

TRUMBULL-DENTON JOINT VENTURE and
DAVIS INDUSTRIES, INC.

VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Marlin G. Stephens, Esq.

Kenneth L. Sable, Esquire

Docket No. 821

CLOSED

FORM
30-FR

July 30, 1982 complaint and filing fee filed. Amount of claim: \$20,353.85+

August 5, 1982 Copies of complaint forwarded to attorney for defendant and Deputy Attorney General.

September 7, 1982 Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 21, 1982 Answer to Preliminary Objections and Amended Complaint, Amended Complaint and Motion to Allow Plaintiff's Counsel to Withdraw from Representation of Both Plaintiffs to Only Represent Davis Industries, Inc. filed by attorney for plaintiffs. Copies forwarded to attorney for defendant by attorney for plaintiffs.

September 21, 1982 Answer to Preliminary Objections and Amended Complaint, Amended Complaint and Motion to Allow Plaintiff's Counsel to Withdraw from Representation of Both Plaintiffs to Only Represent Davis Industries, Inc. filed by attorney for plaintiffs. Copies forwarded to attorney for defendant by attorney for plaintiffs.

September 27, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 27th day of September, 1982, upon good and sufficient cause being shown and in an effort to avoid any question of impropriety or suspicion of conflict of interest, James A. Fellow,

III. Esquire is permitted to withdraw his appearance as counsel for Trumbull-Denton Joint Venture and that his appearance remain of record on behalf of the other Plaintiff, Davis Industries, Inc. The Co-Plaintiffs, Trumbull-Denton Joint Venture shall be given 45 days within which to engage counsel of their choice to represent them before this Board in this matter. The Amended Complaint and Answer to the Preliminary Objections in the interim shall be accepted on behalf of both Plaintiffs. Where same is inappropriate or not in accord with the thinking and belief of counsel, James A. Fellow, III, Esquire or successor counsel representing Trumbull-Denton Joint Venture, then in that event, the Board will permit such amendment deemed met." Copies forwarded to attorney for plaintiff and attorney for defendant.

October 7, 1982 Preliminary Objections to Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

WPC

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VS.
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DEPARTMENT OF TRANSPORTATION

Marlin G. Stephens, Esquire

John J. Buchy, Jr., Esquire

Docket No. 824

-Continued-

CLOSED

October 25, 1982 Petition for Extension of Time to Respond to Preliminary Objections and Secure Independent Counsel filed by attorney for plaintiffs. Copy forwarded to attorney for defendant by attorney for plaintiffs

November 22, 1982 Petition for Extension of Time to Respond to Preliminary Objections and Secure Independent Counsel filed by attorney for plaintiff. Copy forwarded to all counsel of record by attorney for plaintiff.

December 23, 1982 Brief in Support of Preliminary Objections to Plaintiffs' Amended Complaint filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

January 10, 1983 Motion for Discontinuance filed by attorney for plaintiff (Davis Industries, Inc.). Copy forwarded to attorney for defendant by attorney or plaintiff.

January 19, 1983 Praecipe to Discontinue filed by attorney for plaintiffs. Copy forwarded to attorney for defendant by attorney for plaintiffs.

January 28, 1983 The board rendered the following Order: "AND NOW, this 28th day of January, 1983, upon receipt of Praecipe to Discontinue, executed by Marlin G. Stephens, Esquire, on behalf of Plaintiffs, Trumbull-Denton Joint Venture and Davis Industries, Inc., same of which is docketed with this Board under date of January 19, 1983, it is ORDERED and DIRECTED that said case be marked "discontinued and ended with prejudice". Copies forwarded to attorney for plaintiff and attorney for defendant.