

Docket Number: 2812

PENNSYLVANIA INDUSTRIES FOR THE BLIND AND HANDICAPPED

~~*James A. Miller~~
~~Christopher J. Keller, Esquire (co-counsel)~~
~~**Bradley A. Schutjer, Esquire~~
~~CHANGE OF ADDRESS~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION, BUREAU OF LICENSING

~~John J. Robinson, Chief Counsel~~
~~Cheryl Kovaly, Assistant Counsel~~
~~Audrey Feinman Miner, Assistant Counsel~~

~~***P. Oliver Kerwin, Esquire~~

CLOSED

November 16, 1998

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$12,927.76

November 20, 1998

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

December 3, 1998

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 25, 1998.

December 17, 1998

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

December 17, 1998

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

December 28, 1998

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 28th day of December, 1998, it is ORDERED and DECREED that the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Transportation, Bureau of Licensing are hereby DISMISSED as being MOOT. It is further ORDERED and DECREED that Plaintiff, Pennsylvania Industries for the Blind and Handicapped, is directed to file its response to the Defendant's New Matter within thirty (30) days from the exit date of this Order.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 7, 1999

Acceptance of Service of Opinion and Order dated December 28, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 4, 1999.

January 15, 1999

~~Plaintiff's Response to Defendant's Answer and Answer to Defendant's New Matter~~ filed by attorney for Plaintiff. Copy

forwarded to attorney for Defendant by attorney for Plaintiff.

January 20, 1999

Letter forwarded to parties directing parties to commence with discovery.

January 11, 2000

Certificate of Service of Defendant's Interrogatories Directed to Plaintiff - First Set as well as Request for Production of Documents filed by attorney for Defendant.

February 15, 2000

Status letter received from attorney for Plaintiff advising that the parties are in discovery.

August 28, 2000

Letter forwarded to parties requesting status. Response due from parties September 28, 2000.

September 27, 2000

Status letter received from attorney for Plaintiff advising that the parties are conducting discovery.

April 2, 2001

Letter forwarded to parties requesting status. Response due May 2, 2001.

May 9, 2001

2nd letter forwarded to parties requesting status. Response due June 11, 2001 or issue Rule to Show Cause.

June 1, 2001

Letter received from attorney for Defendant advising that the case is still active with the parties preparing for hearing in this matter. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 13, 2001

Letter received from attorney for Plaintiff advising that the parties remain in discovery in preparation for trial.

February 7, 2002

Letter forwarded to parties requesting status. Response due from parties March 7, 2002.

March 6, 2002

Status letter received from attorney for Defendant advising that the parties are still engaged in the discovery process.

March 7, 2002

Status letter received from attorney for Plaintiff advising that the parties are still engaged in the discovery process.

September 11, 2002

Letter forwarded to parties requesting status. Response due from parties October 11, 2002.

October 17, 2002

Status letter received from attorney for Plaintiff advising that this case remains in discovery in preparation for trial.

October 17, 2002

Entry of Appearance of Christopher J. Keller, Esquire as co-counsel on behalf of Plaintiff.

October 17, 2002

Status letter received from attorney for Defendant advising that the parties are still in discovery.

May 2, 2003

Board issued letter requesting status. Response due June 2, 2003.

May 28, 2003

Plaintiff filed letter advising that the parties are in discovery preparing this case for hearing.

June 2, 2003

Plaintiff filed letter advising that the parties are in settlement negotiations.

***August 27, 2003**

Plaintiff filed Entry of Appearance of Bradley A. Schutjer, Esquire on behalf of Plaintiff.

September 25, 2003

Plaintiff filed Withdrawal of Appearance of Christopher J. Keller, Esquire on behalf of Plaintiff.

February 19, 2004

Plaintiff filed status letter via fax advising that discovery has been completed and requesting a hearing be set.

March 10, 2003

Plaintiff filed letter via fax advising that they have been unable to confirm dates with Defendant as well as advising of Plaintiff's dates of availability for hearing in this matter.

March 11, 2004

Plaintiff filed letter advising that they have been unable to confirm dates with Defendant as well as advising of Plaintiff's dates of availability for hearing in this matter.

November 11, 2004

Board forwarded letter requesting status.

January 7, 2005

Board rendered Opinion and Order: **"AND NOW**, this 7th day of January, 2005, it is hereby **ORDERED** and **DECREED** as follows: All depositions and discovery shall be completed by February 10, 2005; Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than February 24, 2005; A pre-trial conference is scheduled for Thursday, March 3, 2005, at 10:00 a.m. Said conference shall be held at 200 North Third Street, Fulton Building, 7th Floor, Harrisburg, PA 17101; The last day for filing pre-trial motions is Friday, March 18, 2005*; and this matter is set for hearing before a panel beginning on Wednesday, May 11, 2005, and running through Friday, May 13, 2005, as necessary. Said hearing shall be held in Courtroom No. 2 at 200 North Third Street, Fulton Building, 6th Floor, Harrisburg, PA 17101, commencing at 9:30 a.m." Copy forwarded to Plaintiff and Defendant.

****January 20, 2005**

Plaintiff filed notice of change of address of counsel for Plaintiff.

January 20, 2005

Plaintiff filed Acceptance of Service of Scheduling Order dated January 7, 2005. Receipt of same acknowledged by Plaintiff January 18, 2005.

*****February 4, 2005**

Defendant filed Praecipe for Entry of Appearance of P. Oliver Kerwin, Assistant Counsel.

February 22, 2005

Plaintiff filed Praecipe to Withdraw. Copy forwarded to attorney for Defendant.

February 25, 2005

Board forwarded letter to Plaintiff requesting clarification on Plaintiff's Praecipe.

March 17, 2005

Plaintiff filed letter clarifying that he wishes to close same with prejudice.

March 28, 2005

Board rendered the following Order: **"AND NOW**, this 28th day of March, 2005, upon receipt of a Praecipe to Withdraw executed by Bradley A. Schutjer, Esquire, attorney for Plaintiff, and docketed with this Board under date of February 22, 2005, and a subsequent letter of March 17, 2005, clarifying the intent of

the praecipe, it is **ORDERED** and **DIRECTED** that said case be marked 'closed, discontinued and ended with prejudice.'" Copy forwarded to Plaintiff and Defendant.

April 1, 2005

Defendant filed Acceptance of Service of Order dated March 28, 2005. Receipt of same acknowledged by Defendant March 31, 2005.

April 8, 2005

Plaintiff filed Acceptance of Service of Order dated March 28, 2005. Receipt of same acknowledged by Plaintiff March 31, 2005.