

CLOSED

William A. DeStefano, Esquire

W. V. PANGBORNE & CO., INC., on its own behalf and on behalf of HEATH & COMPANY, PENNSYLVANIA

VS.
COMMONWEALTH OF PENNSYLVANIA,
PENNSYLVANIA TURNPIKE COMMISSION
James R. Martin, Esquire
Paul Steinhilber, Esquire
Susan A. Yche, Esquire

FORM 30-FR

October 20, 1981 Complaint and filing fee filed. Amount of claim: \$247,538.73.

October 22, 1981 Copies of Complaint with Exhibit A attached, filed by attorney for plaintiff.

October 29, 1981 Copies of Complaint and Complaint with Exhibit A attached forwarded to Mr. Martin and Deputy Attorney General.

December 31, 1981 Preliminary Objections and Brief in Support filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

February 3, 1982 Brief in Opposition to Preliminary Objections filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

February 17, 1982 Reply Brief to Pangborne's Brief in Opposition to Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 1, 1982 Defendant's First Request for the Production of Documents to Plaintiff Pangborne filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 1, 1982 Response to the Commission's Reply Brief to Pangborne's Brief in Opposition to Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

March 1, 1982 Notice of service of Interrogatories to Plaintiff filed by attorney for defendant. Interrogatories forwarded to attorney for plaintiff by attorney for defendant.

March 12, 1982 Amendment to Complaint filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

May 17 1982 Motion to Compel Answers to Interrogatories and the Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

-OVER-

W. V. FANGBORNE & CO., INC. on
its own behalf and on behalf of
HEATH COMPANY,
PENNSYLVANIA

William A. DeStefano, Esquire

Docket No. 769

CLOSED

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA TURNPIKE COMMISSION

~~George B. Kepley, Esquire~~
~~By George B. Kepley, Esquire~~
Susan A. Yohe, Esquire

May 20, 1982 Objections to Defendant's First Set of Interrogatories and First Request for Production of Documents to Plaintiff filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 10, 1982 Motion to Compel withdrawn. (See letter dated June 7, 1982).

June 15, 1982 Motion to Compel withdrawn. (See letter dated 6/9/82).

June 24, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 28th day of June, 1982, the request of the Defendant, Commonwealth of Pennsylvania, Pennsylvania Turnpike Commission, is hereby DENIED. The Defendant is given thirty (30) days from the date of this Order in which to file responsive pleadings." Copies forwarded to attorney for plaintiff and attorney for defendant.

July 24, 1982 Plaintiff's Reply to Defendant's Request for Production of Documents and Defendant's First Set of Interrogatories to Plaintiff's Pangborne filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 24, 1982 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 20, 1982 Reply to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

October 20, 1982 Motion to Compel Answers to Interrogatories and the Production of Documents filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

December 1, 1982 Response to Motion to Compel Answers to Interrogatories and Production of Documents filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

OVER

W. V. PANGBORNE & CO., INC., on
its own behalf and on behalf of
HEATH & COMPANY,
PENNSYLVANIA

William A. DeStefano Esquire

Docket No. 769

CLOSED

VS.
COMMONWEALTH OF PENNSYLVANIA,
~~PENNSYLVANIA WOLFFKE COMMISSION~~

~~William A. DeStefano Esquire~~
Susan A. Yohe, Esquire

FILED
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December 7, 1982 Reply to Pangborne's Response to Motion to Compel filed by attorney for defendant.
Copy forwarded to attorney for plaintiff by attorney for defendant.

December 7, 1982 Defendant's 2nd Request for Production of Documents to Plaintiff Pangborne as well as
Notice of Service of Interrogatories filed by attorney for defendant. Copy of
Request and Copy of Interrogatories forwarded to attorney for plaintiff by attorney
for defendant.

March 9, 1983 The Board rendered and Opinion and made the following Order: "AND NOW, this 9th day
of March 1983, the Board DIRECTS the continued cooperation of the parties in
resolving the reasonableness of the Interrogatories proposed. An Order directing
Sanctions at this time is not appropriate." Copies forwarded to attorney for
plaintiff and attorney for defendant.

July 8, 1983 Answers to Defendant's 2nd Set of Interrogatories filed by attorney for plaintiff.
Copy forwarded to attorney for defendant by attorney for plaintiff.

July 18, 1983 Motion to Compel Answers to Interrogatories and the Production of Documents filed by
attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for
defendant.

