

Docket Number: 3757

WASHINGTON ENGINEERING & CONSTRUCTION CO.

Mark F. Nowak, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Andrew S. Gordon, Chief Counsel~~

Robert T. Kuntz, Assistant Counsel

CLOSED

March 3, 2005

Plaintiff filed Claim and proof of mailing (via fax). Amount of Claim: Unspecified.

March 4, 2005

Plaintiff filed Claim, proof of mailing and filing fee (via U.S. Mail). Amount of Claim: Unspecified.

March 7, 2005

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

March 10, 2005

Attorney General filed Acceptance of Service of Claim dated March 7, 2005. Receipt of same acknowledged by Attorney General March 8, 2005.

April 4, 2005

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

April 25, 2005

Plaintiff's Response and New Matter to Preliminary Objections to Complaint and Brief in Support.

May 13, 2005

Defendant filed Reply to Plaintiff's New Matter to Preliminary Objections to Complaint as well as Brief in Support.

May 31, 2005

Plaintiff filed Sur-Reply Brief in Opposition to Preliminary Objections. Copy forwarded to Defendant.

June 15, 2005

Board rendered an Opinion and made the following Order: **"AND NOW**, this 15th day of June, 2005, it is **ORDERED** and **DECREED** that Defendant's Preliminary Objections are **OVERRULED** with leave of Defendant to file a responsive pleading within twenty (20) days of the exit date of this Order.

June 22, 2005

Defendant filed letter advising that Plaintiff has agreed to an extension until August 4, 2005 for Defendant to file their responsive pleading to Plaintiff's Complaint.

July 22, 2005

Defendant filed letter advising that Plaintiff has agreed to a second extension until September 6, 2005 for Defendant to file their responsive pleading to Plaintiff's Complaint.

August 29, 2005

Plaintiff filed letter advising that Defendant has agreed to a third extension until October 6, 2005 for Defendant to file their responsive pleading to Plaintiff's Complaint.

September 23, 2005

Plaintiff filed letter advising that Defendant has agreed to a fourth extension until November 7, 2005 for Defendant to file their responsive pleading to Plaintiff's Complaint.

November 14, 2005

Plaintiff filed a letter advising the Board that the parties have reached a settlement in principal and that counsel for Defendant concurs with Plaintiff's request to hold this matter in abeyance pending finalization of the settlement documents.

November 23, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 23rd day of November, 2005, it is hereby **ORDERED** and **DECREED** that the parties' mutual request for a stay of proceedings is **GRANTED**. All proceedings in the above-captioned matter will be stayed for ninety (90) days from the exit date of this Order. The parties will promptly notify the Board of the final settlement and their intention to discontinue this action." Copy forwarded to Plaintiff and Defendant.

November 30, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated November 23, 2005. Receipt of same acknowledged November 28, 2005.

November 27, 2006

Board forwarded letter to parties requesting a status report.

December 1, 2006

Defendant filed letter advising that parties have reached a settlement.

December 1, 2006

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

December 5, 2006

Board rendered an Order. Order as follows: **"AND NOW**, this 5th day of December, 2006, upon receipt of a praecipe to settle and discontinue requesting the Board to "Please settle and discontinue the above-captioned action.", executed by Mark A. Nowak, Esquire, attorney for Plaintiff, and docketed with this Board under date of December 1, 2006, it is **ORDERED** and **DECREED** that said case be marked settled and discontinued with prejudice." Copy forwarded to Plaintiff and Defendant.

December 13, 2006

Plaintiff filed Acceptance of Service of Order dated December 5, 2006. Receipt of same acknowledged December 11, 2006.

December 15, 2006

Defendant filed Acceptance of Service of Order dated December 11, 2006. Receipt of same acknowledged December 11, 2006.
