

BURRELL CONSTRUCTION & SUPPLY  
COMPANY, INC.  
VS.

Frank M. van Ameringen, Esquire

Docket No. 709

**CLOSED**

DEPARTMENT OF TRANSPORTATION,  
COMMONWEALTH OF PENNSYLVANIA

John J. Buchy, Jr., Esquire

August 28, 1980

Complaint and filing fee filed. Amount of claim: \$250,000.00.

September 2, 1980

Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

September 17, 1980

Preliminary Objections and Interrogatories (1st Set) filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

October 3, 1980

Memoandum in Support of Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

October 17, 1980

Plaintiff's Answer to Defendant's Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

November 13, 1980

Memoandum in Support of Plaintiff's Answer to Defendant's Preliminary Objections filed by attorney for plaintiff. Copy forwarded to plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

November 17, 1980

Plaintiff's Answers to Defendant's 1st Set of Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

\* March 26, 1981

The Board rendered an Opinion and made the following Order: "AND NOW, this 26th day of March, 1981, the Preliminary Objection in the Nature of a Demurrer, as filed by the Defendant, is denied. The Preliminary Objection requesting that Thomas D. Larson be dismissed, as filed by the Defendant, is granted. The Preliminary Objection in the Nature of a More Specific Complaint, as filed by the Defendant, is hereby granted. The Plaintiff's ORDERED to file responsive pleadings in accordance with this Opinion, within thirty (30) days of the date of this Opinion."

March 27, 1981

Copies of Opinion and Order forwarded to attorney for plaintiff and attorney for defendant. Copies distributed to Board members.

\*\*April 16, 1981

(See Following Page)

August 13, 1981

Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

*over*

-continued-

Frank M. van Ameringen, Esquire

BURELL CONSTRUCTION AND SUPPLY COMPANY, INC.

VS.

COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION

**CLOSED**

~~XXXXXXXXXXXXXXXXXXXX~~  
John J. Buchy, Jr., Esquire

August 21, 1981 The Board issued the following Rule to Show Cause: "AND NOW, this 21st day of August, 1981, upon the Board's own motion, a Rule is hereby issued to Frank M. van Ameringen, Esquire, Suite 1100, 307 Fourth Avenue, Pittsburgh, Pennsylvania 15222, to show cause why he should not be prohibited from representing the Claimants, or other Claimants, before this Board, or any panel thereof, for a period of one (1) year from the date of his termination of his part-time employment with this Board on December 31, 1980. Rule returnable twenty (20) days from the date hereof. Failure to respond to same, said Rule shall become absolute." Copies forwarded to attorney for plaintiff and attorney for defendant.

August 27, 1981 Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 8, 1981 Answer to Rule to Show Cause filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 9, 1981 Memorandum of Law in Support of Answer to Rule to Show Cause filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 10, 1981 Plaintiff's Response to Defendant's Preliminary Objections to Amended Complaint of Defendant. Plaintiff's Answer to Defendant's Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 21, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 21st day of September, 1981, after due consideration of this matter before it, the Board of Claims hereby ORDERS that Frank M. van Ameringen, Esquire, shall not represent any party or parties before the Board of Claims until the expiration of one (1) year from the date of his termination of service with the said Board. All matters presently before the Board in which Frank M. van Ameringen, Esquire, is the attorney to record are hereby stayed until further ORDER of the Board of Claims. Copies forwarded to attorney for plaintiff and attorney for defendant.

January 26, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 26th day of January, 1982, the request of the Defendant in the nature of a Remitter is hereby DENIED. The request of the Defendant in the nature of a more specific complaint is granted. The Plaintiff is directed to file responsive pleadings within thirty (30) days of the hearing." Copies forwarded to attorney for plaintiff and attorney for defendant.

*OVER*

BURRELL CONSTRUCTION AND SUPPLY  
VS.  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Frank M. van Ameringen, Esquire  
John J. Buchy, Jr., Esquire

(Continued)

Docket No. 719

**CLOS**

DATE  
FILED  
OCT 30 1982

April 19, 1982 Plaintiff's Second Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 17, 1982 Preliminary Objections to Plaintiff's Second Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 7, 1982 Plaintiff's Answer to Defendant's Preliminary Objections to Plaintiff's Second Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 23, 1982 Brief in Support of Preliminary Objections to Plaintiff's 2nd Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 28, 1982 Defendant's Request for Production of Documents ~~filed by~~ attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 1, 1982 Third Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 6, 1982 Brief in Support of Plaintiff's Answer to Defendant's Preliminary Objections to Plaintiff's Second Amended Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant.

September 23, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 23rd day of September, 1982, Defendant's Preliminary Objections are dismissed and Defendant is ORDERED to file a responsive pleading within twenty (20) days from date of this Order." Copies forwarded to attorney for plaintiff and attorney for defendant.

October 18, 1982 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 11, 1982 Answer to Defendant's Answer and New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

Frank M. van Ameringer, Esquire  
Franklin A. Miles, Jr., Esquire (Co-Counsel)

John J. Buchy, Jr., Esquire

**CLOSED**

BURRELL CONSTRUCTION & SUPPLY  
COMPANY, INC.  
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DEPARTMENT OF TRANSPORTATION

June 14, 1984      Hearing scheduled for August 21 through August 24, 1984, as well as August 28 through August 31, 1984, if necessary, in Board's Court Room at 10 a.m.

July 20, 1984      Notice of Taking Deposition on Oral Examination Under Pa. R.C.P. 4007.1 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 10, 1981      Praecipe to Withdraw Appearance filed by Robert C. Gallo, Esquire.

April 10, 1981      Praecipe to Enter Appearance filed by Frank M. van Ameringen, Esquire.

August 20, 1984      Praecipe for Entry of Appearance filed by Mr. Miles as Co-Counsel.

August 21, 1984      Hearing held in Board's Court Room at 10:00 a.m. Case settled.

September 10, 1984      Testimony of hearing held August 21, 1984, filed.

September 11, 1984      Copy of testimony forwarded to attorney for defendant.

May 17, 1988      AND NOW, this 17th day of May, 1988, upon review of the documentation in this case, all testimony of record and it appearing that the parties abided by the settlement arrangement, it is hereby DIRECTED and ORDERED that said case be marked settled and discontinued with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

May 18, 1988      Acceptance of Service of opinion and Order dated May 17, 1988 received from Defendant. Receipt of same acknowledged by defendant May 17, 1988.

May 23, 1988      Acceptance of Service of Opinion and Order dated May 17, 1988 received from Plaintiff. Receipt of same acknowledged by Plaintiff May 20, 1988.