

DAVID F. BENTON
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION

~~Deter O. Steeger, Esquire~~
John A. Ulizio, Esquire
~~Kenneth L. Sabie, Chief Claims Attorney~~
Kenneth Allen, Assistant Counsel

Docket No. 973

CLOSED

UNIVERSITY MICROFILMS



December 3, 1984 Complaint and filing fee filed. Amount of Claim: \$

December 10, 1984 Copies of Complaint forwarded to attorney for Defendant and Deputy Attorney General.

December 12, 1984 Amended Complaint filed by attorney for Plaintiff. Copies forwarded to attorney for Defendant and Deputy Attorney General.

January 29, 1985 Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 11, 1985 Answer, New Matter, Reply to Counterclaim and Request for Production of Documents and Things filed by attorney for Plaintiff. Copies forwarded to attorney for Defendant by attorney for Plaintiff.

July 23, 1985 Defendant's Continuing Interrogatories to Plaintiff - First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 25, 1985 Plaintiff's Answers to Defendant's Continuing Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 1, 1985 Hearing scheduled for December 19 and 20, 1985 before (Western District) to be held in Room 1604 in the Pittsburgh State Office Building, Pittsburgh, Pennsylvania, commencing at 10 a.m.

December 5, 1985 Plaintiff's Amended Answers to Defendant's Continuing Interrogatories Numbered 15 and 16 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 10, 1985 Letter forwarded to attorney for Plaintiff and attorney for Defendant advising that the hearing scheduled for December 19 and 20, 1985, has been postponed to a further date.

February 10, 1986 Letter received from John A. Ulizio, Esquire entering his appearance on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

John A. Ulizio, Esquire

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April 21, 1986 Hearing scheduled for June 5 and 6, 1986, if necessary, before Western District, to be held at the Pittsburgh State Office Building, Room 1604, commencing at 10:00 a.m.

June 5, 1986 Hearing held in Pittsburgh State Office Building, Room 1604, Western District, commencing at 10:00 a.m. Plaintiff's case presented. Case continued. Defense portion of case to be heard at a later date.

June 6, 1986 Western Panel Hearing scheduled this date cancelled. Case continued.

June 26, 1986 Testimony of hearing held June 5, 1986 filed.

June 27, 1986 Copy of testimony forwarded to attorney for Defendant.

July 2, 1986 Acceptance of Service of testimony received from Defendant. Receipt of same acknowledged by Defendant July 1, 1986.

July 2, 1986 Request for Production of Documents and Things filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 11, 1986 Motion for Protective Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 21, 1986 Report of Hearing Panel filed.

September 4, 1986 The board rendered an Opinion and made the following Order: "AND NOW, this 4th day of September, 1986, upon consideration of the defendant's, Department of Transportation, Motion for Protective Order, said Motion is hereby GRANTED and the documents requested by Plaintiff, as filed July 2, 1986, need not be produced by Defendant." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 5, 1986 Acceptance of Service of Opinion and Order, dated September 4, 1986, received from Defendant. Receipt of same acknowledged by Defendant September 4, 1986.

September 15, 1986 Acceptance of Service of Opinion and Order, dated September 4, 1986, received from Plaintiff. Receipt of same acknowledged by Plaintiff September 10, 1986.

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~~Kenneth Allen, Assistant Counsel
James W. Kutz, Assistant Counsel~~

FORM
30-PR

July 9, 1987

The Board rendered an Opinion and made the following Order: "AND NOW, this 9th day of July, 1987, the Board of Claims will set a hearing date in the immediate future as the date for the continued hearing on this matter. It is so ORDERED." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

July 13, 1987

Acceptance of Service of Opinion and Order dated July 9, 1987 received from Defendant. Receipt of same acknowledged by Defendant July 10, 1987.

July 15, 1987

Acceptance of Service of Opinion and Order dated July 9, 1987 received from Plaintiff. Receipt of same acknowledged by Plaintiff July 11, 1987.

October 13, 1987

Hearing scheduled for November 12 and 13, 1987, if necessary, before the Western District, to be held at Pittsburgh State Office Building, Room 1606, commencing at 10:00 a.m.

November 12, 1987

Western Panel Hearing held in Pittsburgh State Office Building, Room 1606, commencing at 10:00 a.m. The Plaintiff, David F. Benton, did not appear for hearing. The Commonwealth of Pennsylvania shall file Briefs within ten (10) days in support of Motion for Judgment on the record.

November 24, 1987

Memorandum in Support of Plaintiff's Motion to Strike and Plaintiff's Motion for Compulsory Nonsuit filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 1, 1987

Testimony of hearing held November 12, 1987 filed.

December 3, 1987

Copy of testimony for hearing held November 12, 1987 forwarded to attorney for Defendant.

December 4, 1987

Acceptance of Service of testimony for hearing held November 12, 1987 received from Defendant. Receipt of same acknowledged by Defendant December 3, 1987.

December 16, 1987

Western District Panel Hearing Report filed.

-OVER-

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John A. Ulizio, Esquire
James W. Kutz, Assistant Counsel

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CLOSED

February 18, 1988 The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day of February, 1988, the request of the Defendant to strike the direct testimony of the Plaintiff and to issue a Compulsory Non-Suit is hereby GRANTED. Accordingly, the request of the Plaintiff as set forth in the Complaint is DENIED."

February 19, 1988 Copies of Opinion and order dated February 18, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

February 22, 1988 Acceptance of Service of Opinion and Order dated February 18, 1988 received from Defendant. Receipt of same acknowledged by Defendant February 19, 1988.