

Docket Number: 2672

PEOPLE'S UNLIMITED, INC.

~~Michael Finio, Esquire~~  
~~Karen Kontje Waller, Esquire~~  
Michael A. Finio, Esquire  
Joel C. Hopkins, Esquire  
~~Jill M. Lashay, Esquire~~

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF LABOR & INDUSTRY,  
STATE WORKERS' INSURANCE FUND

~~Matthew J. Wolfe, Chief Counsel~~  
~~G. Richard Gold, Esquire~~  
~~Michael W. Winfield, Esquire~~  
~~Todd P. Prugar, Esquire~~  
Charles B. Gibbons, Esquire  
Bryan S. Neft, Esquire

**April 14, 1998**

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

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**April 20, 1998**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT MAY 20, 1998.**

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**April 27, 1998**

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

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**CLOSED**

**May 6, 1998**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by Defendant May 1, 1998.

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**May 15, 1998**

Letter-type request for an extension of time until June 22, 1998 in which to respond to Plaintiff's Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 22, 1998**

Letter forwarded to attorney for Defendant granting Defendant's request for an extension of time until June 22, 1998 in which to respond to Plaintiff's Claim. Copy forwarded to attorney for Plaintiff.

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**June 8, 1998**

Entry of Appearance of Michael W. Winfield, Esquire, entered on behalf of Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 10, 1998**

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

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**June 11, 1998**

Letter forwarded to attorney for Plaintiff requesting Response and Brief to Defendant's Preliminary Objections and Brief. Response due July 13, 1998.

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**June 15, 1998**

Letter received from attorney for Plaintiff advising that they did not receive a copy of Defendant's Preliminary Objections and Brief as filed at the Board of Claims under date of June 10, 1998.

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**June 15, 1998**

Copy of Defendant's Preliminary Objections and Brief given to attorney for Plaintiff by the Board of Claims.

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**June 29, 1998**

Letter forwarded to attorney for Plaintiff and attorney for Defendant setting forth new briefing schedule pertaining to the Defendant's Preliminary Objections and Brief which were originally filed under date of June 10, 1998. Plaintiff's response and Brief due July 27, 1998.

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**July 7, 1998**

Praecipe to Amend Statement of Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 30, 1998**

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

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**August 11, 1998**

The Board rendered the following Order: **"AND NOW**, this 11TH day of July, 1998, upon receipt of a Praecipe to Amend Statement of Claim filed by attorney for Plaintiff, People Unlimited, Inc. on July 27, 1998, it is hereby **ORDERED** and **DIRECTED** that said Amendment is **GRANTED**. It is further **ORDERED** and **DECREED** that the Preliminary Objections as filed by the Defendant, Department of Labor & Industry, State Workers' Insurance Fund, under docket date of June 10, 1998, are hereby **DISMISSED** as being **MOOT**. Defendant shall file its response to the Plaintiff's Amended Statement of Claim within thirty (30) days from the exit date of this Order." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

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**August 18, 1998**

Acceptance of Service of Opinion and Order dated August 11, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 17, 1998.

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**August 17, 1998**

Status letter received from attorney for Plaintiff advising that he is displeased with our Order rendered August 12, 1998.

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**August 27, 1998**

Status letter received from attorney for Defendant advising that he is displeased with the Board's Order dated August 12, 1998 and requests that same be withdrawn.

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**September 11, 1998**

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

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**September 22, 1998**

Letter forwarded to Plaintiff requesting response to Defendant's Preliminary Objections. Response due from Plaintiff October 22, 1998.

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**October 2, 1998**

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

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**January 4, 1999**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of January, 1999, after careful review of and deliberation upon the Preliminary Objections and other submissions of the parties, it is **ORDERED** that each and every one the Preliminary Objections of the Defendant are **DENIED**. Defendant is **ORDERED** to file an Answer to Plaintiff's Complaint or other pleading within thirty (30) days from the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 6, 1999**

Acceptance of Service of Opinion and Order dated January 4, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 5, 1999.

