

Docket Number: 3769

TRUMBULL CORPORATION

Kenneth L. Sable, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

~~Andrew Gordon, Chief Counsel~~
Gerald R. Schultz, Assistant Counsel

VS.

HRI, INC.

**Carleton O. Strouss, Esquire

***May 3, 2005**

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

May 5, 2005

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

May 13, 2005

Attorney General filed Acceptance of Service of Claim. Receipt of same acknowledged by Attorney General May 11, 2005.

July 1, 2005

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

***July 1, 2005**

Defendant filed Complaint Against Additional Defendant HRI, Inc. Copy forwarded to Plaintiff and Additional Defendant.

****July 8, 2005**

Additional Defendant filed Entry of Appearance of Carleton O. Strauss, Esquire.

July 18, 2005

Attorney General filed Acceptance of Service of Complaint to Join Additional Defendant dated July 8, 2005. Receipt of same acknowledged by Attorney General July 14, 2005.

July 28, 2005

Additional Defendant filed Preliminary Objections and Brief in Support addressed to Defendant. Copy forwarded to Plaintiff and Defendant. [06A090205D]

August 31, 2005

Defendant filed Response to Preliminary Objections of Additional Defendant. Copy forwarded to Plaintiff and Additional Defendant.

August 31, 2005

Plaintiff filed Reply to New Matter and Answer with New Matter to the Defendant's Counterclaim. Copy forwarded to Defendant and Additional Defendant.

September 21, 2005

Defendant filed counter-reply to Plaintiff's new matter to counterclaim. Copy forwarded to Plaintiff.

October 25, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 25th day of October, 2005 it is **ORDERED** and **DECREED** that the Preliminary Objections of Additional Defendant, HRI, Inc., are **OVERRULED**. HRI, Inc. shall be afforded twenty (20) days from the exit date of this Order to file a responsive pleading to the Complaint of Defendant, Commonwealth of Pennsylvania, Department of Transportation against Additional Defendant HRI, Inc." Copy forwarded to all parties of record.

October 28, 2005

Additional Defendant filed Acceptance of Service of Opinion and Order dated October 25, 2005. Receipt of same acknowledged October 27, 2005.

October 31, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated October 25, 2005. Receipt of same acknowledged October 27, 2005.

November 14, 2005

Additional Defendant filed Answer and New Matter to Complaint of Defendant against Additional Defendant.

November 21, 2005

Additional defendant filed First Request for Production of Documents Directed to Defendant.

December 6, 2005

Defendant filed Response to New Matter of Additional Defendant. Copy forwarded to Plaintiff and Additional Defendant.

December 7, 2005

Board forwarded letter directing the parties to commence with discovery.

December 28, 2005

Defendant filed Notice of Service of Response to HRI's First Request for Production of Documents.

April 3, 2006

Defendant filed letter-type Notice of Service of Defendant's Interrogatories Directed to HRI, Inc., Additional Defendant (First Set) as well as Defendant's First Request for the Production of Documents to HRI, Inc., Additional Defendant.

April 28, 2006

Additional Defendant filed Notice of Service of Additional Defendant's Response to Defendant's First Request for Production of Documents and Response of Additional Defendant to Defendant's Interrogatories (First Set).

May 15, 2006

Defendant filed Notice of Service of Defendant's Amended Responses to Trumbull Corporation's Request for Admissions.

July 31, 2006

Defendant filed Notice of Service of Defendant's Answers to

Trumbull Corporation's First Set of Amended Interrogatories.

October 17, 2006

Plaintiff filed Certificate Prerequisite to Service of a Subpoena pursuant to Rule 4009.22 for a subpoena served on Dick Corporation. Copy forwarded to Defendant and Additional Defendant.

October 17, 2006

Plaintiff filed Certificate Prerequisite to Service of a Subpoena pursuant to Rule 4009.22 for a subpoena served on L. Robert Kimball & Associates. Copy forwarded to Defendant and Additional Defendant

October 19, 2006

Defendant filed Answer with New Matter and Amended Counterclaim. Copy forwarded to Plaintiff and Additional Defendant.

October 19, 2006

Plaintiff filed Consent to Amendment. Copy forwarded to Defendant and Additional Defendant.

October 20, 2006

Board forwarded letter to Plaintiff requesting response to New Matter and Amended Counterclaim. Copy forwarded to Defendant and Additional Defendant.

February 6, 2007

Defendant filed Notice of Service of Supplemental Answers to First Set of Amended Interrogatories. Copy forwarded to Plaintiff and Additional Defendant.

March 13, 2008

Board forwarded letter to parties requesting status report.

March 21, 2008

Plaintiff filed status letter advising that parties are currently in discussions of settlement.

March 24, 2008

Board letter returned by sender. Reforwarded to new address.

March 24, 2008

HRI filed notice of name and address change.

March 26, 2008

Defendant filed status letter advising that settlement discussions are ongoing and if settlement is unsuccessful, additional discovery will be necessary.

April 10, 2008

HRI filed status letter advising that there has been no participation on their part with Plaintiff and Defendant regarding settlement negotiations. If there is no resolution of the matter HRI believes that substantial additional discovery may be necessary.

May 15, 2013

Plaintiff filed Praecipe to Discontinue.

May 15, 2013

Board forwarded letter to DOT requesting indication as to whether it intends to dismiss its claim against HRI.

June 26, 2013

Defendant filed a praecipe to discontinue.

June 27, 2013

Board rendered an Order. Order as follows: "**AND NOW**, this 27th day of June, 2013, upon receipt of a praecipe executed by Kenneth L. Sable, Esquire, on behalf of Plaintiff, Trumbull Corporation docketed with this Board under date of May 15, 2013, and a praecipe executed by Gerald R. Schultz, Assistant Counsel, on behalf of Defendant, Commonwealth of Pennsylvania, Department of Transportation docketed with this Board under date of June 26, 2013, requesting that the Board mark the above-captioned matter settled, discontinued, and ended, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to all parties of record.

July 3, 2013

HRI filed Acceptance of Service of Order dated June 27, 2013. Receipt of same acknowledged July 2, 2013.

July 3, 2013

Plaintiff filed Acceptance of Service of Order dated June 27, 2013. Receipt of same acknowledged July 2, 2013.
