

TRUMBULL CORPORATION  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Stuart J. Moskowitz, Esquire  
~~XXXXXXXXXXXXXXXXXXXX~~  
Mark P. Brancato, Esquire

**CLOSED**

UNIT FILED 08/14/82



July 14, 1981      Complaint and filing fee filed. Amount of Claim: \$200,000.00+.

July 15, 1981      Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

July 23, 1981      Preliminary Objections and Memorandum filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

August 26, 1981      The Court rendered an Opinion and made the following Order: "AND NOW, this 26th day of August, 1981, the Defendant's Preliminary Objections in the nature of a Motion for More Specific Pleading is hereby granted and the Plaintiff is directed to file an Amended Complaint within thirty (30) days of the date of this Order." Copy forwarded to attorney for plaintiff and attorney for defendant.

November 9, 1981      Amended Complaint filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 2, 1982      Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 17, 1982      Reply to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

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

March 8, 1983      Defendant's 1st Set of Continuing Interrogatories, as well as Request for Production of Documents filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

March 25, 1983      Notices of Depositions of James Pecora and Roger Carrier as well as copy of Subpoena to Angelo Pittura filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

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ocket No. 755  
-continued-

**CLOSED**

April 8, 1983 Hearing scheduled for August 16 through August 19, 1983 and August 23 through August 26, 1983, if necessary, in Board's Court Room at 10:00 a.m.

April 11, 1983 Amended Request for Production of Documents filed by attorney for defendant.

May 9, 1983 Praecipe to Withdraw Appearance as Co-Counsel to Plaintiff filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 10, 1983 Plaintiff's Answers to First Set of Continuing Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 18, 1983 The Board rendered the following Order: "AND NOW, this 18th day of May, 1983, upon receipt of the Praecipe to Withdraw Appearance as Co-Counsel to Plaintiff, executed by Vincent J. Grogan, Esquire, on behalf of himself, Charles P. McCullough, Esquire and Grogan, Graffam McKinley, Solomon and Luchino, as co-counsel for Plaintiff, Trumbull Corporation, in the above entitled matter, the appearance of same is hereby withdrawn of record." Copies forwarded to attorney for plaintiff and attorney for defendant.

May 18, 1983 Motion to Dismiss Objections and to Compel Answers to Interrogatories as well as Memorandum in Support filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

June 16, 1983 Plaintiff's First Set of Continuing Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 17, 1983 Memorandum in Opposition to Motion to Dismiss Objections and to Compel Answers to Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 21, 1983 Reply to Plaintiff's Response to Motion to Dismiss Objections to Interrogatories filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 23, 1983 Second Set of Continuing Interrogatories to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

*over*

TRUMBULL CORPORATION  
VS.  
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DEPARTMENT OF TRANSPORTATION

Stuart J. Moskovitz, Esquire

-continued-

Carleton O. Strucuss, Esquire

Docket No. 755

FORM 30-EM

July 13, 1983

Hearing originally scheduled for August 16 through 19 and August 23 through 26, 1983, changed so that pre-trial matters shall be determined on August 18, 1983, in Board's Court Room at 10 a.m.

July 13, 1983

Hearing scheduled for November 29 through December 2, 1983, as well as December 6 through 9 and December 13 through 16, 1983, if necessary, in Board's Court Room at 10 a.m.

August 2, 1983

Answers to Plaintiff's First Set of Continuing Interrogatories filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 8, 1983

Plaintiff's Answer to Second Set of Continuing Interrogatories filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

August 16, 1983

Hearing scheduled for November 29 through December 2, 1983, as well as December 6 through December 9 cancelled.

August 16, 1983

Hearing rescheduled for December 13 through 16, 1983, as well as December 20 through 23, if necessary, in Board's Court Room at 10 a.m.

August 18, 1983

Pre-trial hearing held this date in Board's Court Room.

August 19, 1983

Third Set of Continuing Interrogatories to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 7, 1983

Testimony of hearing held August 18, 1983 filed.

September 9, 1983

Copy of testimony of hearing held August 18, 1983 forwarded to attorney for defendant.

