

Docket Number: 2301

HDTL, INC.

Peter G. Loftus, Esquire

VS.

CLOSED

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

J. Matthew Wolfe, Chief Counsel

James D. Jordan, Esquire

June 12, 1996

By Order of the Court of Common Pleas of Centre County, Pennsylvania, case filed, Order as follows: **"AND NOW**, this 1st day of November, 1996, by agreement of the parties, jurisdiction of this case properly belongs with the Board of Claims. The Prothonotary of Centre County shall transfer the record, together with a certified copy of the docket entries to the Prothonotary or Clerk of the Court of the Board of Claims."

THE FOLLOWING FILED IN COURT OF COMMON PLEAS OF CENTRE COUNTY:

CLOSED

March 6, 1996
Receipt for writ of summons filed. Writ issued to Sheriff for Service.)
July 4, 1996

By paper filed, James D. Jordan enters his appearance for the Defendants.

August 14, 1996

Complaint, with notice and Certificate of Service filed.

August 26, 1996

Defendant's Preliminary Objections, with Notice and Certificate of Service filed.

September 12, 1996

Order, filed. (Oral argument: November 1, 1996 at 11:30 a.m. in Courtroom #2) (Mailed a copy to atty. Loftus and atty. James Jordan 9/16/96).

November 1, 1996

Opinion and Order, filed. (Transfer case to the Board of Claims.) (mailed a copy to atty. James Jordan and atty. Peter Loftus 11/4/96.)

November 4, 1996

Mailed record to the Board of Claims.

BEFORE THE BOARD OF CLAIMS:

November 1, 1996

Record transferred from Court of Common Pleas of Centre County.

November 6, 1996

File received from Court of Common Pleas of Centre County. Amount of Claim: \$88,706.00.

December 12, 1996

Additional copies of Claim and filing fee filed by attorney for Plaintiff.

December 20, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 22, 1997.

December 26, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 24, 1996.

December 27, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 26, 1996.

January 17, 1996

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

February 14, 1997

Plaintiff's Brief in Opposition to Defendants' Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 21, 1997

The Board made the following Order: "AND NOW, this 21st day of March, 1997, the Complaint as filed by the Plaintiff HDTL, Inc is hereby DISMISSED because of the untimeliness of the filing. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 26, 1997

Acceptance of Service of Opinion and Order dated March 21, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 24, 1997.

March 26, 1997

Acceptance of Service of Opinion and Order dated March 21, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 24, 1997.

June 20, 1997

Commonwealth Court's Order: NOW, June 12, 1997, it appearing that the above captioned Petition for Review was filed on April 18, 1997, and that a notice to certify the record was sent on April 23, 1997, and that the record has not been certified, it is hereby ordered that the Board of Claims shall certify the record to the Court within twenty (20) days of date of this Order.

June 25, 1997

Letter forwarded to Deputy Prothonotary - Chief Clerk.

April 1, 1998

Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 13, 1998

Opinion and Order rendered by Judge Kelly in Commonwealth Court reversing this matter and remanding the case to the Board of Claims for a hearing.

May 21, 1998

Motion to Recuse the Board of Claims filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 5, 1998

Defendant's Answer to Plaintiff's Motion to Recuse the Board of Claims filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 8, 1998

Plaintiff's Answer to the Defendant's New Matter on the Motion to Recuse filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 15, 1998

Motion to Recuse is filed by attorney for Plaintiff.

July 30, 1998

The Board rendered an Opinion and made the following Order: **AND NOW**, this 30th day of July, 1998, the Plaintiff, HDLT, Inc., Motion to Recuse is hereby DENIED. The parties shall proceed with discovery. Copies forwarded to attorney for Plaintiff and Defendant.

August 6, 1998

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

August 10, 1998

Acceptance of Service of Opinion and Order dated July 30, 1998. Receipt of same acknowledged by attorney for Plaintiff August 5, 1998.

August 17, 1998

Letter forwarded to Plaintiff directing a response to Defendant's New Matter and Counterclaim. RESP. Due September 17, 1998.

August 19, 1998

Letter forwarded to Plaintiff directing a response to New Matter and Counterclaim. RESPONSE DUE 9/18/98.

September 3, 1998

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

September 16, 1998

Letter forwarded to parties directing Plaintiff to file its Brief in Support of said P.O. Thereafter, directing the Defendant to file its Response and Brief in support of its Response to P.O.s.

October 7, 1998

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

October 23, 1998

Response to HDTL's Preliminary Objections to New Matter and Counterclaim; Defendant's Brief in Opposition to HDTL's Preliminary Objections to New Matter and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 20, 1999

The Board rendered an Opinion and made the following Order: **CLOSED**
AND NOW, this 20th day of May, 1999, after the consideration of Plaintiff's Preliminary Objections are **DENIED** and Plaintiff is directed to file a reply to Defendant's Answer and Counterclaim within thirty (30) days of the date of this Order. Copy forwarded to attorney for Plaintiff and Defendant.

May 26, 1999

Acceptance of Service of Opinion and Order dated May 20, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 21, 1999.

May 27, 1999

Acceptance of Service of Opinion and Order dated May 20, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 25, 1999.

June 21, 1999

HDTL'S Answer to the Defendant, Commonwealth of Pennsylvania Department of Labor & Industry State Worker's Insurance fund New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 5, 1999

SWIF'S REPLY TO NEW MATTER OF COUNTERCLAIM filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff August 9, 1999.

July 20, 1999

Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22 filed by attorney for Defendant Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 20, 1999

Certificate Prerequisite to Service of a Subpoena pursuant to Rule 4009.22 filed by attorney for Plaintiff.

October 27, 1999

SWIF's Certificate Prerequisite to Service of a Subpoena pursuant to Rule 4009.22 filed by attorney for Defendant served upon attorney for Plaintiff.

January 10, 1999

Certificate of Service of Defendant's First Set of Interrogatories served upon Plaintiff.

March 3, 2000

Letter/status report received from attorney for Plaintiff advising that the case has settled, and the Plaintiff's Claim in this matter should be marked discontinued and ended. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 27, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 27th day of March, 2000, it is **ORDERED** and **DECREED** that this Complaint be marked 'discontinued and terminated with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 31, 2000

Acceptance of Service of Opinion and Order dated March 27, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 29, 2000.