

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

Frank M. VanAmerinjen, Esquire

~~John J. Huebly~~
Kenneth L. Sable, Esquire
Bruce Mundorff, Esquire

Docket No. 837

CLOSED



October 7, 1982 Complaint and filing fee filed. Amount of Claim: \$6,000.51.

October 13, 1982 Copies of Complaint forwarded to attorney for Defendant and Deputy Attorney General.

November 10, 1982 Preliminary Objections to Plaintiff's Complaint filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff by attorney for Defendant.

December 14, 1982 Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 16, 1982 Plaintiff's Answer to Defendant's Preliminary Objections and Motion for More Specific Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 27, 1982 Plaintiff's Answer to Defendant's Brief in Support of Preliminary Objections to Plaintiff's Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 21, 1984 The Board rendered an Opinion and made the following Order: "AND NOW, this 21st day of June, 1984, the Preliminary Objections of the Defendant in the Nature of a Motion for a More Specific Complaint are DENIED. The Defendant is given thirty (30) days from the date of this Order in which to file a responsive pleading."

June 25, 1984 Copies of Opinion and Order dated June 21, 1984, forwarded to attorney for Plaintiff and attorney for Defendant.

August 27, 1984 Motion for Joint Hearing of Separate Actions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 12, 1984 Hearing scheduled for October 30, 31 and November 1, 2 and if necessary, November 7, 8 and 9, before Western District, to be held Pittsburgh State Office Building, Room 1605, commencing at 10 a.m.

September 21, 1984 Answer and New Matter filed by attorney for Defendant. Copy 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
~~Kenneth B. Sebley, Esquire~~
Bruce Mundorff, Esquire

Docket No. 837
*Consolidated for hearing
with Docket Nos. 884 and 885

CLOSED

*September 21, 1984 The Board rendered the following Order: "AND NOW, this 21st day of September, 1984, upon consideration of a Joint Motion of the parties to consolidate the above captioned three cases, it appearing that all three matters arose out of the same contract, it is hereby ORDERED that the captioned matters be consolidated for hearing as scheduled before the Western District Hearing Panel in Pittsburgh, Pennsylvania." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 25, 1984 Defendant's Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 25, 1984 Defendant's Interrogatories to Plaintiff filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 29, 1984 Plaintiff's Answer to Defendant's Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 30, 1984 Hearing held in Pittsburgh State Office Building (Western District) commencing at 10 a.m.

October 31, 1984 Hearing held in Pittsburgh State Office Building (Western District) commencing at 9:30 a.m. Case completed.

December 10, 1984 Testimony of hearing held October 30, 1984 filed.

December 11, 1984 Copy of testimony forwarded to attorney for Defendant.

January 2, 1985 Testimony of hearing held October 31, 1984 filed. Copy forwarded to attorney for Defendant.

September 3, 1985 Proposed Findings of Fact, Conclusions of Law and Memorandum of Law filed by attorney for Plaintiff. Copies forwarded to attorney for Defendant by attorney for Plaintiff.

December 31, 1985 Proposed Findings of Fact, Conclusions of Law and Memorandum of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 11, 1986 Western District Hearing Panel Report filed.

-OVER-

BURRELL CONSTRUCTION & SUPPLY COMPANY, INC. Frank M. VanAmeringen, Esquire
VS. Bruce Mundorff, Esquire
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Docket No. 837

CLOSED



FORM 30-FR

REPRODUCED

June 10, 1986 The Board rendered an Opinion and made the following Order: "AND NOW, this 10th day of June, 1986, judgment is hereby entered in favor of the Plaintiff, Burrell Construction & Supply Company, Inc., at Docket No. 884 in the sum of \$5,095.04 with interest at the legal rate of six (6%) percent per annum from the 18th day of May, 1983, the date of filing its Claim, and judgment is hereby entered in favor of the Defendant, Commonwealth of Pennsylvania, Department of Transportation, against Burrell Construction & Supply Company, Inc. at Docket Nos. 837 and 885. Each party to bear its own costs."

June 11, 1986 Copies of Opinion and Order dated June 10, 1986 forwarded to attorney for Plaintiff and attorney for Defendant.

June 18, 1986 Acceptance of Service of Opinion and Order, dated June 10, 1986, received from Defendant. Receipt of same acknowledged by Defendant June 17, 1986.

July 1, 1986 Acceptance of Service of Opinion and Order, dated June 10, 1986, received from Plaintiff. Receipt of same acknowledged by Plaintiff June 23, 1986.

November 17, 1989 The Board rendered an Opinion and made the following Order. "AND NOW, this 17th day of November, 1989, upon review of the docket entries and the entire file, and noting the matter is closed, the Board directs that all three (3) matters contained at Docket Nos. 837, 884 and 885 be discontinued and settled with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 21, 1989 Acceptance of Service of Opinion and Order dated November 17, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 20, 1989.

December 7, 1989 Acceptance of Service of Opinion and Order dated November 17, 1989 which was forwarded to attorney for Plaintiff was returned to us by U.S. Mail for "No Forward Order on File". Attempts made to re-send were unsuccessful.