IN THE SUPREME COURT OF PENNSYLVANIA EASTERN DISTRICT

| PARTNERSHIP AND RESIDENCE INN BY MARRIOTT, INC., D/B/A RESIDENCE INN BY MARRIOTTAppeal from the Order of the Commonwealth Court entered on 2/22/2005 transferring matter to Court of Common Pleas of Chester County for further proceedings at No. 728 MD 2004.PHILADELPHIA/VALLEY FORGE,.VDEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC.,.Appellees. | MARRIOTT RESIDENCE INN II LIMITED PARTNERSHIP, AHM RES II LIMITED | : No. 17 EAP 2005 |
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| INN BY MARRIOTT : 2/22/2005 transferring matter to Court of PHILADELPHIA/VALLEY FORGE, : Common Pleas of Chester County for further proceedings at No. 728 MD 2004. Appellants : v. DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., : URS CORPORATION AND URBAN ENGINEERING, INC., : | | : Appeal from the Order of the |
| PHILADELPHIA/VALLEY FORGE, Appellants V. DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., | BY MARRIOTT, INC., D/B/A RESIDENCE | : Commonwealth Court entered on |
| Appellants V. DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., | INN BY MARRIOTT | : 2/22/2005 transferring matter to Court of |
| Appellants v. V. DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., Hermitian | PHILADELPHIA/VALLEY FORGE, | 5 |
| V. DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., | | : further proceedings at No. 728 MD 2004. |
| DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., | Appellants | : |
| DEPARTMENT OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., | | : |
| OF THE COMMONWEALTH OF : PENNSYLVANIA, TREDYFFRIN : TOWNSHIP, ALLAN A. MYERS, INC., : URS CORPORATION AND URBAN : ENGINEERING, INC., : | ۷. | : |
| OF THE COMMONWEALTH OF : PENNSYLVANIA, TREDYFFRIN : TOWNSHIP, ALLAN A. MYERS, INC., : URS CORPORATION AND URBAN : ENGINEERING, INC., : | | : |
| PENNSYLVANIA, TREDYFFRIN TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., | | : |
| TOWNSHIP, ALLAN A. MYERS, INC., URS CORPORATION AND URBAN ENGINEERING, INC., | | : |
| URS CORPORATION AND URBAN ENGINEERING, INC., | | : |
| ENGINEERING, INC., | | : |
| | | : |
| Appellees | ENGINEERING, INC., | : |
| Appellees | A | : |
| | Appellees | : |

<u>ORDER</u>

PER CURIAM

AND NOW, this 23rd day of August, 2006, the order of the Commonwealth Court is

affirmed.