

ENVIRONMENTAL TECTONICS CORP.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

Burton Spear, Esquire

Docket No. 636

Thadeus A. Tanski, Esquire
Barbara Sample, Esquire

CLOSED

December 15, 1981 Hearing held in Board's Court Room at 10 a.m.

December 16, 1981 Hearing held in Board's Court Room at 11:30 a.m.
~~at 10 a.m.~~

December 17, 1981 Hearing held in Board's Court Room at 10 a.m.

December 18, 1981 Hearing held in Board's Court Room at 10 a.m. Case continued to a later date.

December 22, 1981 Hearing scheduled for January 19 through January 22, 1982, in Board's Court Room at 10 a.m.

January 13, 1982 Testimony of hearing held December 15, 16, 17, and 18, 1982 filed. Copy forwarded to attorney for defendant.

January 19, 1982 Hearing held in Board's Court Room at 12:00. Case continued to a later date.

January 22, 1982 Testimony of hearing held January 19, 1982 filed. Copy forwarded to attorney for defendant.

January 25, 1982 Hearing scheduled for February 23 through February 26, 1982, in Board's Court Room at 10 a.m.

February 18, 1982 Petition for Leave to Introduce Evidence as to Additional losses as well as Proposed Order AND Petition for Inspection Pursuant to PA. R. C. P. 4009 as well as Proposed Order filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 18, 1982 The Board made the following Order: "AND NOW, this 18th day of February, 1982, upon consideration of the within Petition, it is ORDERED, pursuant to Pa. R. C. P. 4009, that the defendant and Pennsylvania State University grant to petitioner Environmental Tectonics Corporation a reasonable opportunity to inspect, photograph, test and examine the hyper hypobaric altitude chamber at the Noll Building, Pennsylvania State University, State College, Pennsylvania, upon 48 hours advance notice by petitioner to defendant of the time and date thereof". Copies forwarded to attorney for plaintiff and attorney for defendant.

February 19, 1982 Motion to Strike AND Proposed Order filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 19, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 19th day of February, 1982, the request of the Plaintiff in the Nature of a Petition For Leave To Introduce Evidence As To Additional Loss and the request to enter into a realm of Discovery is hereby DENIED....The continued hearing in this

continued

ENVIRONMENTAL TECTONICS CORPORATION
VS
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

Burlon Spear, Esquire

Thadeus A. Tanski, Esquire
Barbara Sumple Sullivan, Esquire

Docket No. 635

CLOSED

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February 19, 1982 (cont.) matter is scheduled for February 23, 1982, and all parties will be expected to be present at that time and to continue with this matter. Copies forwarded to attorney for Plaintiff and attorney for Defendant.

February 23, 1982 Hearing held in Board's Court Room at 10 a.m.

February 24, 1982 Hearing held in Board's Court Room at 10 a.m.

February 25, 1982 Hearing held in Board's Court Room at 10 a.m.

February 26, 1982 Hearing held in Board's Court Room at 10 a.m. Case not completed, to be rescheduled to a later date.

April 7, 1982 Testimony of hearing held February 23 and 24, 1982 filed. Copies of testimony of hearing forwarded to attorney for defendant.

April 22, 1982 Hearing scheduled for July 20, 1982 through July 23, 1982, if necessary, in Board's Court Room at 10:00 a.m.

April 27, 1982 Testimony of hearing held February 25 and 26, 1982 filed.

May 3, 1982 Copies of testimony of hearing held February 25 and 26, 1982 forwarded to attorney for defendant.

May 4, 1982 Defendant's Request for Admissions by Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 17, 1982 Motion to Have Request for Admissions Deemed Admitted and Memorandum in support as well as proposed Order filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 17, 1982 Hearing scheduled for August 3, 1982 through August 6, 1982, if necessary, in Board's Court Room at 10 a.m.

over

ENVIRONMENTAL TECTONICS CORPORATION
vs.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

Burton Spear, Esquire
Barbara Sumple-Sullivan, Esquire

-continued-

Docket No. 636

CLOSED

July 8, 1982 Plaintiff's Answer to Defendant's Request for Admissions filed by attorney for plaintiff.
Copy forwarded to attorney for defendant by attorney for plaintiff.

