Plaintiff filed Claim, filing fee and proof of mailing. Amount of Claim: \$300,000.00 **ACCEPTED FOR FURTHER PROCESSING.**

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**December 3, 2003**

Board issued Acknowledgment letter and forwarded copy of Claim to Attorney General.

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**December 9, 2003**

Acknowledgement of Claim filed by Chief Deputy Attorney General. Receipt of same acknowledged December 4, 2003.

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**December 12, 2003**

Defendant filed letter advising that Plaintiff has agreed to extend the due date of the required answer in this matter until January 25, 2004. Copy forwarded to Plaintiff.

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**January 26, 2004**

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

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**\*January 26, 2004**

Defendant filed Complaint Against Additional Defendant (American Signal Company). Copy forwarded to Plaintiff and Additional Defendant (American Signal Company).

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**\*\*January 26, 2004**

Defendant filed Complaint Against Additional Defendant (General Highway Products, Inc.). Copy forwarded to Plaintiff and Additional Defendant (General Highway Products, Inc.).

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**January 28, 2004**

Board forwarded Complaint Against Additional Defendant (American Signal Company) to Chief Deputy Attorney General.

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**January 28, 2004**

Board forwarded letter to Plaintiff requesting response to Defendant's New Matter.

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**February 2, 2004**

Chief Deputy Attorney General filed Acceptance of Service of

Complaint Against Additional Defendant. Receipt of same acknowledged by Chief Deputy Attorney General January 30, 2004.

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**February 17, 2004**

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

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**April 12, 2004**

American Signal Company filed Preliminary Objections and Brief in Support to Complaint of Defendant. Copy forwarded to Plaintiff and Defendant.

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**April 15, 2004**

General Highway Products, Inc. filed Preliminary Objections and Brief in Support to Complaint of Defendant. Copy forwarded to Plaintiff and Defendant.

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**April 26, 2004**

Defendant filed letter requesting an extension of time until June 4, 2004, in which to respond to Interrogatories Answers Propounded on the Defendant by Plaintiff.

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**April 29, 2004**

Board forwarded letter granting Defendant's request until June 4, 2004 in which to file answers to Plaintiff's interrogatories.

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**May 14, 2004**

Defendant filed Response and Brief to the Preliminary Objections of American Signal Company. Copy forwarded to Plaintiff, American Signal and General Highway.

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**May 17, 2004**

Defendant filed Response and Brief to the Preliminary Objections of General Highway Products, Inc. Copy forwarded to Plaintiff, American Signal and General Highway.

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**June 7, 2004**

Defendant filed Notice of Service of Answers to Interrogatories of Plaintiff.

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**June 14, 2004**

Defendant filed Notice of Service of Defendant's First Request

for Production of Documents directed to Plaintiff.

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**June 25th, 2004**

Board rendered Opinion and Order: Order as follows: AAND NOW, this 25th day of June, 2004, it is hereby ORDERED and DECREED that the Preliminary Objections of Additional Defendant General Highway and Additional Defendant American Signal are hereby DENIED. Additional Defendant General Highway and Additional Defendant American Signal shall file an Answer to Defendant's Third Party Complaint within thirty (30) days of the exit date of this Order.@ Copy forwarded to Plaintiff, Defendant, General Highway and American Signal.

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**June 29, 2004**

American Signal filed Acceptance of Service of Opinion and Order dated June 24, 2004 filed. Receipt of same acknowledged by American Signal on June 28, 2004.

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**July 2, 2004**

General Highway filed Acceptance of Service of Opinion and Order dated June 24, 2004. Receipt of same acknowledged on July 1, 2004.

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**July 15, 2004**

General Highway Products filed Answer with New Matter and New Matter Cross-Claim against American Signal. Copy forwarded to all parties.

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**July 23, 2004**

American Signal Company filed Answer with New Matter and New Matter Cross-Claim against General Highway. Copy forwarded to all parties.

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**August 3, 2004**

American Signal Company filed Answer with New Matter to New Matter and Cross-claim of General Highway Products.

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**August 4, 2004**

Defendant filed Reply to the New Matter of General Highway Products and American Signal Company.

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**August 12, 2004**

General Highway filed Answer with New Matter to American Signals, New Matter and Cross-claim. Copy forwarded to Plaintiff, Defendant and American Signal.

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**August 16, 2004**

General Highway, file Reply to American Signal's New Matter and Cross-Claim of General Highway.

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**August 19, 2004**

Defendant filed Notice of Service of First Request for the Production of Documents directed to American Signal Company.

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**September 7, 2004**

American Signal Company filed Reply to New Matter of General Highway Products, Inc. Copy forwarded to all parties.

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**May 27, 2005**

Board forwarded letter to the parties requesting status.

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**June 9, 2005**

Defendant filed a status letter advising that the parties are engaged in settlement negotiations.

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**June 16, 2005**

American Signal Company filed letter advising that settlement negotiations are ongoing between the two principal parties in this matter and therefore Additional Defendant has not engaged in any proactive discovery or depositions pending notification of the settlement efforts.

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**June 30, 2005**

Plaintiff filed status letter advising that the parties are currently engaged in settlement negotiations.

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**July 6, 2006**

Board issued letter to the parties requesting a status report.

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**July 14, 2006**

Defendant filed letter (via facsimile) advising that the matter has been amicably settled between the parties. Copy forwarded to Plaintiff.

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**January 19, 2007**

Board forwarded letter to parties requesting Plaintiff file a praecipe closing case.

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**January 31, 2007**

Plaintiff filed Praecipe to Settle, Discontinue and End. Copy forwarded to Defendant.

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**February 5, 2007**

Defendant filed letter dismissing claims against Additional Defendants. Copy forwarded to Plaintiff and Additional Defendants.

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**February 7, 2007**

Board forwarded letter to American Signal Company requesting Praecipe to dismiss case against General Highway Products, Inc.

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**June 12, 2007**

Board forwarded letter to American Signal Company requesting Praecipe to dismiss case against General Highway Products, Inc.

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**July 24, 2007**

Attorney for American Signal Company, filed a Praecipe (via

facsimile) for Discontinuance of the cross-claim against General Highway Products, Inc. Copy forwarded to all parties.

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**July 26, 2007**

Attorney for American Signal Company, filed a Praecipe (via U.S. Mail) for Discontinuance of the cross-claim against General Highway Products, Inc. Copy forwarded to all parties.

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**July 26, 2007**

Board issued Opinion and Order. Order as follows: **AND NOW**, this 26th day of July, 2007, pursuant to the praecipes identified above, filed by the parties as indicated, it is **ORDERED** and **DIRECTED** that the above-captioned matter, in its entirety, be marked closed, discontinued and ended with prejudice. Copy forwarded to all parties of record.

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**August 2, 2007**

American Signal Defendant filed Acceptance of Service of Opinion and Order dated July 26, 2007. Receipt of same acknowledged by American Signal July 31, 2007.

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**August 17, 2007**

General Highway Products filed Acceptance of Service of Opinion and Order dated July 26, 2007. Receipt of same acknowledged by General Highway August 16, 2007.