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**January 21, 1999**

Acceptance of Service of Opinion and Order dated January 4, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 21, 1999.

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**February 5, 1999**

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

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**February 11, 1999**

Letter forwarded to Plaintiff requesting response to Defendant's New Matter and Counterclaim. Response due March 8, 1999.

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**March 11, 1999**

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

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**March 16, 1999**

Letter forwarded to attorney for Defendant requesting response to Defendant's New Matter. Response due April 16, 1999.

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**March 16, 1999**

Plaintiff's Praecipe to Attach Original Verification to Plaintiff's Reply, Answer and New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 23, 1999**

Reply to New Matter to Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 24, 1999**

Letter forwarded to parties directing parties to commence with discovery.

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**March 25, 1999**

Motion for Leave to Serve More than 60 Interrogatories filed by attorney for attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 30, 1999**

Certificate of Service of Plaintiff's First Request for Production of Documents filed by attorney for Plaintiff.

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**April 28, 1999**

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

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**April 28, 1999**

Motion to Compel Defendant's Response to Plaintiff's First Request for Production of Documents and Brief in Support filed by attorney for Plaintiff.

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**May 4, 1999**

Response to Motion to Compel Defendant's Response to Plaintiff's First Set Request for Production of Documents and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 17, 1999**

Reply Brief in Support of Plaintiff's Motion to Compel Defendant's Response to Plaintiff's First Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 10, 1999**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of September, 1999, after careful review of Plaintiff's Motion to Compel Defendant's Response to Plaintiff's First Request for Production of Documents and Defendant's Response thereto and other submissions of the parties, it is **ORDERED** that Plaintiff's Motion is **GRANTED** subject to the following conditions. All persons now and hereinafter, granted access to the materials and information, shall use and disclose such information only in accordance with this Order. The materials subject to this Order are all correspondence, documents, data, information and other material which the Defendant furnishes in this proceeding pursuant to the Board's Rules and Regulations and discovery procedures. The parties may designate such information "highly confidential". To the extent

such highly confidential information is placed in Board's testimony or documents, such information shall be separately bound, conspicuously marked and accompanied by a copy of this Order. Public inspection of this information shall not be permitted without the expressed written consent of the Board. Materials designated as highly confidential shall be produced for inspection by counsel of record only. If the inspecting lawyer desires copies of such materials or desires to disclose its

**September 10, 1999 (cont'd)**

contents to persons other than counsel of record, he or she shall submit a written request to the Board. No other person may have access to the highly confidential information. No person who may be entitled to receive or who is afforded access to highly confidential information shall use or disclose such information for any purpose other than the preparation for and conduct of any proceedings arising out of Plaintiff's claim or any administrative or judicial review thereof. Any public access to highly confidential information shall be provided redacting the names of all patients and all treating physicians. Part of any record in this proceeding containing highly confidential information including, but not limited to all exhibits, writings, testimony, cross-examination, argument and responses to discovery and including reference thereto shall be sealed for all purposes including administrative or judicial review unless such highly confidential information is released from the restrictions of this Order by the individual patient/claimants. It is so **ORDERED.**"

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**September 22, 1999**

Opinion and Order dated September 10, 1999 returned due to inadvertently forwarding to incorrect parties.

**September 22, 1999**

Opinion and Order dated September 10, 1999 reforwarded due to inadvertently forwarding to incorrect parties.

**September 29, 1999**

Acceptance of Service of Opinion and Order dated September 22, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 27, 1999.

**September 29, 1999**

Acceptance of Service of Opinion and Order dated September 22, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 28, 1999.