July 20, 1982 Hearing held in Board's Court Room at 10 a.m.

July 21, 1982 Hearing held in Board's Court Room at 10 a.m.

July 22, 1982 Hearing held in Board's Court Room at 10 a.m.

July 23, 1982 Hearing held in Board's Court Room at 10 a.m.

August 3, 1982 Hearing held in Board's Court Room at 10 a.m.

August 4, 1982 Hearing held in Board's Court Room at 10 a.m.

August 5, 1982 Hearing held in Board's Court Room at 10 a.m.

August 6, 1982 Hearing held in Board's Court Room at 10 a.m. Case completed.

August 6, 1982 Testimony of hearing held July 20, 21 and 22, 1982 filed.

August 10, 1982 Copy of testimony of hearing held July 20, 21 and 22, 1982 forwarded to attorney for defendant.

September 3, 1982 Testimony of hearing held July 23, August 3, 4 and 5, 1982 filed.

September 7, 1982 Testimony of hearing held August 6, 1982 filed.

September 8, 1982 Copies of testimony of hearing held July 23, August 3, 4, 5, and 6, 1982 forwarded to attorney for defendant.

November 10, 1982 Findings of fact, Conclusions of Law and Memorandum in Support thereof filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

-OVER-

ENVIRONMENTAL TECTONICS CORPORATION
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

Burton Spear, Esquire
Thaddeus A. Tanski, Esquire
Barbara Sample Sullivan, Esquire

Docket No. 636

-continued-

CLOSED

December 9, 1982 Defendant's Requested Findings of Fact/ Conclusions of Law and Memorandum of Law in support thereof filed by defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 20, 1984 The Board rendered an Opinion and made the following Order: "AND NOW, this 20th day of April, 1984, judgment is entered in favor of the Plaintiff, Environmental Tectonics Corporation, and against the Defendant, Commonwealth of Pennsylvania, Department of General Services, for the additional labor and materials supplied by Plaintiff, and for the unpaid balance under the Contract as follows: (A) \$11,791.30 - Pneumatic Control System - Water Damage; \$13,145.53 - Glycol System - Instability of Pressure, Flow Rate and Temperature; none - Glycol System - Contamination; \$6,863.44 - Over-voltage Damage to Electrical Equipment; none - Mis-wiring of Electrical Control Boxes 'N' and 'N/E'; \$619.86 - Installation of Electrolytic Pipe Fittings; \$2,615.91 - Installation of Electric Motor Disconnect Switches. Total \$35,036.04. (B) \$29,272.56 - Unpaid Balance on Contract. \$54,308.60 - Total Award with interest from May 9, 1974, at the legal rate of six (6%) percent per annum. Each party to bear its own costs."

April 24, 1984 Copy of Opinion and Order dated April 20, 1984 forwarded to attorney for Plaintiff and attorney for Defendant.

May 23, 1984 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Defendant. (No. 1477 C. D. 1984)

May 31, 1984 Petition For Review received from Commonwealth Court. (No. 1477 C.D. 1984)

June 6, 1984 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Plaintiff.

June 13, 1984 Petition for Review received from Commonwealth Court (No. 1624 C.D. 1984).

July 18, 1984 File transmitted to Commonwealth Court.

December 9, 1985 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "AND NOW, December 6, 1985, the order of the Board of Claims, No. 636, dated April 20, 1984, is affirmed." AND NOW, December 6, 1985, the order of the Board of Claims, No. 636, dated April 20, 1984, is affirmed." AND NOW, December 6, 1985, is affirmed." (1/2/84)

