

(CONSOLIDATED INTO 3946)

Docket Number: 3947

BEECH CONSTRUCTION, INC.

~~Jessica R. Quinn Horgan, Esquire~~
~~Chad A. Wissinger, Esquire~~
~~Stephanie L. Solomon, Esquire~~
Richard D. Kalson, Esquire
Lauren C. Rodriguez, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

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

October 30, 2008

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: UNKNOWN.

October 30, 2008

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

November 10, 2008

Chief Deputy Attorney General filed Acknowledgement of Claim dated October 30, 2008. Receipt of same acknowledged November 6, 2008.

November 21, 2008

Defendant filed letter requesting extension of time until December 15, 2008 in which to file Defendant's Answer to Claim.

November 24, 2008

Board issued letter to Defendant, with copy to Plaintiff granting extension of time for Defendant to file its Answer to Plaintiff's Claim.

December 15, 2008

Defendant filed Answer with New Matter.

January 5, 2009

Plaintiff filed Reply to New Matter.

January 6, 2009

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

August 19, 2010

Plaintiff requested 4009.21 - to produce documents subpoenas.

August 20, 2010

Board forwarded 4009.21 - to produce documents subpoenas dated August 20, 2010 to Plaintiff.

August 23, 2010

Plaintiff filed a Praecipe for Entry of Appearance of Chad A. Wissinger, Esquire and Stephanie L. Soloman, Esquire on behalf of Plaintiff.

August 25, 2010

Plaintiff requested 234.1 - to attend and testify subpoenas.

August 26, 2010

Board forwarded 234.1 - to attend and testify subpoenas dated August 26, 2010 to Plaintiff.

March 14, 2011

Plaintiff filed Substitution of Counsel entering appearance of Richard D. Kalson, Esquire and Lauren C. Rodriguez, Esquire and withdrawing the appearances of Chad A. Wissinger, Esquire and Stephanie L. Soloman, Esquire on behalf of Plaintiff.

April 28, 2011

Plaintiff requested 234.1 - to attend with duces tecum subpoenas.

April 29, 2011

Board forwarded 234.1 - to attend with duces tecum subpoenas dated April 29, 2011 to Plaintiff.

April 29, 2011

Plaintiff filed Motion for Consolidation.

May 2, 2011

Board rendered Consolidation Order. Order as follows: **"AND NOW,** this 9th day of March, 2011, upon consideration of Plaintiff's Motion for Consolidation requesting to consolidate Docket No. 3946 with Docket No. 3947 representing, inter alia, that the two actions arise from the same Project (the replacement of the Foxburg

Bridge over the Allegheny River on S.R. 58, Section 150 in Armstrong and Clarion Counties, as well as related road construction), involve common questions of law and fact and affect the same parties in interest, it is **ORDERED** that Docket Nos. 3946 and 3947 are hereby consolidated for all purposes into Docket No. 3946. Plaintiff further advises that counsel for the Defendant, the Pennsylvania Department of Transportation consents to consolidation of these two cases." Copy forwarded to Plaintiff and Defendant.

May 22, 2013

Board rendered Order. Order as follows: "**AND NOW**, this 22nd day of May, 2013, upon receipt of a Praecipe executed by Jessica R. Quinn-Horgan, Esquire, on behalf of Plaintiff, Beech Construction, Inc., requesting that the Board mark the above-captioned matter settled and discontinued, docketed with this Board under date of May 20, 2013, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.
