

Docket Number: 1916

CLEMENTS WASTE SERVICES

Mark Gordon, Esquire

VS.

**CLOSED**

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

~~Susan Shinkman, Chief Counsel~~  
G. Richard Gold, Esquire  
Timothy J. Nieman, Esquire

**April 18, 1995**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$250,000.00+.

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**April 28, 1995**

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

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**April 28, 1995**

Verification, to be attached to the Claim, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**CLOSED**

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Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 25, 1995.

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Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 25, 1995.

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**May 24, 1995**

Answer with New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 15, 1995**

Reply to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 3, 1996**

Entry of Appearance of G. Richard Gold, Esquire and Timothy J. Nieman, Esquire, on behalf of Defendant, filed by attorneys for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 17, 1997**

Status Report requested from parties. Status Report due on or before July 17, 1997.

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**July 18, 1997**

Status Report received from Plaintiff advising that they are awaiting a response from Defendant relative to settlement and that if same does not occur, Plaintiff will proceed with discovery which they will need 90 days to complete.

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**January 22, 1998**

Letter forwarded to parties requesting a status report. STATUS REPORT DUE ON OR BEFORE FEBRUARY 23, 1998.

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**February 17, 1998**

Praecipe to Discontinue filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 20, 1998**

The Board rendered the following Order: "AND NOW, this 20th day of February, 1998, upon receipt of a Praecipe to Discontinue, requesting that the Board 'discontinue the within proceedings, docketed at No. 1916 before the Board of Claims, without prejudice executed by Mark Gordon, Esquire, on behalf of Plaintiff, Cements Waste Services, and docketed with this Board under date of February 17, 1998, it is **ORDERED** and **DIRECTED** that said case be marked 'withdrawn, discontinued and ended with prejudice'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**February 25, 1998**

Acceptance of Service of Order dated February 20, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 25, 1998.

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**March 16, 1998.**

Letter received from Plaintiff objecting to our Order closing the case. He advises that he requested this matter be closed "**without**" prejudice; however, our "Praecipe Order" closed the case "**with**" prejudice.

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**March 30, 1998**

The Board rendered an Opinion and made the following Amended Order:

"**AND NOW**, this 30th day of March, 1998, upon receipt of a Praecipe to Discontinue, requesting that the Board 'discontinue the within proceedings, docketed at No. 1916, before the Board of Claims, without prejudice', executed by Mark Gordon, Esquire, on behalf of Plaintiff, Cements Waste Services, and docketed with this Board under date of February 17, 1998, it is **ORDERED** and **DIRECTED** that said case be marked 'withdrawn, discontinued and ended without prejudice'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**April 2, 1998**

Acceptance of Service of Opinion and Amended Order received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 31, 1998.

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**April 10, 1998**

Acceptance of Service of Opinion and Amended Order received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 3, 1998.

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