

FAWN-FRAZER JOINT WATER AUTHORITY
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

John J. Spiegel, Esquire
Frank J. Kernan, Esquire (co-counsel)
Kenneth L. Sable, Esquire
Mark F. Brencato, Esquire

Docket No. 735

CLOSED
MAY 1981

MULTIPLE COPIES

FORM
30-FR

February 26, 1981 Complaint and filing fee filed. Amount of Claim: \$35,095.44.

March 2, 1981 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

March 13, 1981 Praecipe for Appearance as Counsel and as Co-Counsel filed by attorneys for plaintiff.

March 18, 1981 Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 26, 1981 Brief in Support of Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 16, 1981 Motion to Amend Complaint and Amendment to Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

April 20, 1981 Plaintiff's Brief in Opposition to Preliminary Objections of Defendant filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

April 22, 1981 Reply to Plaintiff's Brief in Opposition to Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 24, 1981 The Board rendered an Opinion and made the following order: "AND NOW, this 24th day of July, 1981, Defendant's Preliminary Objections in the nature of a Demurrer, Petition Asserting Non-Joiner of a Necessary Party and Petition Asserting Lack of Jurisdiction are hereby denied. Defendant's Motion for a More Specific Pleading is hereby granted. Plaintiff may file the Amendment to Complaint proposed in its Motion or other Complaint it deems appropriate within twenty (20) days from the date of this Order. Copy forwarded to attorney for plaintiff and attorney for defendant.

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

October 8, 1981 Preliminary Objections and Brief filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

-OVER-

FAWN-FRAZER JOINT WATER AUTHORITY
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Frank J. Kernan, Esquire

-Continued-

Mark F. Brancato, Esquire

Docket No. 735



October 26, 1981 Brief in Opposition to Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 9, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 9th day of February, 1982, the Preliminary Objections of the Defendant in the Nature of a Demurrer is hereby DENIED. The Preliminary Objections of the Defendant in the Nature of a More Specific Complaint is hereby GRANTED and the Plaintiff is directed to file responsive pleadings in accordance with this Opinion within thirty (30) days of the date of this Order. Copies forwarded to attorney for plaintiff and attorney for defendant.

February 23, 1982 Hearing scheduled for March 24, 25, and March 26, 1982, if necessary before Western District to be held in Room 1603, Pittsburgh State Office Building, commencing at 10 a.m.

March 8, 1982 Amendment to Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

March 9, 1982 Hearing rescheduled for June 16, 17 and June 18, 1982, if necessary before Western District to be held in Room 1603, Pittsburgh State Office Building, commencing at 10 a.m.

March 9, 1982 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 12, 1982 Reply to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

April 26, 1982 Notice of Service of Interrogatories and Plaintiff's First Request for Production to Defendant filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 25, 1982 Defendant's First Set of Continuing Interrogatories to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 7, 1982 Amended Answer filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

-over-

PAWN-FRAGER JOINT WATER AUTHORITY
VS.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Frank J. Kernan, Esquire
Mark F. Brarcato, Esquire

Docket No. 735

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CLOSED



June 8, 1982 Plaintiff's Interrogatories to Defendant and Defendant's Answers to Interrogatories filed by counsel for both parties.

June 16, 1982 Hearing held in Pittsburgh State Office Building, Room 1603, 300 Liberty Avenue, Pittsburgh, commencing at 10 a.m.

June 17, 1982 Hearing held in Pittsburgh State Office Building, Room 1603, 300 Liberty Avenue, Pittsburgh, commencing at 9 a.m.

June 18, 1982 Hearing held in Pittsburgh State Office Building, Western District, at 9 a.m. Case completed.

June 28, 1982 Plaintiff's Answers to Defendant's Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant.

July 8, 1982 Testimony of hearing held June 16, 17 and 18, 1982 filed. (WESTERN DISTRICT)

July 12, 1982 Copy of testimony of hearing held June 16, 17 and 18, 1982 forwarded to attorney for defendant.

August 6, 1982 Requested Findings of Fact, Conclusions of Law and Brief filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 22, 1981 Corrections to testimony of hearing held June 16, 17 and 18, 1982 received from Mohrbach & Marshal, Inc. Copy forwarded to attorney for defendant.

September 28, 1982 Proposed Findings of Fact, Proposed Conclusions of Law and Brief in Support thereof filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 12, 1982 Report of Hearing Panel filed by Mr. Campedel and Mr. Paternel.

February 28, 1983 The Board rendered an Opinion and made the following Order: "AND NOW, this 28th day of February 1983, we find in favor of the Defendant, Commonwealth of Pennsylvania, Department of Transportation and against the Plaintiff, Pawn-Frager Joint Water Authority. Each party to bear its own costs".

PAWN-FRAZER JOINT WATER AUTHORITY

Frank J. Kernaa, Esquire

Locket No. 135

v.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Mark F. Brancato, Esquire

CLOSE

March 1, 1983

Copies of Opinion and Order dated February 28, 1983 forwarded to attorney for plaintiff and attorney for defendant.