

GLASGOW, INC.
VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Eisman, Esquire

~~Stuart J. Moskowitz, Esquire~~ and
Mark F. Brancato, Esquire

Docket No. 657

CLOSED

FORM C F C

October 18, 1979

Complaint, Petition for Consolidation with Docket No. 367 and filing fee filed. Amount of claim: \$1,390,093.65. Copies forwarded to attorney for defendant and Deputy Attorney General.

October 21, 1979

Response to Petition of Glasgow, Inc. filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

October 26, 1979

The Board rendered an Opinion and made the following Order: "AND NOW, this 26th day of October, 1979, the hearing date of November 13, 1979 is effective and, accordingly, the case of Glasgow, Inc. vs. Commonwealth of Pennsylvania, Department of Transportation, Docket No. 367, will be heard on November 13, 1979 in Room No. 107, Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 10 a.m. The request for the consolidation of Docket Nos. 367 and 657 is denied." Copies of Opinion and Order forwarded to attorney for plaintiff and attorney for defendant.

November 9, 1979

Preliminary Objections and Brief in support filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 28, 1979

Preliminary Objections of Plaintiff to Preliminary Objections of Defendant as well as Memorandum in Support filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

December 7, 1979

Amended Preliminary Objection as well as Brief in Support Thereof filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 21, 1980

Answer and New Matter to Amended Preliminary Objections as well as Memorandum in Opposition to Amended Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 30, 1980

Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant. (Amended Preliminary Objections withdrawn--see opening para. of Answer)

February 13, 1980

Preliminary Objections to New Matter and Brief in support filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

Feb. 25, 1980

Response to Plaintiffs Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

OVER



GLASGOW, INC.
VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire

Mark F. Brincato, Esquire

Docket No. 657

- continued -

CLOSED

March 4, 1980

The Board rendered an Opinion and made the following Order: "AND NOW, this 4th day of March, 1980, upon consideration of the pleadings before this Board, the request of the Plaintiff to strike paragraph 18, is denied. However, the Defendant is ORDERED to file a More Specific Paragraph 18. Defendant is given thirty (30) days in which to file a responsive pleading in accordance with this rule." Copies forwarded to attorney for plaintiff and attorney for defendant.

March 14, 1980

Reply to New Matter as well as Stipulation^{*} striking Paragraph 18 filed by attorney for plaintiff, and attorney for defendant.
^{*} STIPULATION states as follows: "AND NOW, March 7, 1980, came Mark F. Brincato, counsel for defendant, Department of Transportation, and Otis W. Erisman, counsel for plaintiff, Glasgow, Inc., who agree and stipulate that paragraph 18 of the Department's New Matter shall be stricken and that a response thereto shall not be required."

March 24, 1980

Consent to Filing of Amended New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

March 24, 1980

Amended New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 10, 1980

Reply of Glasgow to Amended New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 12, 1980

Defendant's First Continuing Interrogatories to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 24, 1980

Answer and Objections to Defendant's Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

October 2, 1980

Request for Production of Documents and 2nd set of Interrogatories filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

October 20, 1980

The Board rendered the following Order: "AND NOW, this 20th day of October, 1980, upon due consideration of the request for Production of Documents filed with the Board of Claims by the Defendant, Commonwealth of Pennsylvania, Department of Transportation, on October 2, 1980, the Board hereby DIRECTS the Plaintiff, Glasgow, Inc., to produce the documents requested by the Defendant unless Plaintiff, within twenty (20) days, shows cause why it should not produce the requested documents. Copies forwarded to attorney for plaintiff and attorney for defendant."

CLOSED

Otis W. Frisman, Esquire and
Wilbur L. Kipnes, Esquire
Mark F. Brancato, Esquire

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GLASGOW, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

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- January 20, 1981 Plaintiff's Interrogatories to Defendant and Defendant's Answers filed by parties.
- January 29, 1981 Motion to Amend Pleadings, Memorandum in support and Amended Answer and New Matter filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.
- February 25, 1981 Answers and Objections to Interrogatories of Defendant filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
- February 27, 1981 Answer to Motion to Amend Pleadings and Memorandum in support filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
- March 26, 1981 Motion for Leave to Amend Pleadings, Memorandum and Amended Answer and New Matter filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.
- March 31, 1981 Stipulation for Protective Order and Proposed Protective Order filed by attorneys for both parties.
- April 3, 1981 Protective Order executed by Judge Pace. Copies forwarded to attorney for plaintiff and attorney for defendant.
- April 24, 1981 Answer to Motion for Leave to Amend Pleadings and Memorandum in Opposition filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
- April 28, 1981 Reply to Plaintiff's Memorandum in Opposition to the Defendant's Motion for Leave to Amend filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
- May 20, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 20th day of May, 1981, Defendant's Motion for Leave to File an Amended Complaint is hereby denied." Copies forwarded to attorney for plaintiff and attorney for defendant.
- August 28, 1981 Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

