

AMERICAN ENERGY SERVICES, INC.

VS.

COMMONWEALTH OF PENNSYLVANIA;  
DICK THORNBURG, GOVERNOR OF PENNSYLVANIA;  
GOVERNOR'S ENERGY COUNCIL

C. Grainger Bowman, Esquire

**CLOSED**

Docket No. 654

~~XXXXXXXXXXXXXXXXXXXX~~  
Roger E. Clark, Esquire

FORM C F 9

\* September 28, 1979      Complaint and filing fee filed.      Amount of claim: \$22,747.60.

October 1, 1979      Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

November 1, 1979      Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 13, 1979      Brief in Support of Defendant's Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 21, 1980      Brief of Plaintiff Opposing Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant.

August 15, 1980      Reply Brief of Defendants in support of Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 10, 1981      The Board rendered an Opinion and made the following Order: "AND NOW, this 10th day of February, 1981, the Preliminary Objections as filed by the Defendant are hereby denied. The Defendant is given thirty days in which to file responsive pleadings." Copies forwarded to attorney for plaintiff and attorney for defendant.

March 10, 1981      Answer filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 1, 1981      Hearing scheduled for August 4 through 7, 1981, if necessary, in Beard's Court Room at 10 a.m.

June 30, 1981      Requests for Admissions filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 15, 1981      Response to Request for Admissions filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 15, 1981      Answer to Request for Admissions filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.



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-continued-

Roger E. Clark, Esquire

August 4, 1981 Hearing held in Board's Court Room at 10 a.m.

August 4, 1981 Response to Plaintiff's Interrogatories filed by attorney for defendant. Copies distributed at time of hearing.

August 4, 1981 Requests for Admissions filed by attorney for plaintiff. Copies distributed at time of hearing.

August 4, 1981 Stipulation as to Certain Facts filed by parties at time of hearing. Copies distributed at time of hearing.

August 4, 1981 Plaintiff's Interrogatories to Defendants filed by attorney for plaintiff. Copies distributed at time of hearing.

August 5, 1981 Hearing held in Board's Court Room at 10 a.m. Case completed.

November 4, 1981 Testimony of hearing held August 4 and 5, 1981 filed.

November 5, 1981 Copy of testimony of hearing held August 4 and 5, 1981 forwarded to attorney for defendant.

January 14, 1982 Motion to Dismiss filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 21, 1982 praecipe to Withdraw Defendant's Motion to Dismiss filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 25, 1982 Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 26, 1982 The Board ~~XXXXXXXXXXXXXXXXXXXX~~ made the following Order: "AND NOW, this 26th day of January 1982, upon receipt of a praecipe to Withdraw Defendant's Motion to Dismiss same is granted, and it is ORDERED and DIRECTED that the Motion to Dismiss be withdrawn." Copies forwarded to attorney for plaintiff and attorney for defendant.

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AMERICAN ENERGY SERVICES, INC.  
VS.  
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-continued-

Roger E. Clark, Esquire

**CLOSED**

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MULTIPLE COPIES

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March 19, 1982 Proposed Findings of Fact, Proposed Conclusions of Law and Post Trial Legal Memorandum filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 15, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 15th day of September 1982, we find in favor of the Plaintiff, American Energy Services, Inc. and against the Defendant, Commonwealth of Pennsylvania, Governor's Energy Council in the amount of \$22,747.60 together with interest with interest from September 16, 1979, at the legal rate of six (6%) percent per annum."

September 21, 1982 Copies of Opinion and Order dated September 15, 1982 forwarded to attorney for Plaintiff and attorney for Defendant.

October 21, 1982 Copy of Petition for Review as filed in Commonwealth Court received from attorney for Defendant. (No. 2577 C.D. 1982).

October 28, 1982 Petition for Review filed by Commonwealth Court. No. 2577 C.D. 1982.

December 3, 1982 File transmitted to Commonwealth Court.

January 19, 1983 Copy of Brief as filed in Commonwealth Court received from attorney for Defendant.

June 17, 1985 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "AND NOW, this 18th day of June, 1985, the judgment entered by the Board of Claims in the above-captioned matter is affirmed."

July 23, 1987 Copy of Order received from Supreme Court. Order as follows: "Appeal dismissed as having been improvidently granted." (Petition Allowing Allocatur Dismissed). No. 9 M.D. Appeal Docket 1986.

July 28, 1987 File returned from Commonwealth Court.

OVER

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C. Grainger Bowman, Esquire

-continued-

Roger E. Clark, Esquire

Docket No. 654

\*August 3, 1987      Amendment to Complaint and Application for Award of Attorney's Fees Under Act of December 13, 1982, P.L. 1127, 71 P.S. §2031 or Under Judicial Code, 142 Pa. C.S.A. §2503 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 5, 1987      Copies of Amendment to Complaint and Application for Award of Attorney's Fees Under Act of December 13, 1982, P.L. 1127, 71 P.S. §2031 or Under Judicial Code, 142 Pa. C.S.A. §2503 forwarded to attorney for Defendant and Chief Deputy Attorney General.

August 12, 1987      Acceptance of Service of Amendment to Complaint and Application for Award of Attorney's Fees Under Act of December 13, 1982, P.L. 1127, 71 P.S. §2031 or Under Judicial Code, 142 Pa. C.S.A. §2503 received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General August 10, 1987.

August 12, 1987      Acceptance of Service of Amendment to Complaint and Application for Award of Attorney's Fees Under Act of December 13, 1982, P.L. 1127, 71 P.S. §2031 or Under Judicial Code, 142 Pa. C.S.A. §2503 received from Defendant. Receipt of same acknowledged by Defendant August 4, 1987.

September 3, 1987      Answer to Amended Complaint and Application for Award of Attorney's Fees filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 15, 1987      Plaintiff's Reply to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 7, 1989      Preamble to Withdraw Amendment to Complaint and Application for Award of Attorneys Fees filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

C. Grainger Bowmar, Esquire

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**CLOSED**

U.S. DISTRICT COURT  
MIDLEBURY, VERMONT

FORM  
FD-305 (REV. 11-19-83)

June 23, 1989

The Board rendered an Opinion and made the following Order: "AND NOW, this 23rd day of June, 1989, the Amended Complaint of the Plaintiff is withdrawn with prejudice. The Plaintiff is further ORDERED to file a Praecipe with the Board evidencing that the Plaintiff is satisfied in full and directing the Board to close the case with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

August 21, 1989

Acceptance of Service of Opinion and Order dated June 23, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 17, 1989.

June 6, 1991

The Board rendered an Opinion and made the following Order: "AND NOW, this 6th day of June, 1991, in that a considerable period of time has elapsed from the date of our Order of June 23, 1989, and in that the Plaintiff has failed to notify the Board that it was satisfied in full, the Board DIRECTS that the instant matter be closed with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

June 12, 1991

Acceptance of Service of Opinion and Order dated June 6, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 10, 1991.

June 14, 1991

Opinion and Order dated June 6, 1991 forwarded to attorney for Defendant returned to us due to incorrect address.

June 17, 1991

Opinion and Order dated June 6, 1991 reforwarded to attorney for Defendant.