

Docket Number: 3514

PERFECT ORDER

John M. Gomery, Principal

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

~~William w. Shakely, Chief Counsel~~
~~Philip Van Zile, Assistant Counsel~~

June 26, 2002

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$600,000.00

July 1, 2002

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT AUGUST 1, 2002.**

July 10, 2002

Acceptance of Service of Claim dated July 3, 2002 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 8, 2002.

Letter received via e-mail requesting a 30-day extension of time in which to respond to Plaintiff's Claim.

Letter forwarded to Defendant granting Defendant's request for a 30-day extension of time in which to respond to Plaintiff's Claim. Response due September 2, 2002.

August 12, 2002

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 9, 2002.

September 3, 2002

Notice of Appearance of Philip T. Van Zile, III, entered on behalf of Defendant.

September 3, 2002

Preliminary Objections, as well as, Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff October 7, 2002.

September 24, 2002

Letter received from Plaintiff requesting a thirty (30) day extension of time in which to file a response to Defendant's Preliminary Objections.

September 26, 2002

Letter forwarded to Plaintiff with copy to attorney for Defendant granting a 30 day extension of time in which to file a response to Defendant's Preliminary Objections. **Plaintiff's response due November 6, 2002.**

November 4, 2002

Motion for Extension of Time to Respond to Preliminary Objections filed by attorney for Plaintiff as well as proposed Order. Plaintiff advises Defendant concurs in this Motion. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 12, 2002

CLOSED

The Board rendered the following Order: "Plaintiff/Claimant Perfect Order, by its counsel, John McNamara Reed Smith LLP, moves for an extension of time of thirty (30) days to answer including December 6, 2002 in which to file its response to the Preliminary Objections filed on behalf of the Commonwealth of Pennsylvania Department of Conservation and Natural Resources in this matter. Philip T. VanZile III, Counsel for the Department of Conversation and Natural Resources in this matter has authorized us to say that he concurs in this Motion." Copy forwarded to attorney for Plaintiff and attorney for Defendant. **RESPONSE DUE DECEMBER 7, 2002.**

November 15, 2002

Acceptance of Service of Order dated November 12, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 14, 2002.

November 26, 2002

Letter received from attorney for Plaintiff advising that the parties have reached a settlement as well as Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 6, 2002

The Board rendered the following Order: "**AND NOW**, this 6th day of December, 2002, upon consideration of the letter from Plaintiff's counsel advising that the Plaintiff, Perfect Order, and the Defendant, Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, have agreed upon a full and final settlement of this claim, it is **ORDERED** and **DECREED** that the case is **DISMISSED WITH PREJUDICE**. Each party will bear its own costs." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED