

D. W. MILLER, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

~~Michael Seder, Esquire~~
C. Grainger Bowman, Esquire
~~Kenneth L. Sable, Esquire~~
John J. Buchy, Jr., Esquire

Docket No. 813

CLOSED

FILE ELECTRONIC

LOW
FORM
30-FR

May 14, 1982 Complaint and filing fee filed. Amount of Claim: \$8,166.60+.

May 26, 1982 Copies of Complaint forwarded to attorney for Defendant and Deputy Attorney General.

June 24, 1982 Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 21, 1982 Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 10, 1982 Plaintiff's Brief in Opposition to Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 12, 1982 The board rendered an Opinion and made the following Order: "AND NOW, this 12th day of November 1982, the Preliminary Objections in the nature of a Demurrer is DENIED; the request for a More Specific Complaint is GRANTED and the Motion to Strike Off Pleading Because of Impertinent Matter is GRANTED, insofar the request for excessive interest is pleaded. The Plaintiff, D. W. Miller, Inc. is granted thirty (30) days to file a More Specific Complaint and the Defendant, Commonwealth of Pennsylvania, Department of Transportation shall within thirty (30) days thereafter file a responsive pleading." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

December 28, 1982 Amended Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 20, 1983 Answer to Amended Complaint and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 22, 1983 Reply to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 7, 1985 Proscipe for Appearance of C. Grainger Bowman filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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October 4, 1985 Hearing scheduled for November 19 through November 21, 1985, if necessary, in Board's Court Room at 10 a.m.

October 16, 1985 Defendant's Interrogatories to Plaintiff and Request for Production of Documents filed by Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 19, 1985 Hearing held in Board's Court Room at 10 a.m. Case settled.

December 13, 1985 Testimony of hearing held November 19, 1985 filed.

December 17, 1985 Copy of testimony forwarded to attorney for Defendant.

December 9, 1986 Praecipe to Discontinue filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 29, 1986 The Board made the following Order: "AND NOW, this 29th day of December, 1986, upon receipt of Praecipe to Discontinuance executed by C. Grainger Bowman, Esquire on behalf of Plaintiff, which states that D. W. Miller, Inc. hereby marks the above-captioned matter "settled, withdrawn and discontinued with prejudice" same of which is docketed with this Board under date of December 9, 1986, it is ORDERED and DIRECTED that said case be marked settled, withdrawn and discontinued with prejudice."

December 30, 1986 Copies of Order dated December 29, 1986 forwarded to attorney for Plaintiff and attorney for Defendant.

January 5, 1987 Acceptance of service of Order dated December 29, 1986 received from Defendant. Receipt of same acknowledged by Defendant December 31, 1986.

July 1, 1987 Acceptance of service of Order dated December 29, 1986 received from Plaintiff. Receipt of same acknowledged by Plaintiff June 30, 1987.