**October 4, 1999**

The Board rendered the following Order: "**AND NOW**, this 4th day of October, 1999, after consideration of the Stipulation of Counsel Regarding Plaintiff's First Request for Production of Documents, it is hereby **ORDERED, ADJUDGED** and **DECREED** that Defendant shall produce the full medical records for the underlying claimants identified in Plaintiff's Statement of Claim (the "Claimants' Medical Records"), without objection, within ninety (90) days of the date of this Order. It is further **ORDERED** that Claimants' Medical Records shall be disclosed only to the parties, their counsel, expert witnesses and such other witnesses as may be necessary for the preparation of each parties' respective case." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**October 6, 1999**

Acceptance of Service of Order dated October 1, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 5, 1999.

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**October 8, 1999**

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

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**October 14, 1999**

Acceptance of Service of Order dated October 4, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 8, 1999.

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**February 25, 2000**

Notice of Service of Plaintiff's Second Set of Requests for the Production of Documents Directed to Defendant as well as, First Request for Interrogatories to Defendant filed by attorney for Plaintiff.

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**February 28, 2000**

Notice of Deposition of Corporate Representative filed by attorney



for Defendant.

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**March 17, 2000**

Notice of Deposition of Joseph Narioka and Kathy Roberts as well as Notice of Rescheduled Deposition of Corporation Representatives filed by attorney for Defendant.

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**April 19, 2000**

Notice of Service of Defendant's Answers to Objections to Plaintiff's First Set of Interrogatories and Response to Plaintiff's Second Request for Production Documents as well as Notice of Rescheduled Depositions of Corporate Representatives filed by attorney for Defendant.

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**May 2, 2000**

Notice of Service of Deposition served upon Jeffrey Seyfriend, Rob Shellhammer, Carole Miller, Ethel Joyce, Peter Taylor, Steve Zarick and John Adcroft filed by attorney for Plaintiff.

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**May 11, 2000**

Notice of Service of Deposition served upon John Adcroft and Steve Zarick filed by attorney for Plaintiff.

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**May 30, 2000**

Certificate Prerequisite to Service of Subpoena, pursuant to Pa.R.C.P. 4009.22 filed by attorney for Plaintiff.

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**July 12, 2000**

Notice of Deposition of Fred Stover; Jennifer Werner; Lois Witmer; and Kathy Speaker McNett filed by attorney for Plaintiff.

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**September 28, 2000**

Defendant's Motion to Dismiss for Lack of Jurisdiction, Brief in Support and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff November 2, 2000.

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**October 27, 2000**

Response of Plaintiff People Unlimited, Inc., to Defendant's Motion

to Dismiss for Lack of Jurisdiction as well as Brief of Plaintiff People Unlimited, Inc., in Opposition to Defendant's Motion to Dismiss filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 14, 2000**

Reply to Brief in Opposition to Motion to Dismiss for Lack of Jurisdiction filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**November 20, 2000**

Letter forwarded to attorney for Plaintiff granting Plaintiff until December 11, 2000 in which to file Plaintiff's Sur-Reply to Defendant's Reply to Brief in Opposition to Defendant's Motion to Dismiss for Lack of Jurisdiction.

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**December 11, 2000**

Plaintiff's Sur-Reply Brief in Opposition to Defendant's Motion to Dismiss for Lack of Jurisdiction filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 22, 2000**

Plaintiff's Motion to Compel Defendant's Production of Documents, Brief in Support and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 9, 2001**

Defendant's Response to Motion to Compel, Brief in Support and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**January 19, 2001**

Letter received from attorney for Plaintiff advising that they will be filing a Reply Brief to Defendant's Brief in Support.

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**January 29, 2001**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 29th day of January 2001, after review of the Defendant's, Commonwealth of Pennsylvania, Department of Labor & Industry, State Workers' Insurance Fund, Motion to Dismiss for Lack of Jurisdiction, Plaintiff's, People Unlimited, Inc., Reply, Defendant's Reply and Plaintiff's Sur-Reply, it is hereby **ORDERED** and **DECREED** that Defendant's Motion is hereby **DENIED** and the parties are to contact

the Board of Claims to schedule the trial in this matter." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**February 7, 2001**

Reply Brief in Support of Plaintiff's Motion to Compel Defendant's Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 14, 2001**

Sur-Brief in Support of Response to Motion to Compel filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 5, 2001**

**CLOSED**

The Board rendered an Opinion and made the following Order: "AND NOW, this 5th day of March, 2001, after consideration of Plaintiff, People's Unlimited, Inc., Motion to Compel Defendant, Department of Labor and Industry, State Workers' Insurance Fund, Production of Documents, Defendant's Response thereto, and Plaintiff's Sur-Reply, it is hereby **ORDERED** and **DECREED** that the Motion is **GRANTED**. Defendant shall produce the requested documents within twenty (20) days from the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**March 7, 2001**

The Board rendered the following Order: "AND NOW, this 7th day of March, 2001, it is **ORDERED** and **DECREED** that this matter is set for a hearing before the Board beginning on January 15, 2002 through January 18, 2002, as well as, January 21, 2002 through January 25, 2002, if necessary. Said hearing shall be held in Courtroom No. 1, 6th Floor, Fulton Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m. It is further **ORDERED** and **DECREED** that all discovery be completed no later than sixty (60) days prior to the commencement of the trial." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**March 7, 2001**

Notice of Service of First Set of Requests for Admissions by Plaintiff Directed to Defendant.

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**March 9, 2001**

Acceptance of Service of Opinion and Order dated March 7, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 9, 2001.

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**March 9, 2001**

Acceptance of Service of Opinion and Order dated March 5, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 9, 2001.

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**March 15, 2001**

Acceptance of Service of Opinion and Order dated March 7, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 14, 2001.

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**March 15, 2001**

Acceptance of Service of Opinion and Order dated March 5, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 14, 2001.

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**March 30, 2001**

Notice of Service advising that pursuant to the Board's Order dated March 5, 2001, the requested SWIF Employee personnel files were served on the Defendant.

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**April 4, 2001**

Notice of Service of Defendant's Response to Request for Admissions filed by attorney for Defendant.

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**April 9, 2001**

Omnibus Motion to Compel, Brief in Support and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 9, 2001**

Response by Plaintiff, People Unlimited, Inc., in Opposition to Defendant's Omnibus Motion to Compel, Brief in Support and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 22, 2001**

Reply Brief in Support of Omnibus Motion to Compel filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 7, 2001**

Letter forwarded to parties changing the hearing set for January 15-18, 22-25, 2002 to January 15-18, 29-31 and February 1, 2002. Pre-Trial Statements due December 2, 2001.

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**July 16, 2001**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 16th day of July, 2001, after review of Defendant's Omnibus Motion to Compel and Plaintiff's response thereto, it is hereby **ORDERED** and **DECREED** that: 1. Plaintiff is to serve more specific answers to Defendant's Interrogatories and Request for Production of Documents within twenty (20) days; 2. Plaintiff is to produce any documents created by Lois A. Whitmer and Frederick R. Stover prior to the October 5, 1997 designation as expert consultants; and 3. The remaining requests of Defendant are **DISMISSED** without prejudice by the Board. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**July 18, 2001**

Acceptance of Service of Opinion and Order dated July 16, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 17, 2001.

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**July 23, 2001**

Acceptance of Service of Opinion and Order dated July 16, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 20, 2001.

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**August 9, 2001**

Notice of Service of Plaintiff's Objections and Supplemental Answers to Defendant's Interrogatories and documents by Lois A. Witmer and Frederick R. Stover were produced in compliance with the Board's July 16, 2001 Order.

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**August 29, 2001**

Defendant's Motion for Further Discovery and For Sanctions, Brief in Support and Proposed Order filed. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff October 1, 2001.

