

BURELL CONSTRUCTION & SUPPLY COMPANY, INC.
vs.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

Frank M. van Ameringen, Esquire

Kenneth L. Sable, Esquire
Bruce Mundorff, Esquire

Locket No. 885
*Consolidated for Hearing
with Nos. 837 and 884

CLOSED



May 18, 1983 Complaint and filing fee filed. Amount of Claim: \$6,768.00 +.

May 19, 1983 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

June 20, 1983 Preliminary objections to Plaintiff's Complaint filed by attorney for defendant.
Copy forwarded to attorney for plaintiff by attorney for defendant.

July 25, 1983 Brief in Support of Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 2, 1984 Answer to Preliminary Objections and Brief filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 13, 1984 The Board rendered an Opinion and made the following Order: "AND NOW, this 13th day of June, 1984, the Preliminary Objections as filed by the Defendant are hereby DENIED. The Defendant is given thirty (30) days from the date of this Order in which to file a responsive pleading." Copies of Opinion and Order dated June 13, 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 4605, commencing at 1) a.m.

September 21, 1984 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.

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.

Handwritten initials or signature at the bottom right of the page.

BURRELL CONSTRUCTION & SUPPLY COMPANY, INC.
VS.
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Bruce Mundorff, Esquire

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 3, 1986 Western District Hearing Panel Report filed.

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 835. Each party to bear its own costs."

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

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. 884, 885 and 886 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.