

Docket Number: 2671

JAMES JULIAN, INC.

~~David W. Francis, Esquire~~
~~*Elizabeth J. Goldstein, Esquire~~
~~David T. Bolger, Esquire~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

~~John J. Robinson, Jr., Chief Claims Attorney~~
~~Stephen S. Stokwetz, Assistant Counsel~~

April 14, 1998

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: In excess of \$300.00.

April 20, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 5/20/98.

April 27, 1998

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 22, 1998.

May 6, 1998

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 22, 1998.

May 28, 1998

Letter requesting a 30-day extension of time to file a response filed by attorney for Defendant.

June 2, 1998

Letter forwarded to attorney for Defendant granting the request for an extension of time to file a response.

June 5, 1998

Answer filed by attorney for Defendant.

June 11, 1998

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

November 19, 1998

Copy of letter received from attorney for Defendant confirming an extension of time until 12/22/98 to file an answer to Plaintiff's Interrogatories.

November 20, 1998

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

December 10, 1998

Notice of Service of Defendant's Answers to James Julian Inc.'s Interrogatories Directed to Defendant filed by attorney for Defendant.

August 23, 1999

Letter forwarded to parties requesting a status report. Status Report due on or before **September 22, 1999.**

September 22, 1999

Letter/Status Report received from attorney for Plaintiff advising that they are currently assessing the contents of documents produced in order to identify the remaining discovery which needs to be performed before this case can be listed for trial. Following the completion of discovery, Plaintiff will advise the Board so a trial date can be set.

October 20, 1999

Praecipe for Withdrawal of Appearance of Michael W. Winfield, Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff.

May 22, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before June 19, 2000.

August 29, 2000

The Board rendered an Opinion and made the following Order: **AND NOW**, this 29th day of August, 2000, a Rule to Show Cause is issued upon Plaintiff, James Julian, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue this matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked closed, discontinued and ended with prejudice. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

***September 13, 2000**

Praecipe for Entry of Appearance of Elizabeth J. Goldstein, Esquire, as co-counsel on behalf of Plaintiff.

September 13, 2000

James Julian, Inc.'s Response to the Board of Claims' August 29, 2000 Rule to Show Cause filed by attorneys for Plaintiff.

September 13, 2000

Acceptance of Service of Opinion and Order dated August 29, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 12, 2000.

March 19, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 18, 2001**.

May 17, 2001

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 17th day of May, 2001, a Rule to Show Cause is issued upon Plaintiff, James Julian, Inc., for failure to advise this Board as to whether or not Plaintiff wishes to pursue this matter.

In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked >settled, discontinued and ended with prejudice=.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 6, 2001

Acceptance of Service of Opinion and Order dated May 17, 2001 received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff June 5, 2001.

June 6, 2001

Praecipe for Withdrawal of Appearance of Elizabeth Goldstein, as co-counsel to Plaintiff, filed by attorney for Plaintiff.

June 6, 2001

James Julian, Inc.=s Response to the Board of Claims= May 17, 2000 Rule to Show Cause, advising that Plaintiff intends to pursue this matter to completion, including completion of discovery and trial.

December 5, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **January 4, 2002**.

January 4, 2002

Status letter received from attorney for Plaintiff advising that parties are still in discovery and that once discovery is completed they will notify the Board to schedule a hearing.

January 16, 2003

Letter forwarded to parties requesting a Status Report. Status Report due on or before **February 18, 2003.**

February 19, 2003

Letter transmitted from Plaintiff via fax advising that the parties are engaged in discovery and that once discovery is complete, Plaintiff will advise the Board so that a trial date may be set.

February 19, 2003

Letter filed by Plaintiff advising that the parties are engaged in discovery and that once discovery is complete, Plaintiff will advise the Board so that a trial date may be set.

August 28, 2003

Board forwarded letter to parties requesting a Status Report.

October 2, 2003

Plaintiff filed letter advising that due to Plaintiff's attorney's health problems, discovery has not been completed, and that the parties are making arrangements for depositions.

August 5, 2004

Board forwarded letter to parties requesting a Status Report.

August 20, 2004

Plaintiff filed letter advising that parties are in discovery and once discovery is finished, Plaintiff will notify the Board to schedule a trial.

May 23, 2005

Board forwarded letter to parties requesting a status report.

July 11, 2005

Plaintiff filed letter advising that Plaintiff will contact Defendant and will jointly advise the Court as to the current posture and anticipated disposition of this matter within the next week or so.

November 4, 2008

Board forwarded Notice of Proposed Termination of Case for Lack of Activity Pursuant to Pa. Rule of Civil Procedure 230.2 to Plaintiff, with copy to Defendant.

March 23, 2009

Board rendered Opinion and Order. Order as follows: **"AND NOW,** this 23rd day of March, 2009, pursuant to Pa. R.C.P. 230.2, the above captioned case is **TERMINATED, ENDED** and **DISMISSED** with prejudice due to lack of activity." Copy forwarded to Plaintiff and Defendant.
