

Docket Number: 2831

Kukurin Contracting, Inc.

~~John Miller, Project Manager~~

~~Maurice A. Nernberg, Esquire~~

~~Donald Lassiter, Controller~~

KUKURIN CONTRACTING, INC.

RD 2, BOX 252A

Export, PA 15321-0425

CLOSED

COMMONWEALTH OF PENNSYLVANIA

Department of Environmental Protection, Bureau of Abandoned Mine
Reclamation

Terry Bossert, Esquire

February 5, 1999

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: 42,968.00

February 9, 1999

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT MARCH 9, 1999.

February 18, 1999

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 16, 1999.

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

Corrected signature page of Defendant's Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 11, 1999

Entry of appearance of Maurice A. Nernberg, Esquire entered on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 15, 1999

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

March 18, 1999

Letter forwarded to parties directing parties to commence with discovery.

April 2, 1999

Motion for Judgment on the Pleadings and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff June 3, 1999.

April 30, 1999

May 26, 1999

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

June 1, 1999

Response to Motion for Judgment on the Pleadings and Brief in Opposition to Motion filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 21, 1999

Notice of Service of Defendant's First Set of Interrogatories and First Requests for Production of Documents filed by attorney for Defendant.

CLOSED

Defendant's Brief in Reply to Plaintiff's Brief in Opposition to Motion for Judgment on the Pleadings filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 19, 1999

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for an extension in which to file Plaintiff's Response to the Defendant's Motion for Judgment. Response due August 2, 1999.

July 29, 1999

Brief in Response to Defendant's Reply Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 10, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of September, 1999, the Defendant's, Commonwealth of Pennsylvania, Department of Environmental Protection, Motion for Judgment on the Pleadings is hereby **DISMISSED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 15, 1999

Acceptance of Service of Opinion and Order dated September 15, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 13, 1999.

September 16, 1999

Acceptance of Service of Opinion and Order dated September 15, 1999

received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 14, 1999.

April 3, 2000

Letter forwarded to parties requesting status. Response due from parties May 3, 2000.

May 31, 2000

Letter forwarded to parties requesting status. Response due from parties July 3, 2000.

June 19, 2000

Status Report filed by attorney for Defendant advising that the parties are conducting discovery.

July 13, 2000

Receipt for Withdrawal of Appearance of Eric A. Nernberg, Esquire on behalf of Plaintiff.

July 13, 2000

Letter forwarded to parties requesting status. Response due from parties August 14, 2000.

January 11, 2001

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 11th day of January, 2001, a Rule to Show Cause is issued upon Plaintiff, Kukurin Contracting, 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 the above-captioned 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 Plaintiff and attorney for Defendant.

January 24, 2001

Acceptance of Service of Opinion and Order dated January 11, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 19, 2001.

March 13, 2001

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

NOW, this 13th day of March, 2001, this Order is issued as a result of the failure of Plaintiff, Kukurin Contracting, Inc., to file with the Board of Claims, within thirty (30) days from January 11, 2001, a response to the Rule to Show Cause advising why this Claim should not be dismissed for failure to abide by the instructions of the Board of Claims. Therefore, it is **DIRECTED** that the Rule of January 11, 2001, be made **ABSOLUTE** and the record be marked "closed and discontinued with prejudice"." Copy forwarded to Plaintiff and attorney for Defendant.

CLOSED