

Docket Number: 3706

**FREY LUTZ CORP.**

Timothy J. Woolford, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES**

Trent Hargrove, Chief Counsel  
Tanya C. Leshko, Senior Counsel  
David L. Narkiewicz, Esquire

**CLOSED**

**April 22, 2004**

Plaintiff filed Claim, filing fee and proof of mailing. Amount of Claim: \$184,902.52. ACCEPTED FOR FURTHER PROCESSING.

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**April 23, 2004**

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

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**May 17, 2004**

Defendant filed Answer. Copy forwarded to Plaintiff.

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**May 3, 2004**

Chief Deputy Attorney General filed an acknowledgment form. Receipt of same acknowledged by Chief Deputy Attorney General April 27, 2004.

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**June 2, 2004**

Defendant filed letter advising the Board that response to New Matter is not required. New Matter was not filed for the above matter.

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**June 8, 2004**

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

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**September 13, 2004**

Proposed Order, Claimant Frey Lutz Corp.'s Motion to Compel and Memorandum of Law in Support filed by Plaintiff. Copy forwarded to Defendant.

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**October 4, 2004**

Plaintiff filed Praecipe for Withdrawal of Appearance for George Pallas, Esquire, Cohen, Seglias, Pallas, Greenhall & Furman, P.C., and entry of appearance of Timothy J. Woolford, Esquire and Stevens & Lee, as counsel.

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**October 6, 2004**

Defendant filed letter in response to Plaintiff's Motion to Compel Full and Complete Answers to Interrogatories. Defendant advises that discovery is ongoing and they have given Plaintiff full access to its records for review. Defendant believes that Plaintiff's Motion to Compel is premature and requests that it will be denied by the Board.

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**October 6, 2004**

Defendant filed letter in response to Plaintiff's Motion to Compel Full and Complete Answers to Interrogatories. Defendant advises that discovery is ongoing and they have given Plaintiff full access to its records for review. Defendant believes that Plaintiff's Motion to Compel is premature and request that it be denied by the Board.

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**January 3, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 3<sup>rd</sup> day of January, 2005, after review of Plaintiff's, Frey Lutz Corp., Motion to Compel Answers to Interrogatories and its accompanying Brief, it is hereby **ORDERED** and **DECREED** that the Motion is **GRANTED** in part and **DENIED** in part. It is **GRANTED** to the extent that more complete answers should be provided to interrogatories 2, 7, 8, 10, 16, 21, 24, 33, 39, 40, 42, 46 and 50. It is further **GRANTED** with respect to the Department of General Services providing access to documentation concerning interrogatories 11, 14, 15c, 19, 41, 49, 52 and 55. It is **DENIED** with respect to all other interrogatories. Defendant shall comply with this Order within thirty (30) days of the exit date." Copy forwarded to Plaintiff and Defendant.

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**January 10, 2005**

Acceptance of Service of Opinion and Order. Receipt of same acknowledged by attorney for Plaintiff January 7, 2005.

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**January 12, 2005**

Acceptance of Service of Opinion and Order. Receipt of same

acknowledged by attorney for Defendant January 10, 2005.

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**February 1, 2005**

Plaintiff filed a letter advising that in accordance with the Board's Order of January 3, 2005, enclosed are Amended Answers to Interrogatories.

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**March 17, 2005**

Defendant filed a Praecipe for Withdrawal of appearance of Alice Miller, Assistant Counsel and Entry of appearance of Tanya C. Leshko, Senior Counsel as new council for Defendant.

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**April 27, 2005**

Commonwealth's Motion for Permission to Join Wohlsen Construction Company as an Additional Defendant in Docket No. 3706, as well as Brief in Support. Copies forwarded to all parties of record.

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**April 27, 2005**

Complaint Against Additional Defendant Wohlsen Construction Company in Docket No. 3706. Copies forwarded to all parties of record.

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**April 29, 2005**

Proposed Order, Commonwealth of Pennsylvania, Department of General Services' Motion for Joint Discovery, as well as Brief in Support. Copies forwarded to all parties of record.

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**May 4, 2005**

Defendant filed an Entry of Appearance of (David L. Narkiewicz, Esquire.) Copy forwarded to all parties of record.

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**June 6, 2005**

Wohlsen filed Proposed Order, Response of Claimant Wohlsen Construction Company to Respondent's Motion for Permission to Join Claimant as an Additional Defendant. Copy forwarded to

Defendant.

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**June 6, 2005**

Plaintiff filed Memorandum of Law of Claimant Wohlsen Construction Company in Opposition to Respondent's Motion for Permission to Join Claimant as Additional Defendant. Copy forwarded to Defendant.

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**July 15, 2005**

Board issued an Opinion and Order. Order as follows: **AND NOW**, this 15<sup>th</sup> day of July, 2005, upon consideration of Respondent, Commonwealth of Pennsylvania, Department of General Services' Motion for Permission to Join Wohlsen Construction Company as an Additional Defendant and Memorandum of Law in Support thereof, and the Responses thereto, it is hereby **ORDERED** that said Motion is **DENIED**. Copy forwarded to all parties of record.

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**July 15, 2005**

Board issued an Opinion and Order. Order as follows: **AND NOW**, this 15<sup>th</sup> day of July, 2005, upon consideration of the Commonwealth of Pennsylvania, Department of General Services' Motion for Joint Discovery and Supporting Brief, it is **ORDERED** that said Motion is **DENIED**. Copy forwarded to all parties of record.

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**July 20, 2005**

Defendant filed Acceptance of Service of Opinion and Order. Receipt of same acknowledged July 19, 2005.

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**October 6, 2005**

Plaintiff filed Praecipe to Settle, Discontinue and End. Copy forwarded to Defendant.

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**October 7, 2005**

Board rendered an Order. Order as follows: "**AND NOW**, this 7<sup>th</sup> day of October, 2005, upon receipt of a Praecipe to Settle, Discontinue and End, executed by Timothy J. Woolford, Esquire, attorney for Plaintiff, requesting that the Board "Kindly mark the above matter settled, discontinued and ended." and docketed with this Board under date of October 6, 2005, it is **ORDERED** and **DECREED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to Plaintiff and Defendant.

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**October 14, 2005**

Defendant filed Acceptance of Service of Order dated October 7, 2005. Receipt of same acknowledged October 12, 2005.

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