

Docket Number: 2092

SAFWAY STEEL SCAFFOLDS CO. OF PHILADELPHIA

Jonathan A. Ziss, Esquire
Jeffrey A. Krawitz, Esquire

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

~~J. Matthew Wolfe, Chief Counsel~~
G. Richard Gold, Esquire
Timothy J. Nieman, Esquire
Michael W. Winfield, Esquire

April 2, 1996

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

April 9, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 5/9/96.

April 12, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 10, 1996.

April 15, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 10, 1996.

May 3, 1996

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

May 6, 1996

Proposed Order as well as Motion for Enlargement of Time filed by attorneys for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 10, 1996

Proposed Order as well as Plaintiff's Answer to Defendant's Motion for Enlargement of Time filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 24, 1996

The Board made the following Order: "AND NOW, this 24th day of May, 1996, upon consideration of Defendant's Motion for Enlargement of Time, and the Response thereto, it is hereby ordered that Defendant is granted an enlargement of time of thirty (30) days from the exit date of this Order to respond to Plaintiff's Complaint." Copies forwarded to attorneys for Plaintiff and attorneys for Defendant.

May 29, 1996

Acceptance of Service of Order dated May 24, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 28, 1996.

June 7, 1996

Acceptance of Service of Order dated May 24, 1996 received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff May 28, 1996.

June 24, 1996

Preliminary Objections of Defendant to Plaintiff's Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Defendant's Brief in Support** due 8/7/96.

August 7, 1996

Brief in Support of SWI's Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 27, 1996

Plaintiff's Reply to Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 24, 1996

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 24th day of December, 1996, the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Labor and Industry, State Workmen's Insurance Fund, are hereby **OVERRULED**. The Defendant is given thirty (30) days from the exit date of this Order to file responsive pleadings." Copies forwarded to attorneys for Plaintiff and attorneys for Defendant.

December 30, 1996

Acceptance of Service of Opinion and Order dated December 24, 1996 received from attorneys for Defendant. Receipt of same acknowledged by attorneys for Defendant December 27, 1996.

January 6, 1997

Acceptance of Service of Opinion and Order dated December 24, 1996 received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff December 27, 1996.

January 23, 1997

Answer, New Matter and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
Response to New Matter and Counterclaim due from Plaintiff 3/14/97.

February 12, 1997

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

CLOSED

February 18, 1997
Answer to New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 27, 1997

Letter forwarded to parties directing them to proceed with discovery.

August 28, 1997

Letter forwarded to parties requesting a status report.
Response due from the parties 9/29/97.

September 30, 1997

Letter forwarded to the parties requesting a status report.
Response due 10/30/97.

October 28, 1997

Letter received attorney for Plaintiff advising that the parties are conducting discovery.

December 4, 1997

Response to Plaintiff's Request for Production of Documents filed by attorney for Defendant.

May 21, 1998

Letter forwarded to the parties requesting a status report.
Response due 6/22/98.

June 19, 1998

Letter received from attorney for Plaintiff advising that the parties are still conducting discovery.

July 1, 1998

Entry of Appearance of Michael W. Winfield, Esquire, attorney for Defendant, filed.

June 22, 1999

Motion to Compel filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 25, 1999

Letter forwarded to attorney for Plaintiff requesting response to Defendant's Motion to Compel. Response due July 26, 1999.

July 22, 1999

Response of Plaintiff Safway Steel Scaffolds Co. of Philadelphia to Defendant's Motion to Compel filed.

July 22, 1999

Motion of Plaintiff Safway Steel Scaffolds Co. of Philadelphia to Overrule Defendant's Objection to Production of Medical Records filed. Response due from Defendant August 30, 1999.

July 22, 1999

Plaintiff's Responses to Defendant's Interrogatories (First Set) as well as Reply of Plaintiff to Defendant's First Request for Production of Documents filed.

August 2, 1999

Motion of Plaintiff Safway Steel Scaffolds Co. of Philadelphia to Overrule Defendant's Objection to Production of Medical Records and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 2, 1999

Response of Plaintiff Safway Steel Scaffolds Co. of Philadelphia to Defendant's Motion to Compel filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 5, 1999

Response to Motion to Overrule Objection and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 12, 1999

DPW's First Motion to Compel Discovery and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 17, 1999

Motion to Compel more Specific Answers to Interrogatories, Brief in Support, as well as, Proposed Order filed by attorney for Defendant. Response due from Defendant September 23, 1999.

August 20, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of August, 1999, upon consideration of defendant's motion to compel answers to the First Set of Interrogatories and plaintiff's response thereto, it is **HEREBY ORDERED** that the motion is **DENIED** as noot sincere responses have been filed. **FURTHER**, upon consideration of the plaintiff's motion to overrule the objections of the defendant to producing certain medical records, and the response thereto, **IT IS HEREBY ORDERED** that the motion is **GRANTED**.

The parties are to execute an appropriate confidentiality agreement covering the records which were withheld and which now are to be produced within fifteen (15) days of the exit date of this order."

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 24, 1999

Acceptance of Service of Opinion and Order dated August 20, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 23, 1999.

September 16, 1999

Answer to Defendant's Motion to Compel More Specific Answers to Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 28, 1999

Confidentiality Agreement filed executed by all parties of record filed.

October 1, 1999

Reply to Brief in Response to Motion to Compel More Specific Answers to Interrogatories filed by attorney for Defendant.

April 19, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of May, 2000, Defendant's, Commonwealth of Pennsylvania, Department of Labor & Industry, State Workmen's Insurance Fund, Motion to Compel More Specific Answers to Interrogatories is **GRANTED**. Plaintiff, Safeway Steel Scaffolds, Inc. of Philadelphia, shall provide Defendant more specific Answers within thirty (30) days from the entry of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

Acceptance of Service of Opinion and Order dated May 15, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 17, 2000.

June 5, 2000

Acceptance of Service of Opinion and Order dated May 15, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 17, 2000.

June 15, 2000

Letter forwarded to parties requesting status. Response due from parties July 17, 2000.

July 11, 2000

Status letter received from attorney for Plaintiff advising that the parties are in discovery and further that the parties have begun settlement negotiations.

July 17, 2000

Status letter received from attorney for Plaintiff advising that the parties are in discovery and further that the parties have begun settlement negotiations.

August 3, 2000

Motion to Compel and For Sanctions filed by attorney for Defendant.
Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 5, 2000

Status letter received from attorney for Plaintiff advising that the parties have reached a tentative settlement.

October 10, 2000

Praecipe to Voluntarily Discontinue all Claims and Counterclaims filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 27, 2000

The Board rendered an opinion and made the following Order: "And NOW, this 27th day of October, it is **ORDERED** and **DECREE**d that the Complaint filed by the Plaintiff on April 2, 1996, is "discontinued with prejudice" and the Counterclaim filed by the Defendant on January 23, 1997, is also hereby "discontinued with prejudice." It is further **ORDERED** and **DECREE**d that the August 3, 2000, Motion to Compel and For Sanctions filed by the Defendant is hereby rendered **MOOT**. Each party shall bear its own cost and attorneys' fee." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 31, 2000

Acceptance of Service of Opinion and Order dated October 27, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 20, 2000.

November 6, 2000

Acceptance of Service of Opinion and Order received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 30, 2000.