

Docket Number: 3263

HERAEUS ELECTRO-NITE CO.
Jeffrey P. Scarpello, Esquire
Jessica L. Pollock, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR AND INDUSTRY,
STATEWORKER'S INSURANCE FUND
Todd P. Bugala, Esquire
Roger H. Caffier, Chief Counsel

CLOSED

July 14, 2000

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: Unknown.

July 25, 2000

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 8/24/00.

August 2, 2000

Acceptance of Service of Claim received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 31, 2000.

August 23, 2000

Proposed Order Preliminary Objections and Brief in Support filed by attorney for Defendant. RESPONSE FROM PLTFF 9/22/00.

September 25, 2000

Stipulation of Parties signed by both parties.

September 25, 2000

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

September 28, 2000

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

October 3, 2000

The Board rendered an Opinion and made the following Order: **AND NOW**, this 3rd day of October, 2000, it is **ORDERED** and **DECREED** that the Defendant's first set of Preliminary Objections are **DISMISSED** as being **MOOT**. Copies forwarded to attorney for Plaintiff and Defendant.

October 6, 2000

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 15, 2000.

October 6, 2000

Acceptance of Service of Opinion and Order dated October 3, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 15, 2000.

October 11, 2000

Acceptance of Service of Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 5, 2000.

October 19, 2000

Acceptance of Service of Opinion and Order dated October 3, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by Chief Deputy Attorney General October 4, 2000.

October 27, 2000

Proposed Order, Plaintiff's Answer in Opposition to Defendant's Preliminary Objections to Plaintiff's Amended Statement of Claim filed by attorney for Plaintiff. Copy served on attorney for Defendant by attorney for Plaintiff.

October 27, 2000

Plaintiff's Memorandum of Law in Support of its Answer in Opposition to Defendant's Preliminary Objections to Plaintiff's Amended Statement of Claim filed by attorney for Plaintiff. Copy served on attorney for Defendant by attorney for Plaintiff.

CLOSED

November 2, 2000
Reply to Memorandum of Law in Opposition to Preliminary Objections to Amended Statement of Claim filed by attorney for Defendant

November 15, 2000
Plaintiff's Memorandum of Law in support of its Reply to Defendant's Reply to Plaintiff's Answer in Opposition to Defendant's Preliminary Objections to Plaintiff's Amended Statement of Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 2, 2001

The Board rendered an Opinion and made the following Order: **AND NOW**, this 2nd day of March, 2001, it is **ORDERED** and **DECREED** that the Preliminary Objections to the Amended Complaint filed by the Defendant, State Workers' Insurance Fund, are **DENIED**. Specifically, the Board of Claims does have jurisdiction to hear this Complaint and the Complaint was timely filed. In addition, the Plaintiff has fulfilled the pleading requirements set forth in the Pennsylvania Rules of Civil Procedure. Defendant shall file a timely answer to Plaintiff's Amended Complaint. Copy forwarded to attorney for Plaintiff and Defendant.

March 6, 2001

Acceptance of Service of Opinion and Order dated March 2, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 5, 2001.

March 12, 2001

Acceptance of Service of Opinion and Order dated March 2, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 5, 2001.

March 26, 2001

Answer, New Matter and Counterclaim filed by attorney for Defendant.
Copy forwarded to attorney for Plaintiff by attorney for Defendant.
Response due from Pltff. 4/27/01.

April 11, 2001

Letter received from attorney for Plaintiff advising that the parties have settled and they will not be filing their Response to Defendant's Answer, New Matter and Counterclaim.

August 6, 2001

Letter forwarded to parties requesting a status report. Due 9/6/01.

October 12, 2001

Praecipe to Dismiss Counterclaim filed by attorney for Defendant.
Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 17, 2001

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

October 17, 2001

Praecipe to Dismiss Counterclaim filed by attorney for Defendant. Copy served on attorney for Plaintiff by attorney for Defendant.

October 23, 2001

The Board rendered an Opinion and made the following Order: **AND NOW**, this 23rd day of October 2001, upon receipt of a Praecipe To Discontinue advising that ... "Plaintiff, Heraeus Electro-Nite, by and through its attorney, Fox Rothschild, O'Brien & Frankel, hereby discontinues its claim against Defendant, Commonwealth of Pennsylvania, Department of Labor and Industry, State Workers' Insurance Fund, filed with the Board of Claims on July 14, 2000 ... ", executed by Jeffrey P. Scarpello, Esquire, on behalf of Plaintiff herein, and docketed with this Board under date of October 17, 2001, it is **ORDERED** and **DECREED** that this case be marked, "closed, ended and discontinued with prejudice". Copy forwarded to attorney for Plaintiff and Defendant.

October 29, 2001

Acceptance of Service of Order dated October 23, 2001, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 26, 2001.

November 5, 2001

Acceptance of Service of Order dated October 23, 2001, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 26, 2001.
