

BURREL, CONSTRUCTION & SUPPLY COMPANY, INC.  
VS.

Frank H. vanAmeringen, Esquire

Docket No. 807

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney  
Division of Traffic Services  
~~XXXXXXXXXXXXXXXXXXXX~~

**CLOSED**

MADE IN U.S.A.



FORM 301R

April 19, 1982 Complaint and filing fee filed. Amount of claim: \$68,124.95.

April 22, 1982 Copies of complaint forwarded to attorney for defendant and Deputy Attorney General.

July 22, 1982 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 15, 1982 Answer to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

December 29, 1982 Defendant's Continuing Interrogatories to Plaintiff (1st Set) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 7, 1983 Plaintiff's Answers to Defendant's Continuing Interrogatories (1st Set) filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 8, 1983 Hearing scheduled for March 6 through 9, 1984, as well as March 13 through 16, 1984, in Board's Court Room at 1) a.m.

March 6, 1984 Hearing held in Board's Court Room at 10 a.m.

March 7, 1984 Hearing held in Board's Court Room at 10 a.m. Case completed.

April 6, 1984 Testimony of hearing held March 6 and 7, 1984 filed.

April 11, 1984 Copy of testimony of hearing held March 6 and 7, 1984 forwarded to attorney for Defendant.

June 18, 1984 Proposed Findings of Fact, Proposed Conclusions of Law and Memorandum of Law on Behalf of the Plaintiff filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 13, 1984 Proposed Findings of Fact, Conclusions of Law and Brief in Support filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

BURRELL CONSTRUCTION & SUPPLY COMPANY, INC.  
VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Frank M. vanAmeringen, Esquire

Docket No. 807

~~Certificator~~  
Kenneth L. Sabie, Chief Claims Attorney

**CLOSED**

March 29, 1985 The Board rendered an Opinion and made the following Order:  
"AND NOW, this 29th day of March, 1985, we find in favor of the Plaintiff, Burrell Construction & Supply Company, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of \$33,701.15 with interest at the legal rate of six percent (6%) per annum from November 10, 1981. Each party to bear its own costs."  
April 2, 1985 Copies of Opinion and Order dated March 29, 1985, forwarded to attorney for plaintiff and attorney for defendant.  
April 8, 1985 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Defendant. (No. 962 C.F. 1985).  
April 11, 1985 Petition for Review received from Commonwealth Court. (No. 962 C.D. 1985).  
May 8, 1985 File transmitted to Commonwealth Court.  
December 14, 1987 Copy of Opinion and Order received from Commonwealth Court. Order as follows: NOW, December 11, 1987, the order of the Board of Claims, dated March 29, 1984, at Docket No. 807, is vacated. This matter is remanded to the Board for further findings in accordance with this opinion. Jurisdiction relinquished.  
February 9, 1988 File returned from Commonwealth Court.  
February 19, 1988 The Board rendered an Opinion and made the following Order: "AND NOW, this 19th day of February, 1988, we find in favor of the Plaintiff, Burrell Construction & Supply Company, Inc. and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of \$33,701.15 with interest at the legal rate of six percent (6%) per annum from November 10, 1981. Each party to bear its own costs."  
February 22, 1988 Copies of Opinion and Order dated February 19, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

*over*

BURRELL CONSTRUCTION & SUPPLY  
COMPANY, INC.

VS.

COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF TRANSPORTATION

Frank M. vanAmeringen, Esquire

Kenneth L. Sable, Chief Claims Attorney

Docket No. 807

**CLOSED**



February 23, 1988 Acceptance of Service of Opinion and Order dated February 19, 1988 received from Defendant. Receipt of same acknowledged by February 22, 1988.

March 4, 1988 Acceptance of Service of Opinion and Order dated February 19, 1988 received from Plaintiff. Receipt of same acknowledged by Plaintiff February 29, 1988.