

Docket Number: 4230

**A.P. CONSTRUCTION, INC.**

John F. Palladino, Esquire  
Collin G. Bell, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
PHILADELPHIA REGIONAL PORT AUTHORITY**

~~Colette Pete, Chief Counsel~~  
Francis X. Crowley, Esquire  
Samuel M. Ventresca, Esquire  
Christopher S.W. Tarbell, Esquire

**May 5, 2021**

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

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**May 11, 2021**

Board issued Acknowledgment letter requesting response from Defendant and forwarding a copy of the Claim to Attorney General.

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**May 26, 2021**

Defendant filed Entries of Appearance of Francis S. Crowley, Esquire, Samuel M. Ventresca, Esquire and Christopher S.W. Tarbell, Esquire on behalf of Defendant.

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**June 3, 2021**

Defendant filed Preliminary Objections (no brief attached).

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**June 4, 2021**

Defendant filed additional copy of Preliminary Objections as well as Memorandum of Law.

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**June 4, 2021**

Board forwarded letter to Plaintiff, with copy to Defendant, advising of rules for filing response.

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**June 11, 2021**

Attorney General filed acknowledgment of Complaint. Receipt of same acknowledged May 20, 2021.

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**July 1, 2021**

Plaintiff filed Answer to Preliminary Objections, Memorandum of Law and Proposed Order.

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**July 19, 2021**

Defendant transmitted via facsimile a letter advising that Defendant intends to file a Reply Brief in further support of its Preliminary Objections by July 26, 2021.

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**July 22, 2021**

Defendant filed via U.S. Mail a letter advising that Defendant intends to file a Reply Brief in further support of its Preliminary Objections by July 26, 2021.

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**July 26, 2021**

Defendant filed Reply Brief in further support of its Preliminary Objections.

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**October 26, 2021**

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 26<sup>th</sup> day of October, 2021, it is hereby **ORDERED** and **DECREED** that the preliminary objections of Defendant, Commonwealth of Pennsylvania, Philadelphia Regional Port Authority, are hereby **DENIED**. Defendant shall file an answer to Plaintiff's Claim within 30 days of the date of this Order." Copy forwarded to Plaintiff and Defendant.

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**November 3, 2021**

Defendant filed acceptance of service of Opinion and Order dated October 26, 2021. Receipt of same acknowledged November 2, 2021.

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**November 6, 2021**

Plaintiff filed acceptance of service of Opinion and Order dated October 26, 2021. Receipt of same acknowledged November 2, 2021.

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**November 19, 2021**

Defendant transmitted via facsimile a letter advising that the parties have agreed to extend the deadline for Defendant to file its answer to Plaintiff's claim until December 3, 2021.

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**November 19, 2021**

Defendant filed via U.S. mail a letter advising that the parties have agreed to extend the deadline for Defendant to file its answer to Plaintiff's claim until December 3, 2021.

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**November 22, 2021**

Board rendered Order. Order as follows: "**AND NOW**, this 22<sup>nd</sup> day of November, 2021, upon request of the parties, the Board of Claims hereby amends its Order dated October 26, 2021, to reflect that Defendant, Philadelphia Regional Port Authority, file its Answer to the Statement of Claim filed by AP Construction, Inc. on or before December 3, 2021." Copy forwarded to Plaintiff and Defendant.

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**November 23, 2021**

Defendant filed acceptance of service of Order dated November 22, 2021. Receipt of same acknowledged November 22, 2021.

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**December 3, 2021**

Defendant transmitted via facsimile a letter advising that the parties have agreed to extend the deadline for Defendant to file its answer to Plaintiff's claim until December 13, 2021.

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**December 3, 2021**

Defendant filed via U.S. mail a letter advising that the parties have agreed to extend the deadline for Defendant to file its answer to Plaintiff's claim until December 13, 2021.

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**December 3, 2021**

Board rendered Order. Order as follows: "**AND NOW**, this 3<sup>rd</sup> day of December, 2021, upon request of the parties, the Board of Claims hereby amends its Order dated November 22, 2021, to reflect that Defendant, Philadelphia Regional Port Authority, file its Answer to the Statement of Claim filed by AP Construction, Inc. on or before December 13, 2021." Copy forwarded to Plaintiff and Defendant.

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**December 6, 2021**

Defendant filed acceptance of service of Order dated December 3, 2021. Receipt of same acknowledged December 3, 2021.

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**December 6, 2021**

Plaintiff filed acceptance of service of Order dated November 22, 2021. Receipt of same acknowledged November 22, 2021.

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**December 9, 2021**

Plaintiff filed acceptance of service of Order dated December 3, 2021. Receipt of same acknowledged December 3, 2021.

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**December 13, 2021**

Defendant filed Answer with New Matter.

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**December 14, 2021**

Board forwarded letter to Plaintiff, with copy to Defendant, requesting reply to new matter.

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**December 29, 2021**

Plaintiff filed Reply to New Matter.

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**December 30, 2021**

Board forwarded letter directing parties to proceed with discovery.

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**January 10, 2022**

Plaintiff filed Notice of Service of First Requests for Production, First Set of Interrogatories and First Requests for Admission.

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**July 6, 2023**

Plaintiff filed praecipe to mark action settled, discontinued and ended with prejudice.

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**July 10, 2023**

Board rendered an Order. Order as follows: "**AND NOW**, this 10<sup>th</sup> day of July, 2023, upon receipt of a Praecipe executed by John Palladino, Esquire, on behalf of Plaintiff, A.P. Construction, Inc., requesting that the Board kindly mark Plaintiff's claims settled, discontinued and ended with prejudice, docketed with this Board under date of July 6, 2023, 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 21, 2023**

Plaintiff filed acceptance of service of Order dated July 10, 2023. Receipt of same acknowledged July 14, 2023.

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