

Docket Number: 4119

**INDEPENDENCE CONSTRUCTORS CORPORATION**

Calli J. Padilla, Esquire  
Robert W. Hayes, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION**

William J. Cressler, Chief Counsel  
Jeffrey M. Spotts, Assistant Counsel

**June 1, 2015**

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$392,381.07+

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**June 2, 2015**

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

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**June 9, 2015**

Attorney General filed Acknowledgment of Claim form. Receipt of same acknowledged June 5, 2015.

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**July 1, 2015**

Defendant filed Answer and New Matter and Counterclaim.

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**July 2, 2015**

Board issued Acknowledgment letter and forwarded Answer, New Matter and Counterclaim to Attorney General.

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**July 2, 2015**

Plaintiff filed Notice of Change of Address.

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**July 9, 2015**

Attorney General filed Acknowledgment of Answer, New Matter and Counterclaim form. Receipt of same acknowledged July 7, 2015.

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**July 10, 2015**

Plaintiff filed letter advising that the parties have agreed to an extension of time until August 4, 2015 in which to file Plaintiff's answer to new matter and counterclaim.

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**July 13, 2015**

Board forwarded letter acknowledging extension of time.

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**August 4, 2015**

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

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**August 5, 2015**

Board issued Acknowledgment letter and forwarded Answer, New Matter and Counterclaim to Attorney General.

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**August 24, 2015**

Defendant filed Reply to New Matter to Counterclaim.

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**August 25, 2015**

Board forwarded letter to parties directing them to proceed with discovery.

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**October 23, 2015**

Plaintiff filed Proof of Service of Plaintiff's First Set of Requests for Production of Documents.

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**October 23, 2015**

Plaintiff filed Proof of Service of Plaintiff's First Set of Interrogatories.

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**October 23, 2015**

Plaintiff filed Proof of Service of Plaintiff's First Set of Requests for Admission and Second Set of Interrogatories.

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**May 6, 2016**

Defendant filed Notice of Service of Defendant's Response to Plaintiff's First Set of Interrogatories, Defendant's Response to Plaintiff's First Set of Requests for Production Documents, Defendant's Response to Plaintiff's First Set of Requests for Admission and Second Set of Interrogatories.

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**November 23, 2016**

Parties filed a Joint Praecipe to Discontinue with Prejudice.

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**November 29, 2016**

Board rendered Order. Order as follows: "**AND NOW**, this 29<sup>th</sup> day of November, 2016, upon receipt of a praecipe executed by Robert W. Hayes, Esquire, on behalf of Plaintiff, Independence Constructors Corporation and Jeffrey M. Spotts, Assistant Counsel, on behalf of Defendant, Commonwealth of Pennsylvania, Department of Transportation, requesting that the Board kindly discontinue, with prejudice as specified in the parties' Settlement Agreement, the above-captioned matter, docketed with this Board under date of November 23, 2016, 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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**December 2, 2016**

Defendant filed Acceptance of Service of Opinion and Order dated November 29, 2016. Receipt of same acknowledged November 30, 2016.

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**December 19, 2016**

Plaintiff filed Acceptance of Service of Opinion and Order dated November 29, 2016. Receipt of same acknowledged December 10, 2016.

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