

Docket Number: 1389

SMC ENVIRONMENTAL SERVICES GROUP, INC.

~~Paul A. Logan, Esquire~~

~~*Mark f. Brancato, Esquire~~

VS.
CLOSED
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

~~Keith E. Welks, Chief Counsel~~

~~William B. Calder, Jr., Esquire~~

Philip Van Zile, Assistant Counsel

August 24, 1989

Complaint and filing fee filed. Amount of Claim: \$64,055.14+.

August 29, 1989

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

September 1, 1989

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General August 29, 1989.

September 7, 1989

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 6, 1989.

September 27, 1989

Answer and Counterclaim to Complaint of SMC Environmental Services Group, Inc. filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 1, 1989

Answer to Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 29, 1989

Counter-Reply to New Matter Contained in Answer to Counterclaim of SMC Environmental Services Group, Inc. and Answer to Claimant Request for Production of Documents (First Set) filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff by attorney for Defendant.

December 18, 1989

Answer to Claimant Interrogatories (First Set) filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 23, 1991

Letter/Entry of Appearance filed by Philip Van Zile Assistant Counsel, attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 31, 1991

Letter/Withdrawal of Appearance filed by William B. Calder, Jr., attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

***September 29, 1992**

Entry/Withdrawal of Appearance filed by Mark F. Brancato, Esquire, attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 21, 1992

Plaintiff's Second Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 5, 1993

Settlement Agreement and Release executed by parties filed by attorney for Defendant.

March 31, 1993

Copy of Settlement Agreement and Release forwarded to attorney for Plaintiff.

April 8, 1993

Acceptance of Service of Settlement Agreement and Release received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 6, 1993.

July 2, 1993

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 2nd day of July, 1993, it is **ORDERED** and **DECREED** that the Defendant, Commonwealth of Pennsylvania, Department of Environmental Services Group, Inc., in the full and true sum of Thirty-Five Thousand Dollars (\$35,000.00). Upon receipt of said award, Plaintiff shall forthwith file with the Board of Claims a Praecipe that the case be marked 'settled, discontinued and ended with prejudice'. Each party to bear its own costs and attorneys' fees." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

July 13, 1993

Acceptance of Service of Opinion and Order dated July 2, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 9, 1993.

March 29, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 29th day of March, 1994, a Rule to Show Cause is **ISSUED** upon Plaintiff, SMC Environmental Services Group, Inc. wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days from the date of this Order as to whether or not Plaintiff has received the sum of money directed by the Board of Claims. This Rule shall become absolute and the case shall be marked closed and settled with prejudice in the event the Board does not receive a response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 5, 1994

Acceptance of Service of Opinion and Order dated March 29, 1994, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 1, 1994.

April 13, 1994

Letter/Praecipe filed by attorney for Plaintiff.

June 3, 1994

The Board made the following Order: "**AND NOW**, this 3rd day of June, 1994, upon receipt of a Letter/Praecipe acknowledging receipt of award, executed by Mark F. Brancato, Esquire, on behalf of SMC Environmental Services Group, Inc., same of which is docketed with this Board under date of April 13, 1994, 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.
