

J. ROBERT BAILEY, INC.  
vs.

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

~~XX~~  
Hes Cooper, Esquire

Docket No. 616

~~XX~~  
Carleton O. Strouss, Esquire

**CLOSED**

FORM C F Q

October 30, 1978  
Complaint and filing fee filed. Amount of claim: \$57,289.72. Copies of claim forwarded to attorney for defendant and Deputy Attorney General.

December 1, 1978  
Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 1, 1979  
Defendant's Brief in Support of Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 23, 1979  
Plaintiff's Brief in Opposition of Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 8, 1979  
The Board rendered an Opinion and made the following Order: "AND NOW, this 8th day of June, 1979, the Preliminary Objections of Defendant, Commonwealth of Pennsylvania, Department of Transportation, are hereby denied. Defendant is given thirty (30) days in which to file responsive pleadings." Copies forwarded to attorney for plaintiff and attorney for defendant.

July 10, 1979  
Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

Sept. 9, 1980  
Defendant's Interrogatories to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

Oct. 6, 1980  
Hearing scheduled for December 17 and 18, 1980, with the possibility of 19th, in Counsel Chambers of the Pottsville Courthouse beginning at 10 a.m. (EASTERN DISTRICT)

Dec. 11, 1980  
Testimony relative to possible settlement of this matter taken at hearing held Nov. 15, 1980. Same received from court reporter. Copy forwarded to attorney for defendant.

December 17, 1980  
Hearing held in Pottsville City Hall Council Chambers at 10 a.m. Case settled.

January 26, 1981  
Testimony relative to settlement hearing of Dec. 17, 1980, filed. Copy forwarded to attorney for defendant.

April 2, 1981  
Petition for Rule to Show Cause and Proposed Order filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.



Iles Cooper, Esquire

J. ROBERT BAZLEY, INC.  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

-continued-

Carleton O. Strouss, Esquire

**CLOSED**

June 11, 1981

Proposed Order executed by Judge Pace. Order as follows: "AND NOW, this 11th day of June, 1981, in consideration of foregoing petition and upon motion of Iles Cooper, Esquire and Williamson, Friedberg & Jones, a Rule is issued upon the Commonwealth of Pennsylvania, Department of Transportation, to show cause why the award entered in this matter on November 19, 1980, should not be transferred to the Office of the Prothonotary of Commonwealth Court so that a Writ of Execution may be issued thereon. **RULE RETURNABLE** on June 16, 1981." Copies forwarded to attorney for plaintiff and attorney for defendant.

June 16, 1981

Answer to Rule to Show Cause filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 13, 1981

Praecipe for Settlement filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 15, 1981

The Board made the following Order: "AND NOW, this 15th day of July, 1981, upon receipt of Praecipe to Settle, Discontinue and Satisfy, executed by Carleton O. Strouss, Assistant Counsel, on behalf of Defendant, Commonwealth of Pennsylvania, Department of Transportation, same of which is docketed with this Board under date of July 13, 1981, it is ORDERED and DIRECTED that said case be marked "settled, discontinued and ended with prejudice." Copies of Order forwarded to attorney for plaintiff and attorney for defendant.