OVER

GLASGOW, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis M. Erisman, Esquire and
Wilbur L. Kipnes, Esquire -continued-
MARK P. BRANCATO, Esquire

Docket No. 657

CLOSED

August 28, 1981 Answer to Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 21, 1981 The Board rendered an Opinion and made the following Order: AND NOW, this 21st day of September, 1981, after due consideration, the Board of Claims hereby denies Defendant's Motion for Leave to Amend the Pleadings which was filed with the Board on March 26, 1981. Copy of Opinion and Order forwarded to attorney for plaintiff and attorney for defendant.

September 25, 1981 Copy of Petition for Review as filed in Commonwealth Court received from attorney for defendant.

September 25, 1981 Petition for Stay of Proceedings filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 30, 1981 Petition for Review received from Commonwealth Court. (No. 2405 C. D. 1981)

October 1, 1981 Proposed Order relative to Motion for Leave to Amend Pleadings & Motion to assert res judicata filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

November 20, 1981 Joint Petition to Permit Defendant to Amend Pleadings to Assert as New Matter the Defense of Res Judicata filed by both parties.

November 20, 1981 Copy of Petition to Suspend Briefing Schedule as filed in Commonwealth Court received from attorney for defendant.

December 11, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 11th day of December, 1981, after due consideration of the Petition of both Plaintiff and Defendant to allow the Defendant to file Amended Pleading to Assert as New Matter the defense of res judicata, it is the ORDER of this Board that the Defendant shall have this right and that the Defendant be allowed to file amended pleadings entitled Amended New Matter wherein the defense of res judicata be raised. The Defendant is given thirty (30) days within which to file pleadings not inconsistent with this Order." Copies forwarded to attorney for plaintiff and attorney for defendant.

OVER

GLASGOW, INC. VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire
Mark F. Brancato, Esquire

Docket No. 657

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December 16, 1981 Copy of Motion to Withdraw Petition for Review as filed in Commonwealth Court received from attorney for defendant.

December 21, 1981 Amended Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 6, 1982 Case withdrawn in Commonwealth Court on December 17, 1981

January 6, 1982 File returned from Commonwealth Court.

January 13, 1982 Reply of Glasgow, Inc. to Amended New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 21, 1982 Request for Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 3, 1982 Amended Request for Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 10, 1982 Response of Glasgow, Inc. to Defendant's Request for Production of Documents filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 10, 1982 Second Amended Complaint AND Supplemental Answers of Glasgow, Inc. to Defendant's Second Set of Amended Interrogatories filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

February 12, 1982 Response of Glasgow, Inc. to Amended Request for Production of Documents filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 16, 1982 Answer to Second Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

-OVER-

GLASGOW, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire
Mark F. Brancato, Esquire

-continued-

Docket No. 657

CLOSED

February 16, 1982 Amended Request for Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 9, 1982 Request for Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 10, 1982 Response of Glasgow, Inc. to Request for Production of Documents filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 10, 1982 Response of Glasgow, Inc. to Amended Request for Production of Documents filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 25, 1982 Motion to Compel Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 25, 1982 Motion for Partial Summary Judgment AND Memorandum in Support of Motion for Partial Summary Judgment filed by attorney for defendant. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 1, 1982 Memorandum in Opposition to Motion for Partial Summary Judgment/ filed by attorney for plaintiff. and Memo. in Opposition to Motion to Compel Production of Documents filed by attorney for plaintiff.

July 9, 1982 Reply to Glasgow's Memorandum in Opposition to the Department's Motion to Compel Production of Documents and Motion for Partial Summary Judgment filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 20, 1982 Motion for Order Prohibiting Destruction of Records by Glasgow filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 23, 1982 Notice of Depositions filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 19, 1982 Plaintiff's Interrogatories (2nd Set) to Defendant filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

-OVER-

GLASGOW, INC. VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erismen, Esquire and
Wilbur L. Kipres, Esquire
Mark F. Brancato, Esquire

Docket No. 82-1

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August 31, 1982. Answers to Second Set of Interrogatories filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 13, 1982. Request for Production of Documents (2nd set) filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 13, 1982. The Board rendered an Opinion and made the following Order: "AND NOW, this 13th day of September, 1982, the request of the Defendant, in its Motion to Compel Production of Documents is hereby Granted for the reasons hereinbefore set forth." Copies forwarded to attorney for plaintiff and attorney for defendant.