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**September 28, 2001**

Response of Plaintiff, People Unlimited, Inc. in Opposition to Defendant's Motion for Further Discovery and For Sanctions as well as Brief in Opposition to Defendant's Motion for Further Discovery and For Sanctions filed by attorney for Plaintiff.

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**October 10, 2001**

Reply Brief in Support of Motion for Further Discovery and for Sanctions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**November 16, 2001**

Motion to Postpone Hearing, Brief in Support and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff December 2, 2001.

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**December 1, 2001**

Response of Plaintiff, People Unlimited, Inc. to Defendant's Motion to Postpone Hearing as well as Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 13, 2001**

Letter received via facimile advising that Plaintiff is in agreement for this hearing to be rescheduled for the latter part of May into June 2002.

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**December 11, 2001**

Withdrawal of Appearance of Karen Kontje Waller, Esquire and entry of appearance of Michael A. Finio, Esquire and Joel C. Hopkins, Esquire entered on behalf of Plaintiff.

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**December 17, 2001**

The Board rendered the following Opinion and Order: **"AND NOW**, this 17th day of December, 2001, a hearing in this matter will be continued from the dates previously scheduled in January and February 2001 and shall be rescheduled to May 28 through 31, 2002, as well as,

June 3 through 7, 2002. It is further **ORDERED** and **DECREED** that all discovery herein shall be completed no later than forty-five (45) days prior to May 28, 2002 and the standard Board of Claim's Pre-Trial Statement shall be filed with the Board no later than thirty (30) days prior to May 28, 2002." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**December 18, 2001**

Entry of Appearance of Jill M. Lashay, Esquire entered on behalf of Plaintiff filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 19, 2001**

Acceptance of Service of Opinion and Order dated December 17, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 19, 2001.

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**December 20, 2001**

Acceptance of Service of Opinion and Order dated December 17, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 20, 2001.

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**January 16, 2002**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 16th day of December, 2001, upon review of the submissions of the parties and having given each submission due consideration, it is hereby **ORDERED** that Defendant's, Department of Labor & Industry, State Workers' Insurance Fund, Motion for Further Discovery and For Sanctions is **DENIED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 23, 2002**

Acceptance of Service of Opinion and Order dated January 16, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 23, 2002.

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**March 22, 2002**

Praecipe to Withdraw and Substitute Counsel withdrawing appearance of Todd Prugar, Esquire and entering appearances of Charles B. Gibbons, Esquire and Bryan s. Neft, Esquire filed by attorneys for Defendant. Copy forwarded to attorney for Plaintiff by attorneys

for Defendant.

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**March 29, 2002**

Notice of Intent to Serve a Subpoena Pursuant to Pa. R.C.P. 4009.21 filed by attorney for Plaintiff.

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**April 2, 2002**

Objections to Subpoena pursuant to Rule 4009.21 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**April 5, 2002**

Notice of Withdrawal of Counsel (Jull M. Lashasy, Esquire) filed by attorney for Defendant.

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**April 11, 2002**

The Board rendered an opinion and made the following Order: "On this 11th day of April, 2002, after review of the objections by Plaintiff, People's Unlimited, Inc., to the Subpoena of the Defendant, Commonwealth of Pennsylvania, Department of Labor & Industry, State Workers' Insurance Fund, and it appearing that the material subpoenaed seems to be pertinent to the matters at issue, the objections of Plaintiff are hereby **DENIED** at this time." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**April 23, 2002**

Certificate of Compliance with a Subpoena to Produce Documents or Things Pursuant to Rule 4009.23 filed by Betty Ann Campbell.

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**April 23, 2002**

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

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**April 23, 2002**

Notice of Service of Defendant's Supplemental Answers and Objections to Plaintiff's First Set of Interrogatories filed by attorney for Defendant.

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**April 23, 2002**

Acceptance of Service of Order dated April 11, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 17, 2002.

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**April 24, 2002**

Acceptance of Service of Order dated April 11, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 23, 2002.

