

Docket Number: 1378

IMPACT MANAGEMENT SYSTEMS, INC.

~~John S. Custer, Jr., Esquire~~
~~Howard F. Riley, Jr., Esquire~~
Henry J. Costa, Esquire

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES
and
LOCK HAVEN UNIVERSITY

John B. Consevage, Esquire
~~John J. Buchy, Jr., Chief of Litigation~~
~~Richard A. Holmes, Esquire~~
~~Wayne Richardson, Esquire~~

June 21, 1989

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$230,000.00+

June 30, 1989

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

July 10, 1989

Acceptance of Service of Claim received from attorney for Defendant (Lock Haven University). Receipt of same acknowledged by attorney for Defendant (Lock Haven University) July 6, 1989.

July 17, 1989

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 11, 1989.

August 9, 1989

Answer, New Matter and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 15, 1989

Claimant's Reply to Respondent's New Matter and Answer to Counterclaim with New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 4, 1989

Respondent's Reply to New Matter in Claimant's Answer to Counterclaim filed by attorney for Defendants. Copy forwarded to attorney for Plaintiff by attorney for Defendants.

November 13, 1991

Entry of Appearance of Andrew S. Gordon, Esquire, filed by attorney for Defendant. Copy forwarded to attorney or Plaintiff by attorney for Defendant.

December 23, 1991

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 23rd day of December, 1991, it is **ORDERED** and **DECREED** that the request, that the matter be listed for a hearing without further discovery be, and is **DENIED**. It is further **ORDERED** and **DECREED** that all parties shall begin discovery within thirty (30) days of the issuance of this Order and maintain same at a reasonable pace until such time as the case is ready to be listed for trial." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

December 31, 1991

Acceptance of Service of Opinion and Order dated December 23, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 2, 1992.

January 10, 1992

Acceptance of Service of Opinion and Order dated December 23, 1991 received from attorneys for Defendants. Receipt of same acknowledged by attorneys for Defendants January 2, 1992.

January 21, 1992

Respondents' First Set of Interrogatories as well as Respondents' First Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 24, 1992

Motion to Compel Compliance with Discovery Requests filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 4, 1992

The Board rendered an Opinion and Order: **"AND NOW**, this 4th day of June, 1992, the Motion to Compel as filed by the Defendants is hereby **GRANTED**. The Plaintiff is given thirty (30) days from the date of this Order to file appropriate answers to the Interrogatories and Request for Production of Documents. If this Order is not fulfilled within the thirty (30) days hereof, all evidence that is introduced by the Plaintiff at the time of the trial that could have been revealed by the answers to the **(cont'd)**

June 4, 1992
(Continued)

Interrogatories and Request for Production of Documents will not be received by the Board. Judgment of non pros may be summarily granted if this conduct continues without cause shown." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

June 11, 1992

Acceptance of Service of Opinion and Order dated June 4, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 5, 1992.

July 2, 1992

Acceptance of Service of Opinion and Order dated June 4, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 19, 1992.

July 7, 1992

Plaintiff's Answers to Respondents' Interrogatories and Plaintiff's Response to Respondents' First Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff

January 29, 1993

Praecipe for Withdrawal of Appearance of Howard Riley, Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 29, 1993

Praecipe for Entry of Appearance of Henry Costa, Jr., Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 16, 1998

Letter/Status Report received from Plaintiff advising that now that the trial for Case No. 1368 is complete, they will be reactivating this matter. They expect that they will be inspecting documents at Lock Haven next month.

July 1, 1999

Letter forwarded to parties requesting a status report. Status Report due on or before **August 2, 1999**.

July 26, 1999

Letter/Status Report received from attorney for Plaintiff advising that they intend to move this case forward and will be preparing request for production of documents to be sent to Defendant during the month of August.

July 30, 1999

Letter/Status report received from attorney for Defendant advising that they intend to fully defend this case and will respond to any discovery propounded by Plaintiff in accordance with PA. R.C.P. and that they intend to initiate discovery relative to Plaintiff's Claim upon receipt of Plaintiff's discovery.

Letter forwarded to parties requesting Status Report. Status Report due on or before April 13, 2000.

April 11, 2000

Letter received from attorney for Defendant advising that the parties have reached an agreement to settle this case and once the Agreement has been fully executed and fulfilled, appropriate stipulations of discontinuance will be filed.

May 30, 2000

Stipulation advising that this case is settled, ended and discontinued with prejudice, duly executed, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 6, 2000

The Board made the following Order: "**AND NOW**, this 6th day of June, 2000, upon receipt of 'Stipulation', advising that 'this case is settled, ended and discontinued with prejudice', executed by Henry J. Costa, Esquire, on behalf of Plaintiff, Impact Management Systems, Inc., and John B. Consevage, Esquire, on behalf of Defendant, Commonwealth of Pennsylvania, Department of General Services and State System of Higher Education, Lock Haven University, and docketed with this Board under date of May 30, 2000, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, ended and discontinued with prejudice.'" Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 8, 2000

Acceptance of Service of Order dated June 6, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 7, 2000.

CLOSED