September 13, 1982. The Board rendered an Opinion and made the following Order: "AND NOW, this 13th day of September, 1982, the request of the Defendant in the nature of a Motion for Partial Summary Judgment is DENIED." Copies forwarded to attorney for plaintiff and attorney for defendant.

September 13, 1982. The Board made the following Order: "AND NOW, this 13th day of September, 1982, upon due consideration of the Defendant's Motion for Order Prohibiting Destruction of Records by Glasgow, it is hereby Ordered that the Plaintiff, Glasgow, Inc. cease and desist from destroying any records pertaining to L.R. 1016-8A project in Allegheny County." Copies forwarded to attorney for plaintiff and attorney for defendant.

September 15, 1982. Response to Request for Production of Documents (2nd Set) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 17, 1982. Request for Pre-Trial Conference filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

October 8, 1982. Request for Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

* see following page

October 27, 1982. Hearing scheduled for January 25 through 28, 1983 as well as February 1 through 4, 1983, if necessary, in Board's Court Room at 10 a.m.

November 10, 1982. Notice of Deposition of Joseph McNaney filed by attorney for defendant.

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GLASGOW, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire
Mark F. Brancato, Esquire

Docket No. 657

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CLOSED

November 18, 1982 Glasgow, Inc.'s Interrogatories to Defendant (Third Set) as well as Glasgow, Inc.'s Supplemental Answer to Interrogatories No. 38 filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

November 19, 1982 Defendant's Third Set of Continuing Interrogatories to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for defendant.

November 22, 1982 Deposition of William Argeros filed.

November 23, 1982 Answer to Interrogatories (3rd Set) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 29, 1982 Defendant's Fourth Set of Continuing Interrogatories to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 29, 1982 Request for Admissions filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 30, 1982 Deposition of Charles Hoyes filed.

December 20, 1982 Motion in Limine filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 4, 1983 Deposition of Joseph McNaney filed.

January 10, 1983 The Board made the following Order: "AND NOW, this 10th day of January, 1983, upon a review of all documents filed heretofore in the above entitled matter and further after a review of correspondence relating to the request for pre-trial conference as advocated by Mark F. Brancato, Esquire, Commonwealth of Pennsylvania, Department of Transportation, it is directed and ordered that the request for said pre-trial conference is DENIED, premised on the opinion of the Board that the pleadings and the discovery utilized in this case amply sets forth the issue involved so that the date for the hearing scheduled in this matter is appropriate." Copy of Order forwarded to attorney for plaintiff and attorney for defendant.

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GLASGOW, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire
Mark F. Brancato, Esquire

-continued-

Docket No. 657

CLOSED

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January 10, 1983: Amendment to Motion in Limine filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 12, 1983: Memorandum in Support of Motion in Limine filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

*October 15, 1982: Notice of Taking Depositions of William Argeros, Charles Hoyes, William Gelbach and Edward Tyrell.

January 13, 1983: Hearing originally scheduled for January 25, 1983 and including January 28, 1983 continued. Hearing to begin on February 1, 1983 to and include February 4, 1983.

January 19, 1983: Response to Request for Admissions filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 19, 1983: Response to Motion in Limine filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 21, 1983: Response to Reply to Motion in Limine filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 24, 1983: Motion for Sanctions and Defendant's Amended Reply to Plaintiff's Second Set of Interrogatories filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

January 27, 1981: Depositions of William Gelbach, William S. Gelbach, Bruce Chapin and Edward P. Tyrell filed by parties.

January 27, 1983: Amended Motion for Sanctions, Memorandum and Amended Answers to Interrogatories (3rd set) filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

January 28, 1981: Deposition of James J. O'Brien filed.

Over

CLOSED

-Cont'd-

OTIS W. ERISMAN, Esquire and
WILBUR L. KIPNES, Esquire
Mark F. Brancato, Esquire

GLASGOW INC.
vs.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

January 28, 1983 Pretrial Oral Deposition of Alfred Keil filed.

January 28, 1983 Pretrial Oral Deposition of James J. O'Brien filed.

