

Docket Number: 3738

SORDONI CONSTRUCTION SERVICES, INC.

Paul J. LaBelle, Esquire
116 North Washington Avenue
Scranton, PA 18503

~~Howard M. Levinson, Esquire
Rosenn Jenkins & Greenfield
15 S. Franklin Street
Wilkes-Barre, PA 18711~~

VS.

COMMONWEALTH OF PENNSYLVANIA
STATE SYSTEM OF EDUCATION

~~Jeffrey Cooper, Chief Counsel
*Andrew C. Lehman, Assistant Counsel
**Jonathan S. Weiss, Esquire
***Lawrence M. Silverman, Esquire~~

November 29, 2004

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: Amount of Initial Claim (Unknown)

November 30, 2004

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

December 20, 2004

Defendant filed Preliminary Objections and Brief. Copy forwarded to Plaintiff.

January 7, 2005

Plaintiff filed letter advising that Attorney LaBelle will be lead counsel in the matter and Mr. Levinson will be co-counsel.

February 3, 2005

Plaintiff filed letter via facsimile advising that Plaintiff will be filing an Amended Claim and Defendant is in agreement to Plaintiff filing same as well as Mr. LaBelle advising that he will be lead counsel on behalf of Plaintiff.

February 7, 2005

Plaintiff filed letter via U.S. Mail advising that Plaintiff will be filing an Amended Claim and Defendant is in agreement to Plaintiff filing same as well as Mr. LaBelle advising that he will be lead counsel on behalf of Plaintiff.

***February 14, 2005**

Plaintiff filed (via fax) Amended Claim and proof of mailing. Amount of Claim: \$573,965.38+.

February 16, 2005

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

February 16, 2005

Board rendered Opinion and Order. Order as follows: "AND NOW, this 16th day of February, 2005, the Preliminary Objections filed by the Defendant on December 20, 2004, are hereby **DENIED** as **MOOT**." Copy forwarded to Plaintiff and Defendant.

February 28, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated February 15, 2005. Receipt of same acknowledged by Plaintiff February 18, 2005.

March 3, 2005

Attorney General filed Acceptance of Service of Claim. Receipt of same acknowledged by Attorney General February 22, 2005.

March 16, 2005

Defendant filed Withdrawal of Appearance of Andrew C. Lehman, University Legal Counsel and Entry of Appearance of Jonathan S. Ziss, Esquire.

March 16, 2005

Defendant filed Answer to Amended Statement of Claim with New Matter. Copy forwarded to Plaintiff.

March 21, 2005

Defendant filed Acceptance of Service of Opinion and Order dated February 16, 2005. Receipt of same acknowledged by Defendant February 17, 2005.

March 30, 2005

Plaintiff filed (via facsimile) Answer to New Matter of Defendant.

March 31, 2005

Board forwarded letter directing the parties to commence with discovery.

April 1, 2005

Plaintiff filed Answer to New Matter of Defendant (via U.S. Mail). Copy forwarded to Defendant.

*****April 22, 2005**

Defendant filed Entry of Appearance of Lawrence M. Silverman, Esquire on behalf of Defendant and Withdrawal of Appearance of Jonathan S. Ziss, Esquire on behalf of Defendant.

February 2, 2006

Defendant filed Request for Admissions. Copy forwarded to Plaintiff.

May 16, 2006

Plaintiff filed Motion in Limine to Prevent Defendant from Proffering Certain Documents at Trial. [05A061506D]

May 25, 2006

Defendant filed Motion for Summary Judgment, Memorandum of Law in Support and Proposed Order. Copy forwarded to Plaintiff. [05A062906]

May 26, 2006

Plaintiff filed Answer to Defendant's Request for Admissions received via fascimile. Copy forwarded to Defendant.

May 26, 2006

Defendant filed Objection and Response of Defendant to the Motion in Limine of Plaintiff. Copy forwarded to Plaintiff.

May 31, 2006

Plaintiff filed letter (via fax) requesting an extension of time

until June 15, 2006, in which to file a brief in support of its motion in limine.

May 31, 2006

Board forwarded letter to Plaintiff, with copy to Defendant, granting Plaintiff request for an extension of time until June 15, 2006, in which to file a brief in support of its motion in limine.

June 1, 2006

Plaintiff filed Answer to Defendant's Request for Admissions received via U.S. Mail. Copy forwarded to Defendant.

June 14, 2006

Plaintiff filed (via fax) Brief in Support of its Motion in Limine to Prevent Defendant from Proffering Certain Documents at Trial. Copy forwarded to Defendant.

June 16, 2006

Plaintiff filed (via U.S. mail) Brief in Support of its Motion in Limine to Prevent Defendant from Proffering Certain Documents at Trial. Copy forwarded to Defendant.