September 13, 1983

Motion to Amend Answer and New Matter as well as Amended Answer and New Matter filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

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~~XXXXXXXXXXXXXXXXXXXX~~  
Carleton O. Strouss, Esquire

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Docket No. 755

**CLOSED**

NOV 28 1983

November 28, 1983      Reply to Request for Admissions filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

December 6, 1983      Second Supplemental Answers to Plaintiff's First Set of Continuing Interrogatories filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

December 9, 1983      The Board rendered an Opinion and made the following Order: "AND NOW, this 9th day of December 1983, upon consideration of the Motion to Amend the Amended Complaint it is hereby ORDERED and DECREED that such Motion be allowed." Copies forwarded to attorney for plaintiff and attorney for defendant.

December 8, 1983      Addendum to 2nd Supplemental Answers by Department to First Continuing Set of Interrogatories of Trumbull filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

December 12, 1983      Dispositions of John Davis, Richard Cover, Leland J. Stull, Jr., Stephen M. Clark and Arthur Hopperstead filed by attorney for defendant.

December 12, 1983      Answer to Amendment to Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

December 13, 1983      Hearing held in Board's Court Room at 10 a.m.

December 14, 1983      Hearing held in Board's Court Room at 10 a.m.

December 15, 1983      Hearing held in Board's Court Room at 10 a.m.

December 16, 1983      Hearing held in Board's Court Room at 10 a.m.

December 20, 1983      Hearing held in Board's Court Room at 10 a.m.

December 21, 1983      Hearing held in Board's Court Room at 10 a.m. Case continued.

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Stuart J. Moskowitz, Esquire  
-Continued-

Carleton O. Strouss, Esquire

**CLOSED**

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January 18, 1984      Hearing scheduled for April 25 through 27, 1984, as well as May 1 through May 4, 1984, if necessary, in Board's Court Room at 10 a.m.

January 31, 1984      Testimony of hearing held December 13, 14, 15 and 16, 1983 filed.

February 1, 1984      Copy of testimony of hearing held December 13, 14, 15 and 16, 1983 forwarded to attorney for defendant.

January 20, 1984      Testimony of hearing held December 20 and 21, 1983 filed.

January 23, 1984      Returned transcript of hearing held December 20 and 21, 1983 to Mohrbach & Marshal, Inc. for correction of pages numbers.

February 24, 1984      Corrected copy of testimony of hearing held December 20 and 21, 1983 received from Mohrbach & Marshal, Inc.

February 28, 1984      Copy of testimony of hearing held December 20 and 21, 1983 forwarded to attorney for defendant.

April 25, 1984      Hearing held in Board's Court Room at 10 a.m. Case continued to May 1, 1984.

April 25, 1984      Amended Answer filed by Defendant at time of hearing on April 25, 1984. Copy given to Plaintiff.

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

May 1, 1984      Testimony of hearing held April 25, 1984 filed.

July 18, 1984      Testimony of hearing held May 1, 1984 filed.

July 19, 1984      Copy of testimony of hearing held May 1, 1984 forwarded to attorney for defendant.

October 17, 1984      Plaintiff's Proposed Findings of Fact and Conclusions of Law filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

*(Handwritten initials)*

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Stuart J. Moskovitz, Esquire

DOCKET NO. 753

Garleth O. Stevens, Esquire  
Kenneth Sable, Chief Claims Attorney

**CLOSED**

RECEIVED



November 21, 1984 Memorandum in Support of Plaintiff's proposed Findings of Fact and Conclusions of Law filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 20, 1985 Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 25, 1985 Brief in Support of Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 30, 1985 Plaintiff's Reply Memorandum filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 27, 1985 Defendant's Supplemental Memorandum filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

July 16, 1986 The Board rendered an Opinion and made the following Order: 'AND NOW, this 16th day of July, 1986, the Board finds in favor of the Plaintiff, Trumbull Corporation, and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of \$185,151.00 together with interest at the legal rate of six (6%) percent per annum thereon from July 14, 1981, the date this Claim was filed before this Board. Each party to bear its own costs.' Copies forwarded to attorney for plaintiff and attorney for defendant.

July 16, 1986 Acceptance of Service of Opinion and Order dated July 16, 1986 received from defendant. Receipt of same acknowledged by defendant: July 17, 1986.

July 25, 1986 Acceptance of Service of Opinion and Order dated July 16, 1986 received from plaintiff. Receipt of same acknowledged by plaintiff July 21, 1986.