January 31, 1983 Amended Answer to Plaintiff's Interrogatory No. 2-2 filed by defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 1, 1983 Hearing held in Board's Court Room at 10 a.m.

February 1, 1983 Further Answers to Interrogatories (Volumes 1 and 2) filed by attorney for defendant at time of hearing. Copies given to all parties at time of hearing.

February 2, 1983 Hearing held in Board's Court Room at 10 a.m.

February 3, 1983 Hearing held in Board's Court Room at 10 a.m.

February 4, 1983 Hearing held in Board's Court Room at 10 a.m.

February 7, 1983 Hearing scheduled for May 10 through May 13, 1983, as well as June 28 through July 1, 1983, if necessary, in Board's Court Room at 10 a.m.

February 18, 1983 Hearing scheduled for July 6 through July 8, 1983, in Board's Court Room at 10 a.m.

March 2, 1983 Testimony of hearing held February 1, 2, 3 and 4, 1983 filed.

March 7, 1983 Copy of testimony of hearing held February 1, 2, 3 and 4, 1983 forwarded to attorney for defendant.

May 9, 1983 Supplemental Answer to Plaintiff's Interrogatories filed by attorney for defendant. Copy hand-delivered to attorney for plaintiff by attorney for defendant.

May 10, 1983 Hearing held in Board's Court Room at 10 a.m.

over

GLASGOW, INC.

VS.

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire

Docket No. 657

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

-continued-

Mark F. Briancato, Esquire

CLOSED



May 11, 1983 Hearing held in Board's Court Room at 10 a.m.

May 12, 1983 Hearing held in Board's Court Room at 10 a.m.

May 12, 1983 Supplemental Answer to Plaintiff's Interrogatories filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 13, 1983 Hearing held in Board's Court Room at 10 a.m.

May 16, 1983 Supplemental Answer to Plaintiff's Interrogatories, Notice of Taking Videotape Deposition and Petition for Permission to take the Deposition of a Witness Living More Than One Hundred Miles From Harrisburg filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

May 18, 1983 Hearing scheduled for June 22 through 24, 1983, in Board's Court Room at 10 a.m.

June 1, 1983 The Board rendered and Opinion and made the following Order: "AND NOW, this 1st day of June, 1983, the Board DIRECTS that their being no objection to the taking of the deposition, that same is Allowed. I: further notes, however, that the Claimant reserves all rights to object to the use of the videotape deposition at the time of trial. The Claimant also reserves the right to seek expenses. This Board DIRECTS the record to set forth the contents of this Order. All matter undisposed of at the time of this Order shall be disposed of if same is brought to the attention of the Board at the appropriate time and place." Copies forwarded to attorney for plaintiff and attorney for defendant.

June 15, 1983 Testimony of hearing held May 10, 11 and 12, 1983 filed. Copy forwarded to attorney for defendant.

June 20, 1983 Testimony of hearing held May 13, 1983 filed. Copy forwarded to attorney for defendant.

June 22, 1983 Hearing held in Board's Court Room at 10 a.m.

June 23, 1983 Hearing held in Board's Court Room at 10 a.m.

June 24, 1983 Hearing scheduled for this date, continued.

SD-116-97

GLASGOW, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire
Mark F. Brancato, Esquire

Docket No. 557
CLOSED

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June 28, 1983 Hearing held in Board's Court Room at 10 a.m.

June 29, 1983 Hearing held in Board's Court Room at 10 a.m.

June 30, 1983 Hearing held in Board's Court Room at 10 a.m.

July 1, 1983 Hearing held in Board's Court Room at 10 a.m.

July 1, 1983 Supplemental Answers to Interrogatories filed by attorney for defendant. Copy
hand-delivered to attorney for plaintiff at time of hearing.

July 6, 1983 Hearing held in Board's Court Room at 10 a.m.

July 7, 1983 Hearing held in Board's Court Room at 10 a.m.

July 8, 1983 Hearing held in Board's Court Room at 10 a.m.

July 11, 1983 Hearing scheduled for August 9 through 12, 1983, in Board's Court Room at 10 a.m.

July 15, 1983 Testimony of hearing held June 22 and 23, 1983 filed. Copies forwarded to attorney for
defendant.

July 28, 1983 Testimony of hearing held June 28, 29, 30 and July 1, 1983 filed. Copies forwarded to
attorney for defendant.

August 2, 1983 Testimony of hearing held July 6, 7 and 8, 1983 filed. Copies forwarded to attorney for
defendant.

August 9, 1983 Hearing held in Board's Court Room at 10 a.m.

