

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

~~David A. Galy, Esquire~~
C. Grainger Bowman, Esquire
~~Kenneth L. Sable, Esquire~~
~~John J. Butty, Jr., Esquire~~
Kenneth L. Sable, Chief Claims Attorney

Docket No. 865

CLOSED

UNITED STATES COURTS



FORM
FD-307

February 25, 1983 Complaint and filing fee filed. Amount of claim: \$90,870.30.

March 1, 1983 Copies of Complaint forwarded to attorney for Defendant and Deputy Attorney General.

April 1, 1983 Preliminary Objections to Plaintiff's Complaint filed by attorney for defendant.
Copy forwarded to attorney for Plaintiff by attorney for defendant.

May 5, 1983 Brief in Support of Preliminary Objections to Plaintiff's Complaint filed by attorney for defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.

May 31, 1983 Brief of the Plaintiff Opposing Preliminary Objections of the Defendant filed by attorney for Plaintiff. Copy forwarded to attorney for defendant by attorney for defendant.

October 11, 1983 The Board rendered an Opinion and made the following Order: "AND NOW, this 11th day of October, 1983, the request of the Defendant in the Nature of a Motion For a More Specific Complaint and Demurre are hereby DENIED. The Defendant is given thirty (30) days from the date of this Order to file responsive pleading. It is suggested that the parties resort to discovery as soon in the future as possible so that a hearing schedule can be set to dispose of this case on its merits." Copies forwarded to attorney for plaintiff and attorney for defendant.

November 22, 1983 Answer and New Matter and Counterclaim filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

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

August 29, 1986 Defendant's Request for Production of Documents filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

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VS.
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C. Crainger Bowman, Esquire
~~John J. Buchy, Jr., Esquire~~
~~Patricia A. Carey, Esquire~~
Kenneth L. Sabls, Chief Claims Attorney

Docket No. 869

CLOSED

August 29, 1986 Defendant's Interrogatories to Plaintiff - First Set filed by attorney for defendant.
Copy forwarded to attorney for plaintiff by attorney for defendant.

September 2, 1986 Prosepe for Entry of Appearance of Patricia A. Carey, Esquire on behalf of attorney
for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 23, 1986 Hearing scheduled for December 2 through December 5, 1986, as well as December 9
through December 11, 1986, if necessary, in Beard's Court Room No. 1 at 10:00 a.m.

October 20, 1986 Hearing originally scheduled for December 2 through December 5, 1986, as well as
December 9 through December 11, 1986 has been rescheduled to December 9 through
December 11, 1986, as well as December 16 through December 19, 1986. Same place and
time.

December 9, 1986 Hearing held in Board's Courtroom Number One at 10:00 a.m. Case settled.

December 12, 1986 Testimony of hearing held December 1, 1986 filed.

December 24, 1986 Copy of testimony of hearing held December 9, 1986 forwarded to defendant.

December 29, 1986 Acceptance of Service of Testimony of hearing held December 9, 1986, received from
Defendant. Receipt of same acknowledged by Defendant December 29, 1986.

November 18, 1988 The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day
of November, 1988 in reviewing the documentation and the record herein, and noting
that in excess of one and one-half (1 1/2) years has expired; a RULE TO SHOW CAUSE is
issued upon Claimant, F. W. Miller, Inc., on why this case should not be marked
closed and discontinued with prejudice. A response to the Rule should be filed with
the Board of Claims. Said Rule shall become absolute thirty (30) days from the date
of this Order, unless said response is received." Copies forwarded to attorney for
Plaintiff and attorney for Defendant.

November 21, 1988 Acceptance of Service of Opinion and Order November 18, 1988 received from attorney
for Defendant. Receipt of same acknowledged by attorney for Defendant November 18,
1988.

VER

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CLOSED

MADE IN U.S.A.



December 22, 1988 Acceptance of Service of Opinion and Order dated November 13, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 22, 1988.

December 22, 1988 Praecipe filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 30, 1988 The Board made the following Order: "AND NOW, this 30th day of December, 1988, upon receipt of Praecipe, executed by C. Grainger Bowman, Esquire on behalf of Plaintiff, same of which is docketed with this Board under date of December 22, 1988, it is ORDERED and DIRECTED that said case be marked settled, discontinued and ended with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

January 4, 1989 Acceptance of Service of Opinion and Order dated December 30, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 3, 1989.