

Docket Number: 3647

IKM, Inc. for its own benefit and for the use and benefit of
Brinjac Engineering, Inc.

David W. Francis, Esquire
Gunther O. Carrle, Esquire
John D. Finnegan, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

~~Trent Hays, Jr., Chief Counsel~~
~~Nancy J. Kirpenhan, Assistant Chief Counsel~~
~~Jaime M. McClintock, Assistant Counsel~~
~~Michael T. Barretto, Senior Counsel~~

July 14, 2003

Plaintiff filed Claim and filing fee. Amount of Claim: \$10,000.00+.

July 16, 2003

Board forwarded letter to Plaintiff advising of filing deficiency: need proof of mailing to Defendant. Forwarded notice to Plaintiff.

July 17, 2003

Plaintiff filed proof of mailing Claim to Defendant. ACCEPTED FOR FURTHER PROCESSING.

July 18, 2003

Board issued Acknowledgment letter and forwarded copy of Claim to Chief Deputy Attorney General.

August 13, 2003

Defendant filed Answer and New Matter to Plaintiff's Statement of Claim (Complaint). Copy forwarded to Plaintiff.

September 29, 2003

Plaintiff filed Reply to New Matter. Copy forwarded to Defendant.

April 26, 2004

Board issued letter to parties requesting a Status Report. Status Report due on or before May 24, 2004.

May 24, 2004

Plaintiff filed Status Report advising of the parties discovery and settlement discussions and further advising that this matter is not ready for trial. Plaintiff will update the Board with a status in 6 months.

January 27, 2005

Board issued letter to parties requesting a Status Report. Status Report due on or before **February 28, 2005**.

February 4, 2005

Defendant filed letter/status report advising that this matter

has settled and once the check has been issued a Praecipe to Settle and Discontinue will be filed with the Board.

May 18, 2005

Board issued letter to parties requesting a Status Report. Status Report due on or before **June 17, 2005**.

June 27, 2005

Defendant filed a letter advising that the parties have settled and that payment was mailed to Plaintiff's attorney more than 30 days ago.

August 29, 2005

Board issued a letter to Plaintiff requesting a praecipe to close and discontinue.

March 22, 2006

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 22nd day of March, 2006, a Rule to Show Cause is issued upon Plaintiff, IKM, Inc. for its own benefit and for the use and benefit of Brinjac Engineering, Inc., wherein it is **DIRECTED** that Plaintiff advise the Board, within 30 days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue the above-captioned matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked 'closed, discontinued and ended with prejudice'." Copy forwarded to Plaintiff and Defendant.

March 28, 2006

Plaintiff filed Acceptance of Service of Opinion and Order dated March 22, 2006. Receipt of same acknowledged March 27, 2006.

March 28, 2006

Defendant filed Acceptance of Service of Opinion and Order dated March 22, 2006. Receipt of same acknowledged March 24, 2006.

April 26, 2006

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 26th day of April, 2006, this Order is issued as a result of the failure of Plaintiff, IKM, Inc. (for its own benefit and for the use and benefit of Brinjac Engineering, Inc.), to file with the Board of Claims, within 30 days from March 22, 2006, a response to the Rule to Show Cause advising whether or not Plaintiff wishes to pursue the above-captioned matter. Therefore, it is **DIRECTED** that the Rule of March 22, 2006, be made **ABSOLUTE** and the record be marked 'closed, discontinued and ended with prejudice'."

May 1, 2006

Defendant filed Acceptance of Service of Opinion and Order dated April 26, 2006. Receipt of same acknowledged April 27, 2006.
