

Docket Number: 4263

**BORO DEVELOPERS, INC. d/b/a BORO CONSTRUCTION**

Mason Avrigian, Jr., Esquire  
Jeffrey P. Wallack, Esquire

VS.

**WEST CHESTER UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF  
HIGHER EDUCATION, COMMONWEALTH OF PENNSYLVANIA**

~~Cathleen McCormack, Acting Chief Counsel~~  
William D. Clifford, Esquire

**January 5, 2024**

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$50,000+.

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**January 10, 2024**

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

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**January 25, 2024**

Plaintiff filed a letter advising of change of address for Post & Schell, P.C.

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**February 6, 2024**

Defendant filed Preliminary Objections and Memorandum of Law.

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**February 7, 2024**

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

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**February 16, 2024**

Attorney General filed acknowledgment of claim form. Receipt of same acknowledged January 30, 2024.

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**March 4, 2024**

Plaintiff filed Answer in Opposition to Preliminary Objections and Memorandum of Law as well as Proposed Order.

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**April 3, 2024**

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 3<sup>rd</sup> day of April, 2024, upon consideration of the statement of claim filed by Boro Developers, Inc. d/b/a Boro Construction (Boro) on January 5, 2024; the preliminary objections and supporting brief filed by West Chester University of Pennsylvania of the State System of Higher Education, Commonwealth of Pennsylvania (West Chester) on February 6, 2024; and the response and brief in

opposition filed by Boro on March 4, 2024, it is hereby **ORDERED** and **DECREED** as follows:

1. West Chester's preliminary objection to count I of the statement of claim is **OVERRULED**.

2. West Chester's preliminary objection to count II of the statement of claim is **OVERRULED**.

3. West Chester's preliminary objection to count III of the statement of claim is **OVERRULED**.

4. West Chester shall have twenty (20) days from the date of service of this order to file an answer to the statement of claim." Copy forwarded to all parties of record.

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**April 16, 2024**

Plaintiff filed acceptance of service of Opinion and Order dated April 3, 2024. Receipt of same acknowledged April 9, 2024.

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**April 16, 2024**

Defendant filed acceptance of service of Opinion and Order dated April 3, 2024. Receipt of same acknowledged April 9, 2024.

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**April 26, 2024**

Defendant filed Answer, New Matter and Counterclaim.

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**April 30, 2024**

Board issued Acknowledgment letter requesting a response from Plaintiff and forwarding a copy of the Answer, New Matter and Counterclaim to Attorney General.

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