

WM. H. CLINGER CORP.
VS.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

Louis J. Sinatra, Esquire

Henry J. Costa, Jr., Esquire and

Trades A. Tanski, Esquire

Docket No. 742

CLOSED

John B. Reynolds

FORM 30-FR

March 20, 1981 Complaint and filing fee filed. Amount of claim: \$379,688.89

March 25, 1981 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

May 8, 1981 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 16, 1981 Reply to New Matter, Interrogatories and Request for Production filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

June 25, 1981 Supplemental Answer filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 16, 1981 Motion for stay of Discovery, Motion for Protective Order and Memorandum of Law in support of Motion for Protective Order filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

August 19, 1981 Plaintiff's Answer to Defendant's Motion for Protective Order, Memorandum of Law and Plaintiff's Answer to Motion for Stay of Discovery filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

September 3, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 3rd day of September, 1981, the Defendant's Motion for Protective Order and Motion for Stay of Discovery are hereby refused. However, it is ORDERED that any inspections of files, documents or other materials are to be made at the place where such materials are normally kept and at a time mutually arranged by the parties. Further, Defendant is hereby given thirty (30) days from the date hereof to respond to Plaintiff's Interrogatories and arrange for inspection of the requested materials, files, etc." Copies of Opinion and Order forwarded to attorney for plaintiff and attorney for defendant.

-OVER-

WM. H. CLINGER CORP.
VS.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES
VS.
JOHN F. RAY, Individually & t/a
RAY ASSOCIATES/ARCHITECTS

Louis J. Sinatra, Esq.

Henry J. Costa, Jr., Esq., and
Tanski, Esq.

John J. Sylvanus, Esquire

October 8, 1981 Answers of Defendant, Commonwealth of Pennsylvania, Department of General Services, to Plaintiff's Interrogatories to Defendant (Set No. 1) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 2, 1981 Motion for Sanctions and/or to Compel More Sufficient Answers to Interrogatories an Memorandum of Law in support filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

December 1, 1981 Answer to Plaintiff's Motion for Sanctions and/or to Compel More Sufficient Answers to Interrogatories and Brief in support filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 11, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 11th day of March, 1982, the Defendant is ordered to file More Specific Answers to Interrogatories 4, 9, 14, 15 and 16. These answers must be filed within thirty (30) days of the date of this Order. The Defendant is excused from filing any additional answers to Interrogatories 5, 6, 7 and 8.

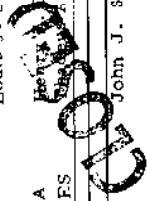
April 14, 1982 Defendant's Answers to Plaintiff's Interrogatories Nos. 4, 9, 14, 15 and 16 filed by attorney for defendant. Copy to attorney for plaintiff by attorney for defendant.

July 9, 1982 Notices of Depositions of William R. Brent and H. E. Cardoni filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

August 6, 1982 Complaint against additional defendants filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

August 6, 1982 Copies of Depositions of Elwood Mertz, Harman E. Cardoni, Dick Breach, Lester Daily, Albert Sgro filed by attorney for plaintiff.

August 6, 1982 Plaintiff's Interrogatories (set 2) and Request for Production filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.



Louis J. Sinatra, Esquire
Henry J. Costa, Jr., Esquire and
Thaddeus A. Tanski, Esquire
John J. Sivanus, Esquire

WM. H. CLINGER CORP.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES
VS.
JOHN F. RAY, Individually and t/a
RAY ASSOCIATES ARCHITECTS

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September 17, 1982 Preliminary objections and Brief filed by attorney for additional defendants. Copies forwarded to all counsel of record by attorney for additional defendants.

October 4, 1982 Deposition of William R. Brent filed by attorney for plaintiff.

October 1, 1982 Defendant's Reply to Additional Defendant's Preliminary Objections and Brief in Opposition filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant

October 27, 1982 Notices of Continued Depositions of Elwood Wertz, Herman E. Cardoni, Dick Breach, Lester Daily and Albert Sgro as well as Notices of Deposition for Gerald O. Dingler and John F. Ray filed by attorney for plaintiff. Copies forwarded to all counsel of record by attorney for plaintiff.

October 27, 1982 Copy of Continued Deposition of William R. Brent filed.

December 30, 1982 The Board rendered an Opinion and made the following Order: 'AND NOW, this 30th day of December 1982, the Preliminary Objections of the additional Defendant, John F. Ray, individually and trading as Ray Associates/Architects are hereby DENIED. The additional Defendant is GRANTED thirty (30) days in which to file responsive pleadings. Copy forwarded to attorney for plaintiff, attorney for defendant and attorney for additional defendant.

March 4, 1983 Notice of Proposed Settlement filed by parties.

June 21, 1983 Petition to Enforce Settlement Agreement, Memorandum of Law in Support of Awarding Attorney's Fees, Interest and Punitive Damages, proposed Order and file memoranda filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

July 1, 1983 Hearing relative to Petition to Enforce Settlement Agreement scheduled for August 23, 1983, in Board's Court Room at 10 a.m.

