

Docket Number: 1780

ELIZABETH W. and JOHN E. KOSTANS

Anthony Carrozza, III, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES, BUREAU OF STATE PARKS

Keith E. Welks, Chief Counsel

***December 30, 1993**

Claim and filing fee filed by attorney for Plaintiff, additional information to be requested. Amount of Claim: unknown.

January 11, 1994

Notice of letter with enclosure forwarded to attorney for Defendant.

January 11, 1994

Letter forwarded to attorney for Plaintiff requesting additional information. Copy forwarded to attorney for Defendant.

January 14, 1994

Acceptance of Service of Statement of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 12, 1994.

***January 24, 1994**

Amended Statement of Claim (Amount of Claim) filed by attorney for Plaintiff. Amount of Amended Claim: \$375,000.00.

January 31, 1994

Copy of Amended Statement of Claim (Amount of Claim) forwarded to attorney for Defendant.

January 31, 1994

Copy of Statement of Claim and Amended Statement of Claim (Amount of Claim) forwarded to Chief Deputy Attorney General.

February 4, 1994

Acceptance of Service of Statement of Claim and Amended Statement of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 2, 1994.

February 8, 1994

Acceptance of Service of Amended Statement of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 4, 1994.

March 1, 1994

Answer, New Matter and Counterclaim of Commonwealth of Pennsylvania, Department of Environmental Resources, To Amended Complaint of Elizabeth W. and John E. Kostans filed by attorney for Defendant.

Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 1, 1994

Reply to Commonwealth of Pennsylvania, Department of Environmental Resources, New Matter and Answer to Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 3, 1996

Motion to amend Answer, New Matter and Counterclaim of Commonwealth of Pennsylvania, Department of Conservation and Natural Resources filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Plaintiff.

December 21, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 23rd day of December, 1996, it is ORDERED and DECREED that

Defendant has leave to file an Amended Answer, New Matter and Counterclaim in conformity with its Motion." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 2, 1997

Letter forwarded to parties requesting status. Response due from parties May 2, 1997.

May 5, 1997

Status letter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 8, 1997

Letter forwarded to parties requesting status. Response due from parties January 8, 1998.

January 15, 1998

2nd letter forwarded to parties requesting status. Response due from parties February 15, 1998.

February 4, 1998

Status letter received from attorney for Plaintiff advising that Defendant requires additional time in which to pursue its claim for damages.

August 10, 1998

Letter forwarded to parties requesting status. Response due from parties September 10, 1998.

January 28, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of January, 2000, a Rule to Show Cause is issued upon Plaintiff, Elizabeth W. and John E. Kostans, 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 wishes to pursue the above-captioned matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked 'closed, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 8, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 8th day of September, 2000, this Order is issued as a result of the failure of Plaintiff, Elizabeth W. and John E. Kostans, to file with the Board of Claims, within thirty (30) days from January 28, 2000, a response to the Rule to Show Cause advising why this Claim should not be dismissed for failure to abide by the instructions of the Board of Claims. Therefore, it is **DIRECTED** that the Rule of January 28, 2000, be made **ABSOLUTE** and the record be marked 'closed and discontinued with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.