

Docket Number: 1793

DELTA REMOVAL, INC.

Francis J. Connell, III, Esquire
Jeffrey P. Wallack, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR & INDUSTRY,
STATE WORKMEN'S INSURANCE FUND

~~Susan Shinkman, Chief Counsel~~
~~Patrick J. Connor, Esquire~~
~~Douglas B. Lang, Esquire~~
~~Gerianne Hannibal, Esquire~~
~~Joseph J. Bellew, Esquire~~

CLOSED

February 24, 1994

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$ 807,598.00+.

March 8, 1994

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

March 10, 1994

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 10, 1994.

CLOSED

Entry of Appearance filed by Patrick J. O'Connor, Esquire, Douglas B. Lang, Esquire, Joseph J. Bellew, Esquire, and Gerianne Hannibal, Esquire, attorneys for Defendant.

April 4, 1994

Copy of Entry of Appearance of Patrick J. O'Connor, Esquire, Douglas B. Lang, Esquire, Joseph J. Bellew, Esquire, and Gerianne Hannibal, Esquire forwarded to attorney for Plaintiff and attorney for Defendant (Susan Shinkman, Chief Counsel).

April 6, 1994

Acceptance of Service of Entry of Appearance received from attorney for Defendant (Susan Shinkman, Chief Counsel). Receipt of same acknowledged by attorney for Defendant April 6, 1994.

April 13, 1994

Acceptance of Service of Entry of Appearance received from attorneys for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 7, 1994.

April 29, 1994

Two (2) Proposed Orders as well as Defendant's Preliminary Objections to Complaint of Delta Removal, Inc. filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 16, 1994

Plaintiff Delta Removal, Inc.'s First Request for Production of Documents to Defendant SWIF filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

May 16, 1994

Plaintiff Delta Removal, Inc.'s Interrogatories to Defendant SWIF - First Set filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

May 16, 1994

Defendant, Commonwealth of Pennsylvania Department of Labor & Industry, State Workmen's Insurance Fund's First Set of Interrogatories to Plaintiff filed by attorneys for Defendant. Copy forwarded to attorney for Plaintiff by attorneys for Defendant.

May 16, 1994

Defendant, Commonwealth of Pennsylvania, Department of Labor & Industry, State Workmen's Insurance Fund's Request for Production of Documents to Plaintiff, Delta Removal, Inc. filed by attorneys for Defendant. Copy forwarded to attorneys for Plaintiff by attorneys for Defendant.

May 23, 1994

Corrected copy of Plaintiff, Delta Removal, Inc.'s Interrogatories to Defendant SWIF - First Set filed by attorney for Plaintiff. Copy forwarded to attorneys for Defendant by attorneys for Plaintiff.

May 31, 1994

Brief in Support of the State Workmen's Insurance Fund's Preliminary Objections to Claimant's Complaint filed by attorney for Defendant, via Fax. Copy forwarded to attorney for Plaintiff by attorneys for Defendant.

June 1, 1994

Brief in Support of the State Workmen's Insurance Fund's Preliminary Objections to Claimant's Complaint filed by attorneys for Defendant, via Mail. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 22, 1994

Proposed Order as well as Plaintiff Delta Removal, Inc.'s Answer to Defendant's Preliminary Objections filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

July 7, 1994

Defendant's Reply Brief in Support of Its Preliminary Objections filed by attorneys for Defendant. Copy forwarded to attorneys for Plaintiff by attorneys for Defendant.

July 14, 1994

Proposed Order as well as Plaintiff's Motion to Strike Defendant's Reply in Support of Preliminary Objections filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

July 14, 1994

Plaintiff, Delta Removal, Inc.'s Supplemental Memorandum of Law in Opposition to Defendant's Preliminary Objections filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

July 14, 1994

Plaintiff, Delta Removal, Inc.'s Memorandum of Law in Support of its Motion to Strike Defendant's Reply in Support of Preliminary Objections filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

August 8, 1994

Plaintiff Delta Removal Inc.'s Answers to Defendant, Commonwealth of Pennsylvania, Department of Labor & Industry, State Workmen's Insurance Fund's First Set of Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 8, 1994

Plaintiff Delta Removal, Inc.'s Answers to Defendant's Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 15, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of August, 1994, the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Labor & Industry, State Workman's Insurance Fund, are here **DENIED** and the Defendant is given thirty (30) days from the exit date of this Order to file responsive pleadings. All allied Motions, telephone calls, letters pertaining to all activities subsequent to the filing of the Preliminary Objections as these various Motions, telephone calls, and letters pertaining to the Preliminary Objections are hereby, because of this ruling, held **ROOT**. Copy forwarded to attorneys for Plaintiff and attorneys for Defendant.

Answers to Plaintiff Delta Removal Inc.'s Interrogatories to Defendant SWIF - First Set filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 15, 1994

State Workmen's Insurance Fund's Answers to Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 23, 1994

Acceptance of Service of Opinion and Order dated August 15, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 19, 1994.

September 15, 1994

Answer and New Matter to Complaint filed by attorneys for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 6, 1994

Plaintiff Delta Removal, Inc.'s Reply to Defendant's New Matter filed by attorneys for Plaintiff. Copy forwarded to attorneys for Defendant by attorneys for Plaintiff.

November 17, 1994

Plaintiff Delta Removal, Inc.'s Interrogatories to Defendant SWIF - Second Set filed by attorney for Plaintiff. Copy forwarded to attorneys for Defendant by attorneys for Plaintiff.

March 18, 1996

Respondent's Motion to Strike Objections, Motion to Compel Interrogatory Responses and Motion for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 3, 1996

Letter received from attorney for Defendant withdrawing its Motion to Compel. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 1, 1996

Stipulation of Dismissal of Lost Profit Claim, executed by the parties, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 19, 1997

Letter forwarded to parties requesting a status report.
Response due from parties 4/18/97.

May 19, 1997

Letter forwarded to parties requesting a status report.
Response due from parties 6/18/97.

May 27, 1997

Letter received from attorney for Plaintiff advising that the parties are involved in settlement negotiations.

January 14, 1998

Status letter forwarded to the parties.
Response due 2/16/98.

February 19, 1998

Letter received from attorney for Plaintiff advising that the parties have agreed to settle.

April 27, 1998

Praeipie to Settle, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 29, 1998

The Board made the following Order: "**AND NOW**, this 29th day of May, 1998, upon receipt of Praeipie to Settle, Discontinue and End filed on April 27, 1998, by Jeffrey P. Wallack, Esquire, counsel for Plaintiff, Delta Removal, Inc., it is **ORDERED** and **DIRECTED** that this case be marked 'settled, discontinued and ended with prejudice.'" Copies forwarded to attorneys for Plaintiff and attorney for Defendant.

June 2, 1998

Acceptance of Service of Order dated May 29, 1998, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 2, 1998.

CLOSED