

Docket Number: 2450

THOMAS W. MORELLI

Rami Bishay, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF LABOR AND INDUSTRY,  
BUREAU OF WORKER'S COMPENSATION

~~J. Matthew Wolfe, Chief Counsel~~  
Peter M. Good, Assistant Counsel

AND

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES

~~Gregory C. Santoro, Chief Counsel~~  
Peter M. Good, Assistant Counsel

**BEFORE THE COURT OF COMMON PLEAS OF CHESTER COUNTY:**

**October 25, 1996**

Complaint filed.

**October 28, 1996**

Appearance of Jane P. Marks for Thomas W. Morelli.

**November 18, 1996**

Notice to Plead (20 Days).

**November 18, 1996**

Preliminary Objections of Commonwealth.

**November 18, 1996**

Certification of Service.

**November 18, 1996**

Praecipe for Determination by attorney for Commonwealth.

**November 18, 1996**

Appearance of Peter M. Good for Commonwealth of Pennsylvania,  
Department of Labor and Industry.

**November 21, 1996**

Served Bureau of Workers Compensation on November 20, 1996 at 10:30  
a.m.

**December 3, 1996**

Served Attorney General-Eastern Regional Office on November 6, 1996  
at 10:30 a.m.

**December 5, 1996**

Praecipe to transfer case.

**December 5, 1996**

Answer to Preliminary Objections by Plaintiff with New Matter.

**December 5, 1996**

Praecipe for Determination by attorney for Plaintiff.

**December 9, 1996**

Certification of Service of Plaintiff's Praecipe to transfer case and Plaintiff's response to Preliminary Objections upon Peter M. Good, Esquire on December 4th.

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**December 17, 1996**

Order of December 17, 1996 by Shenkin, J. Case transferred from this Court of Common Pleas to the Board of Claims in Harrisburg, Pa. See Order.

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**December 17, 1996**

Order: And Now, December 17, 1996, upon consideration of Defendant's Preliminary Objections and Plaintiff's Response thereto, it is hereby ORDERED that this case be transferred from this Court of Common Pleas to the Board of Claims in Harrisburg, Pa. Costs, if any, of transfer to be paid by Plaintiff.

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**December 17, 1996**

Copy of Order sent to Jane P. Marks, Esquire and Peter M. Good, Esquire.

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**May 19, 1997**

Record sent to Board of Claims, Harrisburg, Pennsylvania.

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**BEFORE THE BOARD OF CLAIMS:**

**May 5, 1997**

Motion to Amend Caption filed by attorney for Plaintiff.

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**June 2, 1997**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$50,000.00+.

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**June 4, 1997**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 7/4/97.**

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**June 4, 1997**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of June, 1997, it is **ORDERED** and **DECREED** that the Motion to Amend Caption is hereby **GRANTED**. The case shall be docketed as: Thomas W. Morelli, Plaintiff, v. Commonwealth of Pennsylvania, Department of Labor and Industry, Bureau of Workers' Compensation and Department of General Services, Defendants." Copies forwarded to attorneys for Plaintiff and attorneys for Defendants.

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**June 11, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 11, 1997.

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**June 12, 1997**

Acceptance of Service of Claim received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 9, 1997.

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**June 19, 1997**

Acceptance of Service of Claim received from attorney for Defendant (Department of General Services). Receipt of same acknowledged by attorney for Defendant June 6, 1997.

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**June 23, 1997**

Commonwealth's Preliminary Objection to Plaintiffs Complaint and Defendant's Brief in Support of Preliminary Objection to Plaintiff's Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 3, 1997**

Acceptance of Service of Opinion and Order dated June 4, 1997 received from attorney for Defendant (Department of General Services). Receipt of same acknowledged by attorney for Defendant June 27, 1997.

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**July 21, 1997**

Proposed Order, Plaintiff's Response to Commonwealth's Preliminary Objection to Plaintiff's Complaint and Brief in Support thereof filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 30, 1997**

The Board rendered an Opinion and made the following Order: "**AND**

**NOW**, this 30th day of September, 1997, the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Labor & Industry, Bureau of Workers' Compensation, and Department of General Services, wherein it requests the Complaint of the Plaintiff, Thomas W. Morelli, to be dismissed for failure to comply with the applicable statute of limitations, is hereby **DENIED**. The Defendant is hereby ordered to file an affirmative pleading in the matter within thirty (30) days of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**October 6, 1997**

Acceptance of Service of Opinion and Order dated September 30, 1997, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 3, 1997.

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**October 16, 1997**

Copy of letter received from attorney for Defendant confirming with Plaintiff an extension of time until 11/14/97 to file an affirmative action.

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**November 3, 1997**

Acceptance of Service of Opinion and Order dated September 30, 1997, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 1, 1997.

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**November 14, 1997**

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

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**November 24, 1997**

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

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**December 9, 1997**

Letter forwarded to the parties directing them to proceed with discovery.

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**June 19, 1998**

Letter received from attorney for Plaintiff requesting a hearing be scheduled.

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**July 8, 1998**

Panel Hearing scheduled for July 27, 28 and 29, 1998, in the Board's Court Room No. 2, 6th Floor, Fulton Building, 200 North Third Street, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

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**July 28, 1998**

Letter received from attorney for Defendant advising that the parties have settled.

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**CLOSED**

September 11, 1998  
Copy of letter received from attorney for Defendant advising that Plaintiff has been paid.  
September 30, 1998  
Praecipe for Discontinuance filed by attorney for Plaintiff.

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**October 6, 1998**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 6th day of October, 1998, it is **ORDERED** and **DECREED** that this case be marked 'settled and terminated with prejudice.' It is further **ORDERED** and **DECREED** that counsel for the Plaintiff shall have the right to reopen this case should there be any breach of the settlement agreement." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**October 9, 1998**

Acceptance of Service of Opinion and Order dated October 6, 1998, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 8, 1998.

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**October 15, 1998**

Acceptance of Service of Opinion and Order dated October 6, 1998, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 9, 1998.

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