

**CLOSED**

DAVID GORDON COMPANY

vs.

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF GENERAL SERVICES

vs.

THE BALLINGER COMPANY

FORM C F Q

Herman Bloom, Esquire

Henry J. Costa, Jr., Esquire

Lloyd J. Schumacker, Esquire and  
Jonathan K. Wright, Esquire

March 20, 1980      Complaint and filing fee filed. Amount of claim: \$93,094.00.

March 21, 1980      Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

September 24, 1980      Answer with New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

October 15, 1980      Complaint Against Additional Defendant filed by attorney for defendant. Copies forwarded to attorney for plaintiff and served pursuant to Fa. R. C. P. upon additional defendant by attorney for defendant.

November 7, 1980      Entry of Appearance on behalf of The Ballinger Company filed by Lloyd J. Schumacker, Esquire.

December 18, 1980      Answer and New Matter of Additional Defendants filed by attorney for additional defendants. Copies forwarded to attorney for plaintiff and attorney for defendant by attorney for additional defendants.

January 13, 1981      Reply to New Matter of Additional Defendants filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

Feb. 17, 1981      Plaintiff's Reply to Defendant's New Matter filed by attorney for plaintiff. Copies forwarded to all counsel of record by attorney for plaintiff.

Feb. 25, 1981      Interrogatories to Plaintiff filed by attorney for additional defendant. Copy forwarded to attorney for plaintiff by attorney for additional defendant.

Feb. 25, 1981      Interrogatories to Defendant filed by attorney for additional defendant. Copy forwarded to attorney for defendant by attorney for additional defendant.

April 13, 1981      Answers to Interrogatories of Additional Defendants filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

April 24, 1981      Defendant's Supplemental Answers to Interrogatories of Additional Defendant filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.



DAVID GORDON COMPANY, INC.  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF GENERAL SERVICES  
VS.  
THE BALLINGER COMPANY.

Herman Bloom, Esquire  
Henry J. Costa, Jr., Esquire  
Lloyd J. Schumacker, Jr., Esquire and  
Johnathan K. Wright, Esquire

CLOSEL

- June 2, 1981 Defendant's Interrogatories directed to Plaintiff filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.
- July 6, 1981 Defendant's Answers to Additional Defendant's Supplemental Interrogatories filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.
- July 10, 1981 Motion for Sanctions, Memorandum in support and proposed Order filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.
- August 7, 1981 Motion for Sanctions, Memorandum in support and proposed Order filed by attorney for additional defendants. Copies forwarded to all counsel of record by attorney for additional defendants.
- August 17, 1981 The following Order executed by Judge Pace AND NOW this 17th day of August, 1981, upon consideration of Defendant's Motion for Sanctions, it is hereby ORDERED that pursuant to Pa. R. C. P. 4019(c)(3), Plaintiff is directed to file full and complete Answers to Defendant's Interrogatories within ten (10) days or suffer judgment of non pros for failure to do so."
- August 18, 1981 Copies of Order dated August 17, 1981, forwarded to all counsel of record.
- August 18, 1981 The Board made the following Order: "AND NOW, this 18th day of August, 1981, upon consideration of Additional Defendant's, The Ballinger Company, Motion for Sanctions, it is hereby ORDERED that pursuant to Pennsylvania Rule of Civil Procedure 4019 (c)(3), Defendant, Commonwealth of Pennsylvania, Department of General Services, is DIRECTED to file full and complete Answers to Additional Defendant's Supplemental Interrogatories within ten (10) days or suffer judgment of non pros for failure to do so." Copies forwarded to all counsel of record.
- September 1, 1981 Answers to Defendant's Interrogatories directed to Plaintiff filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
- September 4, 1981 Defendant's Supplemental Answers to Additional Defendant's Supplemental Interrogatories filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

OVER

-continued-

Herman Bloom, Esquire

Henry J. Costa, Jr., Esquire

Lloyd-J. Schumacker, Jr., Esquire and

Jonathan K. Wright, Esquire

DAVID GORDON COMPANY, INC.

VS.

COMMONWEALTH OF PENNSYLVANIA,

DEPARTMENT OF GENERAL SERVICES

VS.

THE BALUNGER COMPANY

**CLOSED**



December 2, 1981

Defendant's Motion to Compel Complete Answers to Interrogatories from Plaintiff as well as proposed Order filed by attorney for defendant. Copy forwarded to all counsel of record by attorney for defendant.

December 15, 1981

Defendant's Memorandum Sub Motion to Compel Complete Answers to Interrogatories filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

January 7, 1982

Hearing scheduled for April 6, 1982 through April 9, 1982, if necessary, in Board's Court Room at 10 a.m.

February 8, 1982

Defendant's Interrogatories Addressed to Additional Defendant filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

February 8, 1982

Defendant's Supplemental Interrogatories to Plaintiff filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

February 3, 1982

Defendant's (sic) Supplemental Answers to Plaintiff's Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 11, 1982

Plaintiff's Supplemental Answers to Defendant's Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 11, 1982

Plaintiff's First Set of Interrogatories Addressed to Defendant AND Plaintiff's First Request for Production of Documents Directed to Defendant filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

February 12, 1982

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

March 5, 1982

Request for Admissions Under Pennsylvania Rule of Civil Procedure 40.4 filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

*Handwritten signature or initials at the bottom right of the page.*



DAVID GORDON COMPANY, INC.  
VS.

Herman Bloom, Esquire

Docket No. 683

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF GENERAL SERVICES

Henry J. Costa, Jr., Esquire

**CLOSED**

THE BALLINGER COMPANY  
30-FR

Lloyd J. Schumacker, Jr., Esquire  
Jonathan K. Wright, Esquire

April 2, 1982      Answers to Additional Defendant. The Ballinger Company, to Interrogatories of Defendant, PA Department of General Services filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

April 6, 1982      Hearing scheduled this date cancelled due to weather conditions.

April 7, 1982      Hearing held at 10:00 a.m. in Board's Court Room. Case completed

April 7, 1982      Praecipe to Withdraw Complaint Against Additional Defendant filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 19, 1982      Testimony of hearing held April 7, 1982 filed.

April 20, 1982      Copy of testimony of hearing held April 7, 1982 forwarded to attorney for defendant.

May 11, 1982      The Board ~~renders its decision~~ made the following Order: AND NOW, this 11th day of May 1982, upon consideration of the Stipulation of Agreement of Settlement placed upon the record, at hearing before the Board of Claims on April 7, 1982, by Michael F. Eichert, Esquire for David Gordon Company, Inc. and Henry J. Costa, Esquire for Commonwealth of Pennsylvania, Department of General Services, together with concurring correspondence dated April 7, 1982, from Jonathan K. Wright, Esquire for additional defendant,

The Ballinger Company, the Board of Claims hereby DIRECTS that the above captioned matter be marked "Settled and Discontinued with Prejudice". It is so ORDERED. Copies forwarded to attorney for plaintiff, attorney for defendant and attorney for additional defendant.