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**April 26, 2002**

Affidavit of Service of Subpoena to Produce Documents and Things for Discovery directed to the Records Custodian filed by attorney for Defendant.

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**April 29, 2002**

Joint Stipulation of Facts filed by both counsel of record.

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Pre-Trial Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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Pre-Trial Statement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 3, 2002**

Letter received from attorney for Plaintiff requesting that the Board schedule a pre-trial conference due to the large volume of discovery and to streamline the evidence and its presentation during the trial in this matter.

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**May 7, 2002**

Plaintiff's Amended Pre-Trial Statement filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 9, 2002**

Defendant's Motion in Limine No. 1 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 7, 2002**

Plaintiff's Response to Defendant's Motion in Limine No. 1 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 10, 2002**

Reply in Support of Defendant's Motion In Limine No. 1 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 13, 2002**

Notice to Attend Directed to Kathy Roberts, Joseph Narioka and Jennifer Werner filed by attorney for Plaintiff.

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**May 15, 2002**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of May, 2002, upon consideration of the defendant's Motion in Limine No. 1 to preclude plaintiff from presenting evidence at trial concerning SIF's 1997 claims manual and plaintiff's opposition to the motion, **IT IS ORDERED** that the motion is **DENIED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 16, 2002**

Notice to Attend Directed to Kathy Roberts, Joseph Narioka and Jennifer Werner filed by attorney for Plaintiff.

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**May 17, 2002**

Acceptance of Service of Opinion and Order dated May 15, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 16, 2002.

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**May 20, 2002**

Plaintiff's Motion In Limine No. 1 and Motion to Quash Subpoena filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due from Defendant June 21, 2002.

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**May 21, 2002**

Defendant's Response to Plaintiff's Motion in Limine No. 1 and Motion to Quash Subpoena filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 21, 2002**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 21st day of May, 2002, upon consideration of the plaintiff's Motion in Limine No. 1 and Motion to Quash Subpoena and defendant's opposition to these motions, **IT IS ORDERED** that the Motion to Quash

is **DENIED** and the Motion in Limine No. 1 is **GRANTED** to the extent that Attorney MacNett may only be questioned regarding the facts relating to the statute of limitations issue and to the extent that her responses to such questions are not subject to the attorney client or work product privileges." Copy forwarded to attorneys for Plaintiff and attorneys for Defendant.

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**May 20, 2002**

Acceptance of Service of Opinion and Order dated May 15, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 17, 2002.

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**May 28, 2002**

Letter received from attorney for Plaintiff advising that the parties have settled and the hearing set to begin May 28, 2002, may be cancelled.

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**June 4, 2002**

Praecipe for Partial Discontinuance (Count I & II) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 2, 2002**

The Board rendered an Opinion and made the following Order: "AND NOW, this 2nd day of July, 2002, it is hereby ORDERED and DECREED that Count III of Plaintiff's Statement of Claim is hereby marked 'settled, discontinued and ended with prejudice.'" Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**July 10, 2002**

Acceptance of Service of Opinion and Order dated July 2, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 8, 2002.

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**July 11, 2002**

Acceptance of Service of Opinion and Order dated July 2, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 8, 2002.

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**September 24, 2002**

Joint Praecipe to Settle and Discontinue filed by Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 5, 2002**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 5th day of November, 2002, based upon the parties filing a Joint Praecipe to Settle and Discontinue, it is hereby **ORDERED** and **DECREED** that the docket shall be marked "settled, ended and discontinued with prejudice" with respect to all claims, specifically Plaintiff's, People's Unlimited, Inc., Statement of Claims and Amended Statement of Claims, and the Defendant's, Commonwealth of Pennsylvania, Department of Labor & Industry, State Workers' Insurance Fund, Counterclaim." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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November 8, 2002

Acceptance of service of Opinion and Order dated November 5, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 7, 2002.

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November 13, 2002

Acceptance of service of Opinion and Order dated November 5, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 11, 2002.