June 19, 2006

Defendant filed East Stroudsburg University of Pennsylvania State System of Higher Education's Motion to Strike Plaintiff Sardoni Construction, Inc.'s Responses to Request for Admissions and Memorandum of Law in Support. Copy forwarded to Plaintiff.

June 21, 2006

Defendant filed Reply Brief to Plaintiff's Motion in Limine. Copy forwarded to Plaintiff.

June 26, 2006

Plaintiff filed (via fax) Response to Defendant's, East Stroudsburg University, Motion for Summary Judgment and Brief in Support. Copy forwarded to attorney for Defendant.

June 28, 2006

Plaintiff filed (via U.S. Mail) Response to Defendant's, East Stroudsburg University, Motion for Summary Judgment and Brief in Support. Copy forwarded to attorney for Defendant.

June 29, 2006

Board rendered an Opinion and Order. Order as follows: **AND NOW**, this 29th day of June, 2006, after review of Plaintiff's motion in limine and brief in support thereof and Defendant's reply thereto, it is hereby **ORDERED** and **DECREED** that Plaintiff's Motion is **DENIED**. Copy forwarded to all parties of record.

July 5, 2006

Plaintiff filed Acceptance of Service of Opinion and Order dated June 29, 2006. Receipt of same acknowledged on July 3, 2006.

July 10, 2006

Defendant filed Acceptance of Service of Opinion and Order dated June 29, 2006. Receipt of same acknowledged on July 6, 2006.

July 21, 2006

Plaintiff filed Response to Defendant's Motion to Strike Plaintiff's Responses to Request for Admissions and Brief in Support. Copy forwarded to Defendant.

July 31, 2006

Board rendered an Opinion and Order. Order as follows: **AND NOW** this 31st day of July, 2006, it is hereby **ORDERED** and **DECREED** that Defendant, Commonwealth of Pennsylvania, State System of Higher Education, East Stroudsburg University's Motion to Strike Plaintiff, Sordoni Construction Inc.'s, Response to Requests For Admissions is **DENIED**. Copy forwarded to all parties of record.

August 7, 2006

Plaintiff filed Acceptance of Service of Opinion and Order dated

July 31, 2006. Receipt of same acknowledged on August 7, 2006.

August 31, 2006

Board rendered an Opinion and Order. Order as follows: **AND NOW** this 31st day of August, 2006, in consideration of the Motion for Summary Judgment filed by East Stroudsburg University of Pennsylvania, State System of Higher Education and the responses thereto, it is **ORDERED** and **DECREED** that the motion is **DENIED**. Copy forwarded to all parties of record.

September 8, 2006

Defendant filed Acceptance of Service of Opinion and Order dated August 31, 2006. Receipt of same acknowledged September 6, 2006.

September 11, 2006

Plaintiff filed Acceptance of Service of Opinion and Order dated August 31, 2006. Receipt of same acknowledged September 5, 2006.

October 26, 2006

Plaintiff filed Notice of Service for Production of Documents Directed to the Defendant. Copy forwarded to Defendant.

October 31, 2007

Board issued letter to parties requesting a status report.

November 13, 2007

Plaintiff transmitted a letter stating that it appeared the parties have come to a settlement of the outstanding issues in this matter and that the parties are preparing a settlement and release agreement for signature.

November 13, 2007

Defendant filed a status letter stating that they are in the process of putting the finishing touches on a release that will

settle all claims in connection with this case. As soon as the release is signed, they will forward the letter to the Board. Copy forwarded to Plaintiff.

November 15, 2007

Plaintiff filed a letter stating that it appeared the parties have come to a settlement of the outstanding issues in this matter and that the parties are preparing a settlement and release agreement for signature.

December 26, 2007

Plaintiff transmitted via fax a Praecipe to Settle, Discontinue and End Action.

January 11, 2008

Plaintiff filed Praecipe to Settle, Discontinue and End with prejudice.

January 15, 2008

Board issued Order. Order as follows: **"AND NOW**, this 15th day of January, 2008, upon receipt of a Praecipe executed by Paul J. LaBelle, Esquire, on behalf of Plaintiff, Sordoni Construction Services, Inc., requesting that the Board mark the above-captioned matter settled, discontinued and ended with prejudice, docketed with this Board under date of January 11, 2008, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

January 22, 2008

Plaintiff filed Acceptance of Service of Order dated January 15, 2008. Receipt of same acknowledged on January 18, 2008.

January 28, 2008

Defendent filed Acceptance of Service of Order dated January 15, 2008. Receipt of same acknowledged on January 24, 2008.

