

Docket Number: 2064

DEL GUERICO'S DISPOSAL SERVICE, INC.

James C. Dalton, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
STATE WORKMEN'S INSURANCE FUND

~~J. Matthew Wolfe, Chief Counsel~~  
~~Thomas J. Kuzma, Assistant Counsel~~  
James D. Jordan, Assistant Counsel

**February 2, 1996**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: Not Specified.

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**February 8, 1996**

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

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**February 14, 1996**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 9, 1996.

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**CLOSED**

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Answer and New Matter of Respondent, State Workmen's Insurance Fund of the Commonwealth of Pennsylvania and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 20, 1996**

Letter forwarded to attorney for Plaintiff requesting a Response to New Matter and Counterclaim. Response due from Plaintiff April 22, 1996.

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**April 19, 1996**

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

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**May 8, 1996**

Letter forwarded to parties directing them to proceed with discovery.

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**November 15, 1996**

Request of Claimant for Production of Documents Directed to Respondent filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 5, 1996**

Praecipe for Withdrawal of Thomas J. Kuzma, Assistant Counsel and Substitution of Appearance of James D. Jordan, Assistant Counsel, attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**December 5, 1996**

Requests for Admission filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**January 23, 1997**

Motion for Summary Judgment and Brief in Support thereof filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**Response and Brief due from Plaintiff 2/3/97**

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**February 12, 1997**

Answer of Claimant to Defendant's Motion for Summary Judgment filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 7, 1997**

Answer of Claimant to Defendant's Motion for Summary Judgment and Brief in Support thereof filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 15, 1997**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 15th day of July, 1997, this Board has considered the Defendant's Motion for Summary Judgment which was made on the grounds that the Board lacks jurisdiction to hear the matter because the statute of limitations expired prior to the filing of the action.

The Board finds that there is no issue as to any material fact and the Board **ORDERS** that the Motion is **GRANTED**. It is further **ORDERED** that summary judgment is entered in favor of the Defendant and that the action is **DISMISSED** with prejudice. Each party shall bear its own costs and attorneys fees." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**July 21, 1997**

Acceptance of Service of Opinion and Order dated July 15, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 17, 1997.

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**July 23, 1997**

Acceptance of Service of Opinion and Order dated July 15, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 18, 1997.

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**August 7, 1997**

Copy of Petition for Review filed in Commonwealth Court by attorney for Plaintiff.

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**August 12, 1997**

Petition for Review filed by Commonwealth Court [No. 2177 C.D. 1997].

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**September 12, 1997**

File transmitted to Commonwealth Court.

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**December 3, 1997**

Order received from Commonwealth Court. Order as follows: "NOW, December 1, 1997, the above-captioned matter shall be submitted on briefs, without oral argument, unless otherwise Ordered."

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**September 14, 1999**

Opinion and Order received from Commonwealth Court. Order as follows: "AND NOW, this 8th day of September, 1999, in the above captioned matter, the order of the Board of Claims, dated July 15, 1997, at Docket No. 2064 is hereby AFFIRMED."

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**March 15, 2000**

Order received from Supreme Court. Order as follows: "AND NOW, this 10th day of February, 2000, the Petition for Allowance of Appeal is hereby denied."

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**March 15, 2000**

File returned from Commonwealth Court.

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