

FIRST PENNSYLVANIA BANK, N.A.

Joseph L. Farrell, Jr., Esquire

Docket No. 689

VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ George D. Wenick, Esquire
Herbert L. Olivieri, Esquire (Dept of Justice)

CLOSED

PUL. FILE. COL. 10-11-81



FORM 30-PR

April 21, 1980 Claim and filing fee filed. Amount of claim: \$2,695.34. Call made to attorney for plaintiff requesting fee-advance claim.

May 2, 1980 Complaint received from attorney for plaintiff.

May 6, 1980 Letter forwarded to attorney for plaintiff requesting verification to Complaint.

May 21, 1980 Verification received from attorney for plaintiff.

May 22, 1980 Copies of Complaint forwarded to attorneys for defendant and Deputy Attorney General.

June 5, 1980 Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 8, 1980 Brief on Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 25, 1980 Plaintiff's Answer to Defendant's Preliminary Objections and Brief in Support thereof filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

October 3, 1980 The Beard rendered an Opinion and made the following Order: "AND NOW, this 3rd day of October, 1980, the Preliminary Objections of the Defendant are hereby denied. Defendant is granted twenty (20) days from the date of this Order to file a responsive pleading."

October 6, 1980 Copies of Opinion and Order dated October 3, 1980, forwarded to attorney for plaintiff and attorney for defendant.

November 3, 1980 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 17, 1980 Reply to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 26, 1981 Depositions of Robert J. Ryan & Nicholas J. DiStefano, Jr. filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 4, 1981 Testimony of hearing held May 20, 1981 filed. Copy forwarded to attorney for defendant.

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FILED

March 11, 1981 Hearing scheduled for May 20, 21 and if necessary, May 22, 1981, in Pottsville City Hall Council Chambers at 10 a.m. (EASTERN DISTRICT)

May 4, 1981 Stipulation filed by parties.

May 20, 1981 Hearing held in Pottsville City Hall Council Chambers at 10 a.m. Case completed.

September 14, 1981 Memorandum of Law filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

December 9, 1981 Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

December 29, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 29th day of December, 1981, after hearing and review of Briefs filed by both parties, it is ORDERED and DECREED that an award be made in favor of the Plaintiff, First Pennsylvania Bank, N. A., in the amount of \$2,195.34 and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, together with interest at six (6) per cent per annum from April 10, 1981.

January 4, 1982 Copies of Opinion and Order dated December 29, 1981 forwarded to attorney for plaintiff and attorney for defendant.

January 28, 1982 Petition for Review filed by Commonwealth Court. No. 143, C. D. 1982.

February 5, 1982 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for defendant.

March 10, 1982 File transmitted to Commonwealth Court.

October 17, 1983 Opinion and Order received from Commonwealth Court. Order as follows: "AND NOW, this 17th day of October, 1983, the decision of the Board of Claims dated December 29, 1981, awarding the First Pennsylvania Bank, N. A., \$2,695.34 for breach of contract, is reversed."

July 2, 1984 File received from Commonwealth Court.