

Docket Number: 3787

CORESTAFF, INC.

Janice M. Sulman, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF LABOR & INDUSTRY,
STATE WORKERS' INSURANCE FUND**

~~Roger H. Caffier, Chief Counsel~~
~~Elaine Mead, Deputy Chief Counsel~~
James D. Jordan, Assistant Counsel

June 29, 2005

By Order of the Court of Common Pleas of Philadelphia County First Judicial District, case filed, Order as follows: **AND NOW**, this 29th day of June 2005, upon consideration of the verified complaint in equity filed in this action along with the accompanying petition for preliminary injunctive relief, it hereby is **ORDERED** and **DECREED** that this court does not have jurisdiction over this matter (1 See Employers Insurance of Wausau v. Commonwealth of Pennsylvania, Department of Transportation, 865 A.2d 825 (Pa. 2005)) and the record is transferred pursuant to 42 Pa. C.S. §5103 (Transfer of Erroneously Filed Matters to the Board of Claims).

**THE FOLLOWING FILED IN COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA CIVIL TRIAL DIVISION**

June 29, 2005

Active Case.

June 29, 2005

Preliminary Injunction filed. Petition for Preliminary Injunction filed and forwarded to Commerce Program.

June 29, 2005

Motion assigned. Petition for Preliminary Injunction assigned to J Jones.

June 29, 2005

Commencement of Civil Action.

June 29, 2005

Complaint filed Notice Given. Complaint with Notice to Defend within twenty (20) days after service in accordance with Rule 1018.1 filed.

June 29, 2005

Transfer to Other Jurisdiction. Upon consideration of the verified Complaint in equity filed in this action along with the accompanying petition for preliminary injunctive relief it hereby is ordered and decreed that this Court does not have jurisdiction over this matter (see Employers Insurance of Wausau v. Commonwealth of Pennsylvania, Department of Transportation 865 A.2d 825 (Pa. 2005)). And the record is transferred pursuant to 42 Pa. CS 5103 (transfer of erroneously filed matters to the Board of Claims). By the Court. . . Jones J 6/29/05.

June 29, 2005

Notice given under Rule 236.

August 19, 2005

Praecipe/Transfer out of County. Praecipe to transfer the above captioned matter to the Board of Claims in Harrisburg Pennsylvania filed.

BEFORE THE BOARD OF CLAIMS

August 19, 2005

Court of Common Pleas of Philadelphia County First Judicial District of Pennsylvania Civil Trial Division transferred record.

August 23, 2005

Board of Claims received file from Court of Common Pleas of Philadelphia County. Amount of Claim: not to exceed \$50,000.00.

September 1, 2005

Plaintiff filed additional copies of claim, filing fee and proof of mailing in the form of an acceptance of Service. ACCEPTED FOR FURTHER PROCESSING.

September 2, 2005

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

September 12, 2005

Attorney General filed Acknowledgment of Claim form. Receipt of same acknowledged September 8, 2005.

September 20, 2005

Defendant filed letter (via fax) requesting an extension of time until October 17, 2005, in which to file a response to the statement of claim.

September 23, 2005

Defendant filed letter (via U.S. Mail) requesting an extension of time until October 17, 2005, in which to file a response to the statement of claim.

September 23, 2005

Defendant filed Praecipe for Appearance of James D. Jordan, Assistant Counsel, on behalf of Defendant. Copy forwarded to Plaintiff.

September 30, 2005

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

October 5, 2005

Defendant filed Errata Sheet to include Footnote #1. Copy forwarded to Plaintiff.

October 31, 2005

Plaintiff filed Answer to Preliminary Objections and Brief Contra Preliminary Objections. Copy forwarded to attorney for Defendant.

November 16, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 16th day of November, 2005, upon consideration of the preliminary objections filed by the defendant and the response to the preliminary objections filed by plaintiff, **IT IS ORDERED** that the preliminary objection to the cause of action for breach of contract is **OVERRULED** and the preliminary objections to the causes of action for tortuous interference with contract and unconstitutional taking are **SUSTAINED**. The action is bifurcated and the causes of action for tortuous interference with contract and unconstitutional taking are transferred to the Court of Common Pleas in Philadelphia County. The defendant is granted thirty (30) days to respond to the breach of contract cause of action in the complaint before this Board." Copy forwarded to Plaintiff and Defendant.

November 28, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated November 16, 2005. Receipt of same acknowledged November 22, 2005.

December 15, 2005

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

December 30, 2005

Board transferred a copy of the file to the Court of Common Pleas in Philadelphia County, per Board's Order of November 16, 2005.

January 3, 2006

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

January 5, 2006

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

January 6, 2006

Board received receipt from the Court of Common Pleas, Philadelphia County that the file was received.

February 9, 2007

Board issued letter to parties requesting a status report.

March 2, 2007

Defendant filed status report advising that disposition of those claims transferred to Philadelphia Court of Common Pleas have been deferred pending disposition of the contract claim over which the Board retains jurisdiction. Copy forwarded to Plaintiff.

March 8, 2007

Plaintiff filed letter via fax advising that this matter is not ready for trial. If Plaintiff's discovery requests are completed within a timely manner, discovery can be completed within the next three months.

March 12, 2007

Plaintiff filed status report via U. S. mail advising that this matter is not ready for trial. Counsel requires additional time to complete discovery in this matter.

March 12, 2007

Plaintiff filed Notice of Service of Plaintiff's Interrogatories addressed to Defendant. Copy forwarded to Defendant.

March 12, 2007

Plaintiff filed Notice of Service of Plaintiff's Request Upon a Party for Production of Documents and things, Pursuant to Pennsylvania Rule of Civil Procedure 4009.1. Copy forwarded to Defendant.

April 6, 2007

Defendant filed Certificate of Service of responses and objections to Claimant's request for production of documents addressed to Respondent. Copy forwarded to Plaintiff.

April 6, 2007

Defendant filed Certificate of Service of answers and objections to Claimant's Interrogatories addressed to Respondent. Copy forwarded to Plaintiff.

April 6, 2007

Defendant filed Certificate of Service of Responses and objections to Claimant's request for production of documents addressed to Respondent. Copy forwarded to Plaintiff.

October 14, 2009

Board forwarded Notice of Proposed Termination of Case for Lack of Activity Pursuant to Pa. Rule of Civil Procedure 230.2 to Plaintiff, with copy to Defendant.

November 25, 2009

Plaintiff filed Statement of Intention to Proceed.

February 8, 2013

Plaintiff filed a letter changing address.

April 17, 2013

Plaintiff filed Motion for Summary Judgment as well as Brief in Support.

April 18, 2013

Board forwarded letter to Defendant requesting response to Motion for Summary Judgment.

May 13, 2013

Defendant transmitted via facsimile a letter advising Board that the parties have reached a settlement and request the briefing deadline be retracted.

May 13, 2013

Plaintiff filed letter requesting a 30 day extension for Defendant to file its answer to Plaintiff's motion for summary judgment due to settlement discussions.

May 13, 2013

Board forwarded letter to parties retracting briefing schedule for the outstanding motion due to settlement.

May 14, 2013

Board forwarded letter to parties granting 30 day extension.

June 17, 2013

Plaintiff filed Praecipe to Discontinue.

June 18, 2013

Board rendered Order. Order as follows: "**AND NOW**, this 18th day of June, 2013, upon receipt of a Praecipe executed by Janice M. Sulman, Esquire, on behalf of Plaintiff, Corestaff, Inc., requesting that the Board mark the above-captioned matter discontinued, docketed with this Board under date of June 17, 2013, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.
