

**Docket Number: 4256**

**M&M LIME COMPANY, INC.**

Thomas W. King, III, Esquire  
Jordan P. Shuber, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION**

Jason D. Sharp, Chief Counsel  
Eric J. Jackson, Assistant Counsel

and

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES**

Shawn E. Smith, Chief Counsel  
Eric J. Jackson, Assistant Counsel

**June 22, 2023**

Plaintiff filed Statement of Claim, proof of mailing and filing fee. Amount of Claim: \$56,549.70+.

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**June 23, 2023**

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

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**July 6, 2023**

Attorney General filed acknowledgment of claim form. Receipt of same acknowledged July 5, 2023.

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**July 21, 2023**

Defendants filed preliminary objections and brief in support.

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**July 25, 2023**

Board forwarded letter to Plaintiff requesting response to preliminary objections.

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**August 18, 2023**

Plaintiff filed response in opposition to preliminary objections and brief in opposition.

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**October 6, 2023**

Board rendered Opinion and Order. Order as follows: **"AND NOW**, this 6<sup>th</sup> day of October, 2023, upon consideration of the Preliminary Objections and supporting brief filed by the Commonwealth, Pennsylvania Department of Transportation and Pennsylvania Department of General Services, and the response and brief thereto filed by M&M Lime Company, Inc., and in accordance with the foregoing discussion, the Board of Claims hereby **ORDERS** and **DECREES** that Respondents' preliminary objection as to the legal sufficiency of Claimant's request for attorneys' fees is **GRANTED** and this portion of the Statement of Claim is **DISMISSED**. All other preliminary objections are **DENIED**." Copy forwarded to Plaintiff and Defendants.