--over--

WILLIAM H. CLINGER CORP. VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES
v6.
JOHN P. RAY, individually and t/a
RAY ASSOCIATES/ARCHITECTS

Louis J. Sinatra, Esquire -continued-
Henry J. Costa, Jr., Esquire and
P. Alan Zulick, Esquire
John J. Sylvanus, Esquire

Docket No. 142

CLOSED

July 21, 1983 The Board rendered the following Order: "AND NOW, to wit the 21st day of July, 1983, hearing is scheduled with respect to Plaintiff's Petition to Enforce Settlement Agreement for August 23, 1983, at 10 o'clock a.m. at Board of Claims Court Room, 707 Transportation and Safety Building, Harrisburg, Pennsylvania." Copies forwarded to all counsel of record.

July 21, 1983 Answer and New Matter to Petition to Enforce Settlement Agreement filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 28, 1983 Petition for Issuance of Letters Rogatory, proposed Order, Letters Rogatory and Memorandum filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff. Request made of plaintiff for corrected caption pages.

July 29, 1983 "Caption pages" received from attorney for plaintiff. Original pages replaced.

July 25, 1983 The Board rendered the following Order: "AND NOW, this 25th day of July, 1983, upon consideration of the foregoing Petition and on Motion of Louis J. Sinatra, Esquire, attorney for Plaintiff, it is hereby ORDERED that a Commission be and is hereby issued to Max Slavick to take the oral deposition of Thaddeus A. Fanski, Esquire, in connection with the above captioned matter. IT IS FURTHER ORDERED that 10 days notice be given to Louis J. Sinatra, Esquire, and Henry J. Costa, Jr., Assistant Counsel, by regular mail in order that they might appear and interrogate the witness at the aforesaid deposition. IT IS FURTHER ORDERED that Letters Rogatory be hereby directed to leave to the Superior Court of Essex County, New Jersey, to compel the appearance of said witness." Copies of Order forwarded to attorney for plaintiff (3), attorney for defendant (1). Copies of Order, Petition, Letters and Memorandum forwarded to Mr. Sylvanus.

August 1, 1983 Reply to New Matter to Petition to Enforce Settlement Agreement filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

— JWR —

WILLIAM H. CLINGER CORP. VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

Louis J. Sinatra, Esquire
P. Alan Zulick, Esquire and
Henry J. Costa, Jr., Esquire

Docket No. 742

CLOSED

JOHN F. RAY, individually and t/a
RAY ASSOCIATES/ARCHITECTS

John J. Sylvanus, Esquire

August 9, 1983 Memorandum of Law in Opposition to Award of Attorneys' Fees, Interest and Punitive Damages filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

August 11, 1983 Corrected original pages 5, 6 and 7 of Memorandum of Law in Opposition to Award of Attorneys' Fees, Interest and Punitive Damages filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

August 19, 1983 Motions to Quash and/or Modify Subpoenae Duces Tecum filed by attorney for defendant. Copy forwarded to all parties of record by attorney for defendant.

August 23, 1983 Hearing on Petition Enforcement held at 10 a.m. in the Board's Court Room.
August 23, 1983 The Board made the following Order: "AND NOW, this 23rd day of August, 1983, after due consideration of the above captioned matter, it is hereby directed that the Commonwealth of Pennsylvania, Department of General Services compute and pay over to Wm. H. Clinger, Corp. the amount of interest on the principal sum of \$325,000 to which the Wm. H. Clinger, Corp. is entitled at the rate of six (6%) percent per annum from March 6, 1983 until the date of issuance of the check or draft by the Commonwealth." Copies given to all parties at time of hearing. Copy was not forwarded to Mr. Sylvanus.

September 12, 1983 Praecipe filed by parties.

September 20, 1983 The Board rendered the following Opinion and Order: "Premised on the understanding among the parties as noted herein and further upon the Praecipe executed by all parties in interest, the record shall be marked so that any and all claims by either Plaintiff, William H. Clinger Corporation or the Defendant, Commonwealth of Pennsylvania, Department of General Services against Additional Defendant, John F. Ray, individually and trading as Ray Associates/Architects in the above captioned matter be docketed, settled and satisfied and discontinued with prejudice." Copies forwarded to Atty for Plaintiff and Defendant.

September 30, 1983 Testimony of hearing held August 23, 1983 filed. Copies forwarded to attorney for defendant.

October 3, 1983 Praecipe filed by attorney for Plaintiff and attorney for Defendant.

Louis J. Sinatra, Esquire

-continued-

P. Alan Zulick, Esquire and
Henry J. Costa, Jr., Esquire

CLOSE

WILLIAM H. CLINGER CORP. vs.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

JOHN J. RAY, individually and t/a
RAY ASSOCIATES/ARCHITECTS

October 11, 1983 The Board made the following Order: "AND NOW, this 11th day of October, 1983, upon receipt of P-2 receipt executed by Louis J. Sinatra, Esquire, on behalf of Plaintiff, William H. Clinger Corporation, and P. Alan Zulick, Chief of Litigation, on behalf of Defendant, Commonwealth of Pennsylvania, Department of General Services, wherein it sets forth that on behalf of both Plaintiff and Defendant and inclusive of Plaintiff's ancillary claims for counsel fees and punitive damages and any claim Defendant may have or assert as a result of Plaintiff's initiation of and proceeding with the ancillary claims, the case is satisfied. Therefore, it is ORDERED and DIRECTED that said case be marked "settled, discontinued and ended with prejudice". Copies forwarded to attorney for plaintiff and attorney for defendant.