

Docket Number: 3726

WENDELL H. STONE COMPANY, INC., t/d/b/a STONE & COMPANY

Bernard T. McArdle, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

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

CLOSED

August 25, 2004

Plaintiff filed Claim and filing fee. Amount of Claim:
\$16,197.85

August 25, 2004

Board called Plaintiff advising of filing deficiency: (proof of mailing). Faxed notice of deficiency to Plaintiff.

August 30, 2004

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

August 31, 2004

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

September 7, 2004

Attorney General filed Acceptance of Service of Claim. Receipt of same acknowledged by Attorney General September 3, 2004.

September 24, 2004

Defendant filed letter requesting a 30-day extension of time in which to respond to Plaintiff's Claim.

September 28, 2004

Board forwarded letter to Defendant granting 30-day extension of time in which to respond to Plaintiff's Claim.

October 25, 2004

Defendant filed Answer. Copy forwarded to Plaintiff.

October 27, 2004

Board forwarded letter directing the parties to commence with discovery.

January 12, 2005

Defendant filed Notice of Service of Response to Plaintiff's Request for Admissions, Answers to Plaintiff's Interrogatories and Response to Plaintiff's Request for Production of Documents.

March 25, 2005

Defendant filed Motion for Summary Judgment and Brief in Support. Copy forwarded to Plaintiff.

April 4, 2005

Plaintiff filed Brief in Response to Defendant's Motion for Summary Judgment.

May 3, 2005

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 3rd day of May, 2005, Commonwealth of Pennsylvania, Department of Transportation's Motion for Summary Judgment is **GRANTED** and by stipulation the parties hereto agree that judgment be entered in favor of Plaintiff, Wendell H. Stone Company, Inc., t/d/b/a Stone & Company in the total amount of \$15,558.57 which represents a principal amount of Fourteen Thousand Four Hundred Dollars and Seventy-Five Cents (\$14,400.75) and pre-judgment interest of \$1,157.82 calculated as simple interest at the statutory six percent (6%) rate as noted above. Additionally, post-judgment interest shall accrue on the total award amount of \$15,558.57 at the statutory rate of six percent (6%) until paid in full." Copy forwarded to Plaintiff and Defendant.

May 9, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated May 3, 2005. Receipt of same acknowledged by May 6, 2005.

May 10, 2005

Defendant filed Acceptance of Service of Opinion and Order dated May 3, 2005. Receipt of same acknowledged by Defendant May 5,

2005.