

Docket Number: 3595

~~W. G. TOMKO, INC.~~

~~Jason A. Copley, Esquire
Lisa M. Wampler, Esquire (co-counsel)
Renee Colbert, Esquire~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Gregory Santoro, Chief Counsel
Peter Good, Assistant Counsel
*Nancy J. Kippenhan, Assistant Chief Counsel
David L. Narkiewicz, Assistant Chief Counsel~~

***WEBER MURPHY FOX**
Ritchie T. Marsh, Esquire

March 13, 2003

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:\$328,594.00

March 21, 2003

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

March 25, 2003

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged March 21, 2003.

April 17, 2003

Letter received from Lynn Fleisher Estricher, Law Clerk, filed on behalf of Defendant advising that the parties agreed to an extension of time until May 19, 2003, for Defendant to file their response to Plaintiff=s Claim.

April 21, 2003

Letter forwarded to Defendant granting the mutually agreed upon extension of time until May 19, 2003 for Defendant to file their response to Plaintiff=s Claim. Response due May 19, 2003.

***May 13, 2003**

Defendant filed Complaint to Join Additional Defendant.

May 15, 2003

Board forwarded Complaint to Join Additional Defendant, to Plaintiff, Weber Murphy Fox and Chief Deputy Attorney General.

May 19, 2003

Defendant filed Answer and New Matter to Claimant=s Complaint.

May 20, 2003

Chief Deputy Attorney General filed Acceptance of Service of Complaint to Join Additional Defendant. Receipt of same acknowledged May 16, 2003.

May 27, 2003

Plaintiff filed Acceptance of Service of Complaint to Join Additional Defendant. Receipt of same acknowledged May 22, 2003.

June 2, 2003

Plaintiff filed Reply to New Matter.

June 5, 2003

Board issued letter directing the parties (Plaintiff and Defendant) to commence with discovery.

June 20, 2003

Defendant filed Praecipe to withdrawal the appearance of Peter M. Good and entry of appearance of Trent Hargrove.

July 3, 2003

Additional Defendant filed Answer and New Matter to Complaint to Join Additional Defendant.

July 10, 2003

Defendant filed a letter advising that Plaintiff has granted Defendant an extension of time until September 7, 2003, in which to file its reply to new matter.

***July 16, 2003**

Defendant filed Praecipe to withdrawal the appearance of Trent Hargrove, Chief Counsel and entry of appearance of Nancy J. Kippenhan, Assistant Chief Counsel.

August 4, 2003

Defendant filed Notice of Service of Responses to Plaintiff=s Requests for Production of Documents.

September 5, 2003

Defendant=s (DGS) Answer to New Matter of Additional Defendant (Weber Murphy Fox).

September 11, 2003

Board issued letter directing the parties (Plaintiff, Defendant, (DGS) and Additional Defendant (Weber Murphy Fox)) to commence with discovery.

November 3, 2003

Plaintiff filed Entry of Appearance of Lisa M. Wampler, Esquire as co-counsel on behalf of Plaintiff.

February 19, 2004

Plaintiff filed Notice of Service of Claimant=s Objections and Responses to First Set of Interrogatories and Request for Production of Documents.

October 8, 2004

Board forwarded letter requesting status from the parties.

November 1, 2004

Plaintiff filed status letter advising that the parties were engaged in settlement discussions which have recently ended. The parties are in discovery.

January 17, 2006

Board forwarded letter requesting status from the parties.

February 1, 2006

Plaintiff filed status letter advising that Plaintiff is presently scheduling depositions and upon completion of same this case will be ready for trial.

July 19, 2006

Defendant filed Praecipe for withdrawal of appearance of Nancy J. Kippenhan, Assistant Chief Counsel and entry of appearance of David L. Narkiewicz, Assistant Chief Counsel on behalf of Defendant.

September 8, 2006

Plaintiff filed Praecipe for Appearance entering appearance of Renee Colbert, Esquire, on behalf of Plaintiff.

November 13, 2006

Plaintiff filed status report advising that Plaintiff anticipates mediation will take place and this claim will be resolved before the end of the 2006 calendar year.

June 19, 2008

Plaintiff filed Praecipe to Discontinue case only between W.G. Tomko, Inc. and DGS.

June 30, 2008

Board issued letter to Defendant for dismissal of claim.

July 22, 2008

Defendant filed letter advising that there was no settlement with Weber Murphy and that it will continue to pursue its claim against Weber Murphy.

August 27, 2008

Board rendered an Order. Order as follows: "**AND NOW**, this 27th day of August, 2008, upon receipt of a Praecipe executed by Renee Colbert, Esquire, on behalf of Plaintiff, W.G. Tomko, Inc., requesting that the Board mark its claim against Commonwealth of Pennsylvania, Department of General Services ("DGS") in the above-captioned matter discontinued and settled, docketed with this Board under date of June 19, 2008, it is hereby **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice regarding the claim of W.G. Tomko, Inc. against DGS only. The action by DGS against Weber Murphy Fox will continue in the above docket." Copy forwarded to all parties of record.

September 2, 2008

Defendant filed Acceptance of Service of Order dated August 27, 2008. Receipt of same acknowledged August 29, 2008.

September 4, 2008

Weber Murphy Fox filed Acceptance of Service of Order dated August 27, 2008. Receipt of same acknowledged September 2, 2008.

February 2, 2015

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.

April 3, 2015

DGS filed a Statement of Intention to Proceed Pursuant to Rule of Civil Procedure 230.2.

June 2, 2015

DGS filed Praecipe to Discontinue case between DGS and Weber Murphy Fox.

June 3, 2015

Board rendered Order. Order as follows: "**AND NOW**, this 3rd day of June, 2015, upon receipt of a Praecipe executed by David L. Narkiewicz, Assistant Chief Counsel, on behalf of Commonwealth of Pennsylvania, Department of General Services, requesting that the Board mark the above-captioned matter discontinued and ended, docketed with this Board under date of June 2, 2015, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to DGS and Weber Murphy Fox.

June 9, 2015

DGS filed Acceptance of Service of Order dated June 3, 2015. Receipt of same acknowledged June 4, 2015.

June 11, 2015

Weber Murphy Fox filed Acceptance of Service of Order dated June 3, 2015. Receipt of same acknowledged June 8, 2015.
