

Docket Number: 3238

KPMG CONSULTING LLC, successor in interest to KPMG PEAT MARWICK LLP

C. Grainger Bowman, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Andrew W. Gordon, Chief Counsel

April 25, 2000

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$320,019.55.

May 3, 2000

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 6/2/00.

May 8, 2000

Letter received from attorney for Plaintiff advising of a typographical error in the caption of said Claim.

May 11, 2000

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 4, 2000.

May 13, 2000

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 12, 2000.

June 15, 2000

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

June 21, 2000

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 19, 2000.

July 11, 2000

Letter received from attorney for Plaintiff requesting an extension of time until July 31, 2000 in which to file Plaintiff's Response to Defendant's Preliminary Objections.

July 12, 2000

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for an extension of time until July 31, 2000 in which to file Plaintiff's Response to Defendant's Preliminary Objections. Response due July 31, 2000.

July 18, 2000

Letter forwarded to attorney for Plaintiff requesting response to New Matter. Response due August 18, 2000.

July 31, 2000

KPMG's Brief in Opposition to the Department of Transportation's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 16, 2000

Reply Brief of Defendant in Support of Preliminary Objections filed by attorney for Defendant.

August 30, 2000

CLOSED

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 3rd day of November, 2000, upon consideration of the preliminary objections filed by the defendant and the opposition filed by the plaintiff, **IT IS ORDERED** that those preliminary objections are **OVERRULED** for the reasons set forth in the accompanying opinion. The defendant is **ORDERED** to respond to the complaint within thirty (30) days of the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 13, 2000

Acceptance of Service of Opinion and Order dated November 3, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 8, 2000.

November 17, 2000

Acceptance of Service of Opinion and Order dated November 3, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 7, 2000.

January 12, 2001

Defendant's Answer and New Matter filed by attorney for Defendant.

Copy forwarded to attorney for Plaintiff by attorney for Defendant.
Response due from Plaintiff February 20, 2001.

February 14, 2001

Status letter received from attorney for Plaintiff requesting an extension until March 5, 2001 in which to file Plaintiff's Response to Defendant's New Matter.

February 15, 2001

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for an extension until March 5, 2001 in which to file Plaintiff's Response to Defendant's New Matter.

March 5, 2001

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

March 7, 2001

Letter forwarded to parties directing parties to commence with discovery.

October 4, 2001

Letter forwarded to parties requesting status. Response due from parties November 5, 2001.

November 6, 2001

Letter forwarded to parties requesting status. Response due December 6, 2001.

November 9, 2001

Praecipe to Discontinue Action filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 14, 2001

The Board rendered the following Order: "AND NOW, this 14th day of

November, 2001, upon receipt of a Praecipe to Discontinue Action advising "Please mark the above-captioned matter discontinued as to all defendants." filed by C. Grainger Bowman, Esquire, attorney for Plaintiff, docketed with this Board under date of November 9, 2001, it is **ORDERED** and **DIRECTED** that said case be marked "closed, discontinued and ended without prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED