



**CLOSED**

- February 18, 1983 Motion for Sanctions for Failure to Serve Sufficient Answers to Interrogatories as well as Motion to Dismiss Objections to Defendant's Interrogatories to Plaintiff (1st Set) filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.
- February 22, 1983 Entry of Appearance filed by Mr. Moskovitz on behalf of plaintiff.
- March 1, 1983 Answers to Motion for Sanctions for Failure to Serve Sufficient Answers to Interrogatories as well as Answer to Motion to Dismiss Objections to Defendant's Interrogatories to Plaintiff (1st Set) filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.
- March 7, 1983 Motion to Amend Answer, Amended Answer and New Matter and Counterclaim filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.
- March 8, 1983 Memorandum in Support of Motion to Amend Answer filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
- March 15, 1983 Plaintiff's Request for Production of Documents filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.
- March 15, 1983 Notice of Taking Depositions of Arthur P. Hopperstead, Michael J. Rago, J. R. Stull, Robert G. Hecht and Richard Cove, filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
- March 16, 1983 Plaintiff's Request for Admissions Directed to Defendant filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.
- March 15, 1983 Answer to Motion to Amend Answer and Brief filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.
- \*March 25, 1983 Notice of Deposition of Roger Carrier filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

TRUMBULL CORPORATION  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Stuart J. Moskovitz, Esquire  
John J. Buchy, Jr., Esquire

Docket No. 787

-continued-

**CLOSED**



OFFICE OF THE  
CLERK OF THE SUPREME COURT

March 18, 1983 Plaintiff's Restated Request for Admissions Directed to Defendant filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

April 1, 1983 The Board rendered an Opinion and made the following Order "AND NOW, this 1st day of April, 1983, the request of the Defendant in the nature of a Motion to Dismiss Objections to Defendant's Interrogatories to Plaintiff's First Set and a Motion for Sanctions for Failure to Serve Sufficient Answers to Interrogatories are DENIED. The Motion of the Defendant in the nature of an Amended Answer wherein the New Matter and Counterclaim can be set forth is hereby GRANTED. Under no circumstances shall the matter contained herein be an excuse for a continuance of this case."

April 1, 1983 Motion to Compel Production of Documents as well as proposed Order filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 4, 1983 Copies of Opinion and Order dated April 1, 1983, forwarded to attorney for plaintiff and attorney for defendant.

April 14, 1983 Answer to Plaintiff's Request for Admissions filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 15, 1983 Answer to Motion to Compel Production of Documents as well as Motion for Protective Order filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

April 18, 1983 Reply to Amended New Matter, Answer to Counterclaim and New Matter to Counterclaim filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

*REC*

TRUMBULL CORPORATION  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Stuart J. Moskowitz, Esquire  
John J. Suchy, Jr., Esquire

Docket No. 787

-continued-

**CLOSED**

April 18, 1983	The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day of April, 1983, the written Motion to Compel Production of Documents is DENIED and further, the Motion for Protective Order in essence is DENIED. However, the Subpoena with Duces Tecum wherein it requires the production of all documents relating to the formulation of Plaintiff's bid for the subject contract has in essence been complied with. The Subpoena with Duces Tecum shall not be further enforced "
April 19, 1983	Amended Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for plaintiff by attorney for defendant.
April 19, 1983	Amended Reply to Amended New Matter, Amended Answer to Counterclaim and Amended New Matter to Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
April 19, 1983	Hearing held in Board's Court Room at 10 a.m. Copies of Opinion and Order dated April 19, 1983, given to attorney for Plaintiff and attorney for defendant at time of hearing.
April 20, 1983	Hearing held in Board's Court Room at 10 a.m.
April 21, 1983	Hearing held in Board's Court Room at 10 a.m.
April 22, 1983	Hearing held in Board's Court Room at 10 a.m.
April 26, 1983	Hearing held in Board's Court Room at 10 a.m.
April 26, 1983	Further Answer to Interrogatory No. 4 filed by attorney for plaintiff at time of hearing. Copy given to attorney for defendant by attorney for plaintiff at time of hearing.
April 27, 1983	Hearing held in Board's Court Room at 10 a.m.
April 27, 1983	Answer to Amended Complaint and New Matter and Counterclaim filed by attorney for defendant. Copy given to attorney for plaintiff by attorney for defendant at time of hearing.

OVER

TRUMBULL CORPORATION  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Docket No. 787

Stuart J. Moskowitz, Esquire  
John J. Bucy, Jr., Esquire

-continued-

**CLOSED**



April 28, 1983      Hearing held in Board's Court Room at 10 a.m.

April 29, 1983      Hearing held in Board's Court Room at 10 a.m.

May 3, 1983      Hearing scheduled for June 7 through June 10, 1983 as well as July 12 through July 15, 1983, if necessary, in Board's Court Room at 10 a.m.

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 19, 1983      Testimony of hearing held April 19, 20, 21, and 22, 1983 filed. Copies of testimony forwarded to attorney for defendant.

May 26, 1983      Testimony of hearing held April 26 through 29, 1983 filed. Copies forwarded to attorney for defendant.

June 6, 1983      Reply to Amended New Matter to Counterclaim filed by attorney for defendant.  
Copy forwarded to attorney for plaintiff by attorney for defendant.

June 7, 1983      Hearing held in Board's Court Room at 10 a.m.

June 8, 1983      Hearing held in Board's Court Room at 10 a.m.

June 9, 1983      Hearing held in Board's Court Room at 10 a.m.

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

June 22, 1983      The Board rendered the following Order: "AND NOW this 22nd day of June, 1983, upon receipt of 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, Graffan, McGinley, Solomon and Lucchiao, 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.

*Over*

TUMBULL CORPORATION  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Stuart J. Moskowitz, Esquire  
John J. Ruchy, Jr., Esquire

-continued-

Docket No. 787

**CLOSED**

June 30, 1982	Memorandum of Law in support of the Board's Jurisdiction Over Defendant's Counterclaim filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
July 8, 1983	Testimony of hearing held June 7, 8, 9 and 10, 1983 filed. Copies forwarded to attorney for defendant.
July 12, 1983	Hearing held in Board's Court Room at 10 a.m.
July 13, 1983	Hearing held in Board's Court Room at 10 a.m.
July 14, 1983	Hearing held in Board's Court Room at 10 a.m.
July 15, 1983	Hearing held in Board's Court Room at 10 a.m.
August 12, 1983	Testimony of hearing held July 12, 13, 14 & 15, 1983 filed.
August 15, 1983	Copies of testimony of hearing held July 12, 13, 14 and 15, 1983 forwarded to attorney for Defendant.
August 16, 1983	Hearing scheduled for November 21 and 30, December 1 and 2, 1983 in Board's Court Room at 10 a.m.
November 29, 1983	Hearing held in Board's Court Room at 10 a.m.
November 30, 1983	Hearing held in Board's Court Room at 10 a.m.
December 1, 1983	Hearing held in Board's Court Room at 10 a.m.
December 2, 1983	Hearing held in Board's Court Room at 10 a.m. Case completed.
December 19, 1983	Testimony of hearing held November 29 and 30, 1983 filed.
December 20, 1983	Copies of testimony of hearing held November 29 and 30, 1983 forwarded to attorney for Defendant.
January 5, 1984	Testimony of hearing held December 1 and 2, 1983 filed.

-107D-

TRUMBULL CORPORATION  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Stuart J. Moskowitz, Esquire  
John J. Buchy, Jr., Esquire

Docket No. 787

**CLOSED**

FORM  
RECEIVED  
30-R

January 9, 1984      Copies of testimony of hearing held December 1 and 2, 1983 forwarded to attorney for Defendant.

April 17, 1984      Proposed Findings of Fact and Conclusions of Law filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

April 24, 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.

June 25, 1985      The Board rendered an Opinion and made the following Order: "AND NOW, this 25th day of June, 1985, judgment is hereby entered in favor of the Plaintiff, Trumbull Corporation and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Two Hundred Twenty Thousand Five Hundred Sixty-Two Dollars and Twenty-Seven Cents (\$220,562.17) with interest from the date of filing of Plaintiff's Complaint, being January 25, 1982, at the legal rate of six (6%) percent per annum. Each party to bear its own costs." Copy forwarded to attorney for Plaintiff and attorney for defendant.

July 24, 1985      Copy of Petition for Review as filed in Commonwealth Court filed by attorney for defendant.

July 29, 1985      Petition for Review received from Commonwealth Court. (No. 2001 C.D. 1985)

\*August 28, 1984      Defendant's Proposed Findings of Fact, Conclusions of Law and Brief in Support of filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff by attorney for Defendant.

August 28, 1985      File transmitted to Commonwealth Court.

August 13, 1986      Copy of Opinion and Order received from Commonwealth Court. Order as follows: "NOW, August 11, 1986, the order of the Board of Claims entered June 26, 1985 at Docket No. 787 is hereby affirmed."

October 15, 1986      File returned from Commonwealth Court.