

Docket Number: 3703

MALOY PAVING

Charles W. Jelley, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

Andrew S. Gordon, Assistant Counsel
~~Andrew S. Good, Chief Counsel~~
~~Steven I. Roth, Assistant Counsel~~

AND DEPARTMENT OF GENERAL SERVICES
Michael Eichert, Chief Counsel

April 1, 2004

Plaintiff filed Claim, filing fee and proof of mailing. Amount of Claim: \$24,899.00. ACCEPTED FOR FURTHER PROCESSING.

April 6, 2004

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

April 9, 2004

Chief Deputy Attorney General filed an acknowledgment form of Claim. Receipt of same acknowledged by Chief Deputy Attorney General April 8, 2004.

July 12, 2004

Plaintiff filed Notice to Defendants advising that they are in default due to failing to enter a written appearance.

July 16, 2004

Answer filed by Defendant.

July 27, 2004

Board issued letter to parties directing them to proceed with discovery.

May 5, 2005

Board issued letter to parties directing them to file a status report.

June 6, 2005

Plaintiff filed a letter/status report via fax advising that the above-referenced case is still active and discovery is ongoing. At the close of discovery, the parties will Praecipe the matter for a trial date.

June 6, 2005

Defendant filed a letter advising that the above-referenced case is still active and discovery is ongoing.

June 9, 2005

Plaintiff filed a letter/status report via u.s. mail advising that the above-referenced case is still active and discovery is ongoing. At the close of discovery, the parties will Praecipe the matter for a trial date.

November 14, 2006

Board issued letter to parties directing them to file a status report.

November 30, 2006

Plaintiff transmitted via fax a Notice of Service, a request for Admissions was served upon the Defendant.

December 4, 2006

Plaintiff filed a Notice of Service, a request for Admissions was served upon the Defendant.

December 11, 2006

Defendant filed letter advising that the case is still active and that discovery is ongoing.

December 12, 2006

Plaintiff transmitted letter via fax advising that they are awaiting Defendant's Response to their first Request for Admissions.

December 14, 2006

Plaintiff filed letter advising that they are awaiting Defendant's Response to their first Request for Admissions. Thereafter the case should be ready for trial in February of 2007.

December 21, 2006

Defendant filed Certificate of Service, the Response to Request for Admissions was served upon the Plaintiff.

June 7, 2007

Board issued letter to parties requesting a status report.

July 9, 2007

Defendant filed Status Report advising that the parties are still engaged in the discovery process.

July 9, 2007

Plaintiff transmitted letter via fax advising that the parties have agreed to conduct a deposition during the month of August and will be prepared for trial in November.

July 12, 2007

Plaintiff filed letter advising that the parties have agreed to conduct a deposition during the month of August and will be prepared for trial in November.

November 30, 2009

Plaintiff filed Praecipe to Settle, Discontinue and End.

December 9, 2009

Board rendered an Order. Order as follows: **AND NOW**, this 9th day of December, 2009, upon receipt of a Praecipe executed by Charles W. Jelley, Esquire, on behalf of Plaintiff, Maloy Paving, requesting that the Board mark the above-captioned matter settled, discontinued and ended, docketed with this Board under date of November 30, 2009, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice. Copy forwarded to Plaintiff and Defendant.

December 15, 2009

Defendant filed Acceptance of Service of Order dated December 9, 2009. Receipt of same acknowledged December 14, 2009.

December 18, 2009

Plaintiff filed Acceptance of Service of Order dated December 9, 2009. Receipt of same acknowledged December 15, 2009.

January 11, 2010

Defendant filed Acceptance of Service of Order dated December 9, 2009. Receipt of same acknowledged on January 8, 2010.