January 23, 1984 Supplemental Responses to 1st Set of Interrogatories filed by attorney for plaintiff.
Copy forwarded to attorney for defendant by attorney for plaintiff.

January 27, 1984 Interrogatories (1st Set) and Request for Production of Documents (1st Set) filed by
attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for
plaintiff.

May 21, 1984 Motion to Compel Discovery AND Proposed Order filed by attorney for Defendant. Copy
forwarded to attorney for Plaintiff by attorney for Defendant.

ENCLOSURE

W. V. LANGBORNE & CO., INC., on
its own behalf and on behalf of
HEATH & COMPANY,
PENNSYLVANIA

William A. DeStefano, Esquire

Docket No. 769

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~~COMMONWEALTH OF PENNSYLVANIA~~
~~PENNSYLVANIA TURNPIKE COMMISSION~~

~~vs.~~
~~Susan A. Yohe, Esquire~~

June 11, 1984 Plaintiff's Response AND Memorandum in Opposition to Defendant's Motion to Compel Discovery and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for defendant by attorney for Plaintiff.

June 13, 1984 Plaintiff's First set of Interrogatories to Defendant Pennsylvania Turnpike Commission filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 25, 1984 The Board rendered an Opinion and made the following Order: "AND NOW, this 25th day of July, 1984, upon consideration of the Motion to Compel Discovery, the objections raised and the briefs of the parties, it is hereby ORDERED that the questioned interrogatories shall be disposed of as follows: The Motion to Compel Discovery as to interrogatories 4 and 5 will be overruled. The Motion as to interrogatories 9, 18, 19(b-e); 20 and 21 shall be sustained to the extent that the documentation supplied to the Defendant be specifically referred to as to those particular interrogatories. The remaining interrogatories 10(b), 13(e), 24(f)(h)(i)(j)(n), 25(f)(h)(j)(l)(m)(n), 27(b)(j), 28(f)(j), 29(f)(h), 30(f)(h), 31(f)(h), 32(f)(h), 33(d)(f)(h), 34, 35 and 36, are also sustained to the extent that such documentation that has been supplied should be indexed or identified so that the Defendant can with some degree of accuracy ascertain which documents are offered in answer to the requested interrogatories.

July 16, 1984 Copies of Opinion and Order dated July 25, 1984, forwarded to attorney for Plaintiff and attorney for defendant.

October 24, 1984 Supplemental Answer to Defendant's Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for defendant by attorney for Plaintiff.

November 5, 1984 Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for defendant by attorney for Plaintiff.

March 4, 1985 Oral Argument concerning outstanding discovery proceedings scheduled for April 10, 1985, in Board's Court Room at 10 a.m.

5/15/85

W. V. PANGBORNE & CO., INC., on
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HEATH & COMPANY,
PENNSYLVANIA

VS.

COMMONWEALTH OF PENNSYLVANIA,
PENNSYLVANIA TURNPIKE COMMISSION.

William A. Destefano, Esquire

Docket No. 76)

CLOSED

~~State Bar of Pennsylvania~~
Susan A. Yche, Esquire



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April 10, 1985 Oral Argument held in Board's Court Room at 10 a.m.

May 14, 1985 Testimony of Oral Argument held April 10, 1985 filed.

May 15, 1985 Copy of testimony forwarded to attorney for Defendant.

May 20, 1985 Plaintiff's Supplemental Answers to Interrogatories filed by attorney for Plaintiff.
Copy forwarded to attorney for defendant by attorney for Plaintiff.

July 25, 1985 Answers to Plaintiff's First Set of Interrogatories to Defendant Pennsylvania
Turnpike Commission filed by attorney for defendant. Copy forwarded to attorney for
plaintiff by attorney for defendant.

July 26, 1985 Defendant's Response to Plaintiff's First Request for Production of Documents filed
by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for
defendant.

December 5, 1985 Motion for Sanctions and Proposed Order filed by attorney for defendant. Copy
forwarded to attorney for plaintiff by attorney for defendant.

August 26, 1986 The Board rendered an Opinion and made the following Order: "AND NOW, this 26th day
of August, 1986, upon consideration of the Defendant's Motion for Sanctions or
enforcement of discovery, it is hereby ORDERED and DECREED as follows: 1. Defendant
to furnish the documents for which an index has been provided together with proper
reference to the index and such other documents as may be required to fully answer
Plaintiff's request. 2. Plaintiff to furnish, without waiting for Defendant's
response as above, all documents relating to damages which have not as yet been
furnished to Defendant. 3. Plaintiff shall further furnish, following receipt of
the documents noted in No. 1 above, documents in its possession which have not been
included in the index or documents submitted by Defendant. 4. As it was determined

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W. V. PANGBORNE & CO., INC., on
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HEATH & COMPANY,
PENNSYLVANIA vs.

William A. DeStefano, Esquire

Docket No. 769

CLOSED

~~COMMONWEALTH OF PENNSYLVANIA,~~
PENNSYLVANIA TURNPIKE COMMISSION

~~vs. DeStefano, Esquire~~
Susan A. Yohe, Esquire

August 26, 1986
(continued)
and agreed that Plaintiff's documents produced at the December 1985 hearing, other than those produced and indexed, were superfluous, such need only be made available for review should Defendant desire to do so and need not be produced and indexed. Counsel for the parties are to proceed so that this matter may be set for hearing at the earliest possible date. Status reports shall be furnished every thirty (30) days from the date hereof."

August 27, 1986
Copies of Opinion and Order dated August 26, 1986 forwarded to attorney for Plaintiff and attorney for defendant.

September 5, 1986
Acceptance of Service of Opinion and Order dated August 26, 1986 received from Plaintiff. Receipt of same acknowledged by Plaintiff September 3, 1986.

September 5, 1986
Acceptance of Service of Opinion and Order dated August 26, 1986 received from defendant. Receipt of same acknowledged by defendant August 29, 1986.

November 5, 1986
Notice of Deposition of Frank Governale, Steven Trenke and Robert Miller filed by attorney for defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.

December 22, 1986
Notice of Deposition of Al Thir and W. W. McOrade filed by attorney for Defendant.

January 21, 1987
Hearing scheduled for March 3 through March 6, 1987, as well as March 10 through March 13, 1987, if necessary, in Board's Court Room No. 1 at 10:00 a.m.

February 11, 1987
Notice of Deposition of Joseph Kennedy and Jack Irwin filed by attorney for defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.

February 25, 1987
Motion for Entry of Judgment by Default filed by attorney for defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.

March 3, 1987
Hearing held in Board's Court Room No. 1 commencing at 11:06 a.m. Case settled.

- OVER -

W. V. ZANBORNE & CO., INC., on
its own behalf and on behalf of
HEATH & COMPANY,
PENNSYLVANIA

William A. DeStefano, Esquire

Docket No. 759

CLOSED

VS.

COMMONWEALTH OF PENNSYLVANIA,
PENNSYLVANIA TURNPIKE COMMISSION

~~By J. Steisburger, Esquire~~
Susan A. Ioha, Esquire

FORM
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March 6, 1987

Testimony of hearing held March 3, 1987 filed.

March 12, 1987

Copy of testimony for hearing held March 3, 1987 forwarded to Carleton Strouss, Chief Counsel.

March 16, 1987

Plaintiff's Response to Motion for Entry of Judgment by Default filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

March 16, 1987

Acceptance of Service of Testimony for hearing held on March 3, 1987 received from defendant. Receipt of same acknowledged by defendant March 13, 1987.

April 3, 1987

The Board rendered an Opinion and made the following Order: "AND NOW, this 3rd day of April, 1987, Defendant's Motion for Entry of Judgment by Default is hereby dismissed as moot, the parties having reported to the Board that settlement of the case has been settled." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

April 3, 1987

Acceptance of Service of Opinion and Order, dated April 3, 1987, received from Defendant. Receipt of same acknowledged by Defendant April 6, 1987.

April 13, 1987

Acceptance of Service of Opinion and Order, dated April 3, 1987, received from Plaintiff. Receipt of same acknowledged by Plaintiff April 8, 1987.

June 10, 1991

The Board rendered an Opinion and made the following Order: "AND NOW, this 10th day of June, 1991, after review of the record and docket entries in this case, it is ascertained that the matter is settled of record. It is therefore DIRECTED that the matter before the Board herein is to be marked closed with prejudice." Copies forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

June 13, 1991

Acceptance of Service of Opinion and Order dated June 10, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 11, 1991.

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PENNSYLVANIA TURNPIKE COMMISSION

Susan A. Yoho, Esquire

June 17, 1991 Acceptance of Service of Opinion and Order dated June 10, 1991 received from Chief
Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney
General June 11, 1991.

June 19, 1991 Acceptance of Service of Opinion and Order dated June 10, 1991 received from attorney
for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 12, 1991.