

Docket Number: 3535

ENNIS PAINT, INC.

Gordon A. Einhorn, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES**

~~Gregory C. Santoro, Chief Counsel
Peter M. Good, Assistant Counsel
Trent Hargrove, Chief Counsel
Nancy J. Kirpenhan, Assistant Chief Counsel
Michael C. Barrett, Senior Counsel~~

August 15, 2002

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$159,000.00

August 22, 2002

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT SEPTEMBER 22, 2002.**

August 29, 2002

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General August 22, 2002.

September 3, 2002

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 26, 2002.

September 23, 2002

Defendants Answer and New Matter to Plaintiffs Statement of Claim (Complaint) filed by attorney for Defendant. **Plaintiffs response due October 25, 2002.**

October 25, 2002

Plaintiffs Answer to New Matter filed by attorney for Plaintiff.

May 13, 2003

Board forwarded a letter to parties requesting a Status Report. Status Report due on or before **6/17/03.**

June 17, 2003

Plaintiff filed a Status Report advising that the parties are in discovery and that Plaintiff will file a dispositive motion or seek a hearing before the Board prior to December 31, 2003.

June 20, 2003

Defendant filed Praecipe to enter appearance of Trent Hargrove, Chief Counsel on behalf of Defendant.

June 20, 2003

Defendant filed Praecipe to withdraw appearance of Peter M. Good, Chief Counsel on behalf of Defendant.

July 16, 2003

Defendant filed Praecipe to withdraw appearance of Trent Hargrove, Chief Counsel and enter appearance of Nancy J. Kippenhan, Assistant Chief Counsel on behalf of Defendant.

August 6, 2003

Plaintiff filed a Notice of Change of Affiliation that Gordon A. Einhorn, has changed his firm affiliation.

March 22, 2004

Board issued letter to parties requesting a status report.

April 22, 2004

Plaintiff filed a status report advising that Plaintiff has determined that no further investigation is necessary and that it intends to file a dispositive motion within the next 60 days.

October 26, 2004

Board forwarded letter to parties requesting a status report.

November 29, 2004

Plaintiff filed a status report advising that Plaintiff has prepared a dispositive motion and brief which will be filed no later than December 1, 2004.

December 1, 2004

Plaintiff filed Motion for Summary Judgment and Memorandum of Law in Support.

January 3, 2005

Defendant filed Cross Motion for Summary Judgment and Brief in Support.

February 2, 2005

Plaintiff filed Memorandum of Law in Opposition to Defendant's Cross Motion for Summary Judgment.

February 11, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 11th day of February, 2005, upon consideration of Plaintiff's Motion for Summary Judgment and Defendant's Cross Motion for Summary Judgment, it is **ORDERED** and **DECREED** that both Motions are **DENIED**." Copy forwarded to Plaintiff and Defendant.

February 15, 2005

Defendant filed Acceptance of Service of Opinion and Order dated February 11, 2005. Receipt of same acknowledged February 14, 2005.

February 16, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated February 11, 2005. Receipt of same acknowledged February 15, 2005.

February 16, 2005

Defendant filed Praecipe to enter appearance of Michael C. Barrett, Senior Counsel on behalf of Defendant.

February 16, 2006

Board forwarded letter to parties requesting status report.

March 21, 2006

Plaintiff filed a Status Report advising that the parties are still in discovery.

July 25, 2006

Defendant filed Notice of Service of Response to Plaintiff's First Set of Requests for Production of Documents.

July 26, 2007

Board issued letter to parties requesting a status report.

August 24, 2007

Defendant transmitted via fax a status letter stating that the parties are still in discovery. However, both parties are exchanging information which, it is believed, will result in an amicable resolution of the matter, hopefully as soon as within the next 90-120 days.

August 30, 2007

Defendant filed status letter stating that the parties are still in discovery. However, both parties are exchanging information which, it is believed, will result in an amicable resolution of the matter, hopefully as soon as within the next 90-120 days.

July 1, 2010

Defendant filed letter requesting that the Board forward a Notice of Proposed Termination of Case for Lack of Activity to Plaintiff.

July 2, 2010

Board forwarded Notice of Proposed Termination of Case for Lack of Activity Pursuant to Pa. Rule of Civil Procedure 230.2 to Plaintiff, with copy to Defendant.

September 24, 2010

Board rendered Opinion and Order. Order as follows: **"AND NOW, this 24th day of September, 2010, pursuant to Pa. R.C.P. 230.2, the above captioned case is TERMINATED, ENDED and DISMISSED with prejudice due to lack of activity."** Copy forwarded to Plaintiff and Defendant.

October 1, 2010

Defendant filed Acceptance of Service of Opinion and Order dated September 24, 2010. Receipt of same acknowledged on September 27, 2010.

October 18, 2010

Plaintiff filed Acceptance of Service of Opinion and Order dated September 24, 2010. Receipt of same acknowledged on October 12, 2010.
