

Docket Number: 3428

APPALACHIAN INDUSTRIES, INC., and for the use and benefit of
Pittsburgh Flasher Company

Gerard J. Pisarcik, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Andrew S. Gordon, Chief Counsel
Christopher F. Wilson, Assistant Counsel

September 24, 2001

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

September 26, 2001

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 10/26/01.

October 2, 2001

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 1, 2001.

October 23, 2001

Letter received from attorney for Defendant requesting an extension of time until November 26, 2001 to file an Answer to the Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 25, 2001

Letter forwarded to Defendant granting an extension of time until November 26, 2001 in which to file an Answer to the Claim.
Answer now due from Defendant November 26, 2001.

November 19, 2001

Letter received (via fax) from attorney for Defendant requesting an extension of time until December 10, 2001 to file an Answer to the Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 20, 2001

Letter received (via U.S. mail) from attorney for Defendant requesting an extension of time until December 10, 2001 to file an Answer to the Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 20, 2001

Letter forwarded to Defendant granting an extension of time until December 10, 2001 in which to file an Answer to the Claim.
Answer now due from Defendant December 10, 2001.

December 7, 2001

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
Response due from Plaintiff 1/9/02.

January 9, 2002

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

February 14, 2002

Notice of Service of the Department's Answers and Objections to Plaintiff's Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 8, 2002

Certificate Prerequisite to Service of a Subpoena pursuant to Rule 4009.22 filed by attorney for Plaintiff.

November 14, 2002

Letter forwarded to parties requesting a Status Report. Status Report due **12/16/02.**

December 10, 2002

Courtesy copy of letter from attorney for Defendant addressed to attorney for Plaintiff regarding scheduling a day to review documents filed by attorney for Defendant.

December 13, 2002

Letter received from attorney for Plaintiff advising that the parties are engaged in discovery.

August 28, 2003

Board forwarded letter to parties requesting a Status Report.

October 1, 2003

Plaintiff filed letter advising that Plaintiff is gathering documents in response to Defendant's document production requests.

October 3, 2003

Defendant filed letter advising that the parties are in
discovery.

December 19, 2003

Defendant filed Notice of Service of the Department's Interrogatories Directed to Plaintiff (First Set).

June 21, 2004

Board forwarded letter to parties requesting a status.

July 19, 2004

Plaintiff filed a status letter advising that the parties have engaged in settlement negotiations.

July 19, 2004

Defendant filed a status letter advising that Defendant concurs with Plaintiff's status letter.

May 23, 2005

Board forwarded letter to parties requesting a status report.

June 21, 2005

Plaintiff filed (via fax) letter advising that the parties are still involved in preliminary settlement discussions.

June 22, 2005

Plaintiff filed (via U.S. mail) letter advising that the parties are still involved in preliminary settlement discussions.

June 22, 2006

Board forwarded letter to parties requesting a status report.

July 24, 2006

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

July 25, 2007

Board forwarded letter to parties requesting a status report.

August 22, 2007

Plaintiff filed status letter advising that the parties have settled and will file appropriate paperwork when Appalachian receives the settlement proceeds. Copy forwarded to Defendant.

September 14, 2007

Plaintiff filed Praecipe to Discontinue. Copy forwarded to Defendant.

September 17, 2007

Board rendered Order. Order as follows: "**AND NOW**, this 17th day of September, 2007, upon receipt of a Praecipe executed by Gerard J. Pisarcik, Esquire, on behalf of Plaintiff, Appalachian Industries, Inc., and for the use and benefit of Pittsburgh Flasher Company, requesting that the Board mark the above-captioned matter discontinued with prejudice, docketed with this Board under date of September 14, 2007, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

September 21, 2007

Plaintiff filed Acceptance of Service of Order dated September 17, 2007. Receipt of same acknowledged September 19, 2007.

September 21, 2007

Defendant filed Acceptance of Service of Order dated September 17, 2007. Receipt of same acknowledged September 19, 2007.
