

C. Grainger Bowman, Esquire &  
Bert R. Oastler, Esquire

HERBERT R. IMBT, INC.  
VS.  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~XXXXXXXXXXXXXXXXXXXX~~ John J. Duchy, Esquire  
~~XXXXXXXXXXXXXXXXXXXX~~ George D. Hennessey, Esquire

**Closed**

MULTIPLE COPIES

FORM 30-FR

March 13, 1981 Complaint and filing fee filed. Amount of Claim: \$19,680.79 +

March 17, 1981 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

April 29, 1981 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 5, 1981 Reply to Defendant's New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

August 23, 1982 Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

December 29, 1982 Hearing scheduled for March 1 through March 4, 1983, as well as March 8 through March 11, 1983, in Board's Court Room at 10 a.m.

January 12, 1983 Hearing scheduled for March 1 through 4, 1983 and March 8 through 11, 1983, continued at the request of counsel for plaintiff.

January 20, 1983 Interrogatories (1st Set) to Defendant filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 16, 1983 Answers to Interrogatories (1st Set) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 16, 1983 Answer to Amended Complaint and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 8, 1983 Supplemental Answers to Interrogatories filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 18, 1983 Reply to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

*Handwritten signature/initials*

HERBERT R. IMBT, INC.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

C. Grainger Bowman, Esquire and  
Bert R. Oastler, Esquire

Locket No. 139

**CLOSED**

~~XXXXXXXXXXXXXXXXXXXX~~  
~~George B. Henrich, Esquire~~  
John J. Buchy, Jr., Esquire

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September 1, 1983 Hearing scheduled for January 24 through 27, 1984, as well as January 31 through February 3, 1984, if necessary, in Board's Court Room at 10 a.m.

November 2, 1983 Defendant's Continuing Interrogatories to Plaintiff (1st Set) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 25, 1983 Interrogatories (2nd Set) filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 20, 1984 Second Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 20, 1984 Answer to Second Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 24, 1984 Hearing held in Board's Court Room at 1:45 P.M.

January 25, 1984 Hearing held in Board's Court Room at 10 a.m.

January 26, 1984 Hearing held in Board's Court Room at 11 a.m.

January 27, 1984 Hearing held in Board's Court Room at 10 a.m.

January 31, 1984 Hearing held in Board's Court Room at 10 a.m.

January 31, 1984 Deposition of Pritivi S. Kandhal filed at time of hearing.

February 1, 1984 Hearing held in Board's Court Room at 10 a.m.

February 2, 1984 Hearing held in Board's Court Room at 10 a.m. Case completed.

March 5, 1984 Testimony of hearing held January 24, 25, 26 and 27 received.

March 9, 1984 Copy of testimony of hearing held January 24, 25, 26 and 27 forwarded to attorney for Defendant.

HERBERT R. IMBT, INC.  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

C. Grainger Bowman, Esquire and  
Bert R. Ostler, Esquire  
~~George D. Wenick, Esquire~~  
John J. Buchy, Jr., Esquire

Pocket No. 739

-continued-

**CLOSED**

- March 29, 1984 Testimony of hearing held January 31, February 1 and 2, 1984 filed.
- March 30, 1984 Copy of testimony of hearing held January 31, February 1 and 2, 1984 forwarded to attorney for Defendant.
- June 18, 1984 Plaintiff's Findings of Fact, Conclusions of Law and Memorandum in Support thereof filed by attorney for Plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
- June 25, 1984 Entry of Appearance for defendant filed by John J. Buchy, Jr., Esquire. Copy forwarded to attorney for plaintiff by attorney for defendant.
- October 10, 1984 Defendant's Proposed Findings of Fact and Conclusions of Law filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
- October 15, 1984 Brief in Support of Defendant's Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.
- November 9, 1984 Motion for Leave to File a Supplemental Brief filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
- November 16, 1984 The Board made the following Order: "AND NOW this 15th day of November 1984, upon consideration of Plaintiff's Motion for Leave to File a Supplemental Brief, the request of Plaintiff is hereby GRANTED. Plaintiff shall file such Supplemental Brief within twenty (20) days from the date hereof and is hereby directed to forward a copy thereof to the Defendant who will have an additional twenty (20) days to file a supplemental Reply to Brief if it determines to do so." Copies distributed to Board members. Copy forwarded to attorney for plaintiff and attorney for defendant.
- December 5, 1984 Plaintiff's First Supplemental Brief in Response to Defendant's Proposed Findings of Facts, Conclusions of Law and Brief in Support thereof filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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and Bert R. Gastler, Esquire  
John J. Buchy, Jr., Esquire

Docket No. 739

**CLOSED**

April 3, 1985 The Board rendered an Opinion and made the following Order: "AND NOW, this 3rd day of April, 1985, we find in favor of the Plaintiff, Herbert R. Imbt, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of \$98,356.71 with interest at the legal rate of six percent (6%) per annum from January 27, 1982. Each party to bear its own costs."

April 8, 1985 Copies of Opinion and Order dated April 3, 1985, forwarded to attorney for Plaintiff and attorney for defendant.

June 11, 1985 Plaintiff's Motion For Leave to Enlarge the Record and File a Second Supplemental Brief Addressing Significant New Factual Developments filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 16, 1985 Letter received from attorney for plaintiff requesting that Imbt's Notice to Enlarge the Record be withdrawn and returned to counsel. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 21, 1985 The Board rendered an Opinion and made the following Order: "AND NOW, this 23rd day of July, 1985, in that counsel filed a Motion to Enlarge the Record on behalf of the Plaintiff requests that the Motion be withdrawn and it is ORDERED and DIRECTED that said Motion be withdrawn and be docketed forthwith with the Board of Claims." Copies forwarded to attorney for Plaintiff and attorney for Defendant.