

BUPRELL CONSTRUCTION AND SUPPLY
COMPANY, INC

Frank M. van Ameringen, Esquire

Pocket No. 715

DO NOT WRITE IN THESE SPACES

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth J. Seble, Esquire and
Carlton O. Strouse, Esquire



October 31, 1980 Complaint and filing fee filed. Amount of claim: \$10,316.00+

November 5, 1980 Copies of claim forwarded to attorney for defendant and Deputy Attorney General.

December 5, 1980 Preliminary Objections and Brief filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

March 16, 1981 Plaintiff's Answer to Defendant's Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 14, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 14th day of July, 1981, Defendant's Preliminary Objections are hereby dismissed." Copies of Opinion and Order dated July 14, 1981 forwarded to attorney for plaintiff and attorney for defendant.

August 3, 1981 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 18, 1981 Hearing scheduled for October 7, 8, and if necessary, October 9, 1981 before Western Panel, to be held in Room 1605, Pittsburgh State Office Building, commencing at 10 a.m. LETTERS/NOTIFICATION HELD IN ABBYANCE PENDING ANSWER TO FOLLOWING RULE TO SHOW CAUSE.

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 15212, 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 its 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.

September 4, 1981 Answer to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

Handwritten signature or initials.

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Frank M. van Ameringen, Esquire

CLOSED

BLARELL CONSTRUCTION AND SUPPLY COMPANY, INC.

VS.

COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION

Carleton D. Strouss, Esquire

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 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.

March 4, 1982 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.

March 16, 1982 Hearings scheduled for April 7, 8 and if necessary April 9, 1982, before Western District, to be held in Room 1603, Pittsburgh State Office, commencing at 10 a.m.

April 7, 1982 Hearing held in Pittsburgh State Office Building, Room 1603, Western District, commencing at 10 a.m. Case completed.

May 17, 1982 Testimony of hearing held April 6, 1982 filed.

May 21, 1982 Copies of testimony of hearing held April 6, 1982 forwarded to attorney for defendant.

August 5, 1982 Proposed Findings of Fact, and Proposed Conclusions of Law filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 1, 1982 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.

November 17, 1982 Report of Hearing panel filed by Mr. Campedel and Mr. Petermel.

Continued

HURRELL CONSTRUCTION AND SUPPLY
COMPANY, INC.

VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Frank M. van Ameringen, Esquire

Docket No. 71)

Kenneth L. Sable, Esquire and
Carleton G. Strauss Esquire

CLOSED

September 1, 1983 The Board rendered an opinion and made the following Order: "AND NOW, this 1st day of September, 1983, the Board of Claims, after due consideration of the matter, finds in favor of the Plaintiff. Burrell Construction & Supply Company, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation in the amount of \$9,117.40, together with interest at the legal rate of six (6%) per cent per annum from April 15, 1980. Each party to bear its own costs."

September 8, 1983 Copies of Opinion and Order dated September 1, 1983 forwarded to attorney for plaintiff and attorney for defendant.

September 16, 1983 Copy of Petition for Review as filed in Commonwealth Court received from attorney for defendant.

September 23, 1983 Petition for Review received from Commonwealth Court. (No. 2520 C. D. 1983)

October 7, 1983 File transmitted to Commonwealth Court.

February 14, 1984 Copy of Brief as filed in Commonwealth Court received from attorney for plaintiff.

November 7, 1984 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "NOW, November 5, 1984, the decision and order of the Board of Claims in the above captioned matter, dated September 3, 1983, is hereby reversed."

January 9, 1985 File returned from Commonwealth Court.