

Docket Number: 4055

**GOLDEN EAGLE CONSTRUCTION COMPANY, INC.**

Joseph F. McDonough, Esquire  
James R. Walker, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA TURNPIKE COMMISSION**

~~Doreen McCall, Chief Counsel~~  
~~Chad A. Wissinger, Esquire~~  
~~John B. Cromer, Esquire~~  
Stephie-Anna K. Ramaley, Esquire  
Douglas C. Hart, Esquire

**September 17, 2012**

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: Amount of Claim \$894,804.03.

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**September 17, 2012**

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

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**September 20, 2012**

Attorney General filed Acknowledgment of Claim form. Receipt of same acknowledged September 18, 2012.

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**October 19, 2012**

Defendant filed Preliminary Objections and Brief in Support.

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**October 19, 2012**

Board forwarded letter to Plaintiff requesting response to Defendant's Preliminary Objections.

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**November 19, 2012**

Plaintiff filed response to Defendant's Preliminary Objections, Brief in Support and Proposed Order.

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**December 10, 2012**

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 10<sup>th</sup> day of December, 2012, upon consideration of PTC's Preliminary Objections and Golden Eagle's Response, it is **ORDERED** and **DECREED** that PTC's preliminary objections to Claims 1 and 2 in the Statement of Claim are **OVERRULED**. It is further **ORDERED** and **DECREED** that PTC's preliminary objections to Claims 3 and 4 in the Statement of Claim are **SUSTAINED**, and Claims 3 and 4 in the Statement of Claim are **STRICKEN**. PTC shall file its answer to Claims 1 and 2 of the Statement of Claim within 30 days from the exit date of this Order." Copy forwarded to Plaintiff and Defendant.

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**December 17, 2012**

Defendant filed Acceptance of Service of Opinion and Order dated December 10, 2012. Receipt of same acknowledged December 14, 2012.

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**December 17, 2012**

Plaintiff filed Acceptance of Service of Opinion and Order dated December 10, 2012. Receipt of same acknowledged December 13, 2012.

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**December 31, 2012**

Plaintiff filed Notice of Service of Plaintiff's First Request for Production of Documents and Plaintiff's First Set of Interrogatories.

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**January 7, 2013**

Defendant filed Acceptance of Service of Opinion and Order dated December 10, 2012. Receipt of same acknowledged January 4, 2013.

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**January 7, 2013**

Defendant filed Praecipe for Appearance/Withdraw of Appearance to withdraw appearance of Chad A. Wissinger, Esquire and to enter appearances of John B. Cromer, Esquire and Stephie-Anna K. Ramaley, Esquire on behalf of Defendant.

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**January 9, 2013**

Defendant filed Answer, New Matter and Counterclaim to Plaintiff's Claim.

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**January 30, 2013**

Plaintiff filed Reply to New Matter and Answer and New Matter to Counterclaim.

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**February 25, 2013**

Defendant filed Reply to New Matter to Counterclaim.

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**February 26, 2013**

Board forwarded letter directing parties to proceed with discovery.

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**April 23, 2013**

Plaintiff requested by telephone 3 subpoenas 234.1 and 3 subpoenas 4009.21.

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**April 24, 2013**

Board forwarded 3 subpoenas 234.1 and 3 subpoenas 4009.21 dated April 24, 2013 to Plaintiff.

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**November 18, 2013**

Plaintiff filed letter requesting a pre-hearing/settlement conference be scheduled for January 2014.

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**November 22, 2013**

Plaintiff filed letter advising that Plaintiff and Defendant have selected January 22, 2014 as the date for the status conference.

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**November 26, 2013**

Board forwarded letter to parties scheduling a status conference for Wednesday, January 22, 2014 at 1:00 p.m.

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**December 5, 2013**

Defendant filed praecipe for appearance/withdraw of appearance entering appearance of Douglas C. Hart, Esquire and withdrawing the appearance of John B. Cromer, Esquire, on behalf of Defendant.

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**January 22, 2014**

Board held status conference on Wednesday, January 22, 2014 at 1:00 p.m.

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**January 22, 2014**

Board forwarded letter to parties requesting scheduling information.

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**February 5, 2014**

Plaintiff transmitted via facsimile its proposed scheduling order.

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**February 5, 2014**

Defendant transmitted via facsimile its proposed scheduling order.

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**February 7, 2014**

Board rendered an Order. Order as follows: **"AND NOW**, this 7<sup>th</sup> day of February, 2014, it is hereby **ORDERED** and **DECREED** as follows: 1. The last day for plaintiff's expert report, if any, to be provided to defendant is March 31, 2014; 2. The last day for defendants' expert report, if any, to be provided to plaintiff is April 30, 2014; 3. All discovery, including exchange of any further rebuttal expert reports, shall be completed by May 30, 2014; 4. The last day for filing pre-trial motions is June 13, 2014; 5. Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than July 25, 2014 (Please note BOC R.P. 501(b) and (c)(3)); 6. A pre-trial conference is scheduled for Friday, August 1, 2014 at 1:00 p.m. Said conference shall be held at 200 North Third Street, Fulton Building, 7th Floor, Harrisburg, PA 17101; 7. This matter is set for hearing beginning on Monday, September 22, 2014 and running through Friday, October 3, 2014, or as otherwise necessary. Said hearing shall be held at 200 North Third Street, Fulton Building, 6th Floor, Harrisburg, PA 17101. Unless otherwise noted, the first day of all hearings begins at 9:30 a.m., and subsequent hearing days begin at 9:00 a.m." Copy forwarded to Plaintiff and Defendant.

**February 7, 2014**

Plaintiff filed via U.S. mail its proposed scheduling order.

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**February 7, 2014**

Defendant filed via U.S. its proposed scheduling order.

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**February 12, 2014**

Defendant filed Acceptance of Service of Scheduling Order. Receipt of same acknowledged February 10, 2014.

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**March 25, 2014**

Plaintiff transmitted via facsimile a letter advising that both parties are interested in participating in a settlement conference.

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**March 26, 2014**

Board scheduled a settlement conference for Thursday, May 1, 2014 at 1:00 p.m.

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**March 27, 2014**

Plaintiff filed via U.S. mail a letter advising that both parties are interested in participating in a settlement conference.

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**May 1, 2014**

Board held a settlement conference on Thursday, May 1, 2014 at 1:00 p.m.

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**June 6, 2014**

Plaintiff filed letter advising that the parties have reached a settlement agreement and that it is in the process of being approved and signed, once completed there will be a formal discontinuance filed.

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**July 21, 2014**

Plaintiff filed a Joint Praecipe to Discontinue.

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**July 21, 2014**

Board rendered Order. Order as follows: "**AND NOW**, this 21<sup>st</sup> day of July, 2014, upon receipt of a Praecipe executed by James R. Walker, Esquire, on behalf of Plaintiff, Golden Eagle Construction Company, Inc. and Douglas C. Hart, Esquire, on behalf of Defendant, Commonwealth of Pennsylvania, Pennsylvania Turnpike Commission, requesting that the Board mark the above-captioned matter settled and discontinued, docketed with this Board under date of July 21, 2014, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

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**July 30, 2014**

Defendant filed Acceptance of Service of Order. Receipt of same acknowledged July 28, 2014.

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**July 31, 2014**

Plaintiff filed Acceptance of Service of Order. Receipt of same acknowledged July 28, 2014.

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