

Docket Number: 3857

ALLAN A. MYERS, INC., TO THE USE AND BENEFIT OF EASTERN
INDUSTRIES, INC.

Paul A. Logan, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~Andrew S. Gordon, Chief Counsel~~
~~Jeffrey W. Davis, Assistant Counsel~~
Jason M. Wolgemuth, Assistant Counsel

September 28, 2006

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$67,770.37+.

September 29, 2006

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

October 6, 2006

Attorney General filed Acknowledgement of Claim form. Receipt of same acknowledged October 4, 2006.

October 10, 2006

Plaintiff filed Affidavit of Service that claim was mailed to Chief Counsel of PennDOT, Secretary of PennDOT and Attorney General.

October 23, 2006

Defendant filed Answer with New Matter.

November 6, 2006

Plaintiff filed Reply to New Matter.

November 6, 2006

Board forwarded letter to parties directing parties to commence with discovery.

July 30, 2007

Plaintiff filed Motion to Compel Answers to Discovery Directed to Defendant as well as Proposed Order.

August 27, 2007

Defendant filed letter advising that it will not be filing any brief in opposition to Plaintiff's Motion to Compel Answers to Discovery.

August 29, 2007

Board rendered Opinion and Order. Order as follows: **"AND NOW**, this 29th day of August, 2007, it is hereby **ORDERED** and **DECREED** that the motion to compel answers to discovery directed to Defendant filed by the Plaintiff on July 30, 2007, is hereby **DENIED** as **MOOT**." Copy forwarded to Plaintiff and Defendant.

September 17, 2007

Plaintiff filed Acceptance of Service of Opinion and Order dated August 29, 2007. Receipt of same acknowledged by Defendant September 12, 2007.

August 14, 2008

Defendant filed Entry of Appearance of Jason M. Wolgemuth, Assistant Counsel on behalf of Defendant.

July 8, 2010

Plaintiff filed Praecipe to Settle, Discontinue and End.

July 12, 2010

Board rendered Order. Order as follows: **"AND NOW**, this 12th day of July, 2010, upon receipt of a Praecipe executed by Paul A. Logan, Esquire, on behalf of Plaintiff, Allan A. Myers, Inc., to the use and benefit of Eastern Industries, Inc., requesting that the Board mark the above-captioned matter settled, discontinued and ended, docketed with this Board under date of July 8, 2010, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

July 15, 2010

Defendant filed Acceptance of Service of Order dated July 12, 2010. Receipt of same acknowledged on July 14, 2010.

July 19, 2010

Plaintiff filed Acceptance of Service of Order dated July 12, 2010. Receipt of same acknowledged on July 15, 2010.
