

Docket Number: 3750

KNOX & KANE RAILROAD COMPANY

Benjamin C. Dunlap, Jr., Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CONSERVATION & NATURAL RESOURCES

~~Albert H. Masland, Chief Counsel~~
Virginia J. Davison, Assistant Counsel

CLOSED

February 4, 2005

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: Amount of Initial Claim (\$101,798.76)

February 7, 2005

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

February 18, 2005

Defendant filed Preliminary Objections. Copy forwarded to Plaintiff.

***March 8, 2005**

Plaintiff filed an Amended Statement of Claim and proof of mailing. Amount of Claim: \$84,300.00+.

March 15, 2005

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

March 15, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW,** this 15th day of March, 2005, the Preliminary Objections filed by the Defendant on February 18, 2005, are hereby **DENIED** as **MOOT.**" Copy forwarded to Plaintiff and Defendant.

March 23, 2005

Attorney General filed Acceptance of Service of Amended Claim dated March 15, 2005. Receipt of same acknowledged by Attorney General March 18, 2005.

March 24, 2005

Defendant filed Acceptance of Service of Opinion and Order dated March 15, 2005. Receipt of same acknowledged by Defendant March 22, 2005.

March 24, 2005

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

April 5, 2005

Defendant filed Answer and New Matter. Copy forwarded to Plaintiff.

April 11, 2005

Defendant filed Certification from James Eppley.

April 23, 2005

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

April 25, 2005

Board forwarded letter directing parties to commence with discovery.

May 26, 2005

Defendant filed Certificate of Service of Defendant's First Discovery forwarded to Plaintiff.

October 3, 2005

Plaintiff filed Settlement Agreement executed by Plaintiff and Defendant.

October 25, 2005

Plaintiff filed Praecipe of Settlement and Discontinuance. Copy forwarded to Defendant.

November 3, 2005

Board rendered an Order. Order as follows: "**AND NOW**, this 3rd day of November, 2005, upon receipt of a Praecipe of Settlement and Discontinuance executed by Benjamin C. Dunlap, Jr., Esquire, on behalf of Plaintiff, Knox & Kane Railroad Company, requesting the Board to "Please mark the above-captioned case settled, discontinued and ended." docketed with this Board under date October 25, 2005, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to Plaintiff and Defendant.

November 9, 2005

Defendant filed Acceptance of Service of Order dated November 3, 2005. Receipt of same acknowledged November 7, 2005.