August 10, 1983 Hearing held in Board's Court Room at 10 a.m.

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GLASGOW, INC.

VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire and
Wilbur L. Kipnes, Esquire
Mark F. Brancato, Esquire

Docket No. 657

CLOSED

-continued-

Case No. 30-110

August 11, 1983 Hearing held in Board's Court Room at 10 a.m.

August 12, 1983 Hearing held in Board's Court Room at 10 a.m.

August 15, 1983 Hearing scheduled for September 7 and 8, 1983, if necessary, in Board's Court Room at
10 a.m.

September 7, 1983 Hearing held in Board's Court Room at 10 a.m.

September 7, 1983 Testimony of hearing held August 9, 10 and 11, 1983 filed. Copies forwarded to
attorney for defendant.

September 8, 1983 Hearing held in Board's Court Room at 10 a.m. Case completed.

September 9, 1983 Testimony of hearing held August 12, 1983 filed.

September 13, 1983 Copy of testimony of hearing held August 12, 1983 forwarded to attorney for
defendant.

November 21, 1983 Testimony of hearing held September 7 and 8, 1983 filed.

November 22, 1983 Copy of testimony of hearing held September 7 and 8, 1983 forwarded to attorney for
defendant.

January 31, 1984 Proposed Findings of Fact, Conclusions of Law and Memorandum filed by attorney for
Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff

June 5, 1984 Proposed Findings of Fact, Conclusions of Law and Brief in Support Thereof filed by attorney
for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 31, 1984 Reply Memorandum of Plaintiff in Support of Proposed Findings of Fact and Conclusions of Law
filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for
defendant.

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GLASGOW, INC.
VS.
OTIS W. ERLISMAN, ESQUIRE
WILBAR L. KIPNES, ESQUIRE
KENNETH L. SABLIS, ESQUIRE
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

August 31, 1984 Reply Brief filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
September 12, 1984 Response of Glasgow, Inc. to Defendant's Reply Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 6, 1986 The Board rendered an Opinion and made the following Order: "AND NOW, this 6th day of January, 1986, a hearing having been held, testimony taken, evidence offered and Briefs filed, it is hereby ORDERED and DECREED that judgment is entered for the Plaintiff, Glasgow, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation due to Defendant's breach of the contract existing between the parties. Damages are to be paid to the Plaintiff by the Defendant as follows: 1. The sum of Three Hundred Eighty-Nine Thousand Six Hundred Forty-Five Dollars and Forty-Four (389,645.44) Cents to be paid to the Plaintiff, Glasgow, Inc. 2. The sum of Fifty-Nine Thousand Nine Hundred Two Dollars and Sixty-Six (\$59,902.66) Cents to be paid to the Plaintiff, Glasgow, Inc., to the use of the subcontractor, Chapin & Chapin. 3. Interest on the judgment amounts aforesaid, to be paid at the rate of six (6%) percent per annum from the date of the filing of the Complaint in October 1979. Copies forwarded to attorney for Plaintiff and attorney for Defendant.
January 16, 1986 Motion for Post-Trial Relief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 28, 1986 The Board rendered an Opinion and made the following Order: "AND NOW, this 28th day of January, 1986, the Board, as a result of the careful study of the documents, DISMISSES the Motion for Post-Trial Relief and reaffirms its Opinion and Order of January 6, 1986." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

February 5, 1986 Acceptance of Service received from attorney for Plaintiff. Receipt of same acknowledged by Plaintiff January 30, 1985.

February 6, 1986 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Plaintiff.

Continued

GLASGOW, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Otis W. Erisman, Esquire
Wilbur L. Kipnes, Esquire
Kenneth L. Sable, Esquire

DOCKET NO. 657

CLOSED

MADE IN U.S.A.

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February 11, 1986 Petition for Review received from Commonwealth Court. (No. 284 C.D. 1986).

February 11, 1986 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for defendant.

February 14, 1986 Petition for Review received from Commonwealth Court. (No. 317 C.D. 1986)

March 18, 1986 File transmitted to Commonwealth Court.

March 26, 1986 Copy of Motion of Glasgow, Inc. to Dismiss Appeal of Commonwealth of Pennsylvania Department of Transportation as filed in Commonwealth Court filed by attorney for plaintiff.

July 29, 1987 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "AND NOW, this 28th day of July, 1987, the order of the Board of Claims in regard to the above-captioned matters is hereby affirmed."

October 7, 1987 File returned from Commonwealth Court.