

Docket Number: 3830

LONE PINE CONSTRUCTION INC., A Pennsylvania Corporation

Stephen L. Barsotti, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Kimberly A. Hummel, Chief Counsel  
Virginia J. Davison, Assistant Counsel

**March 31, 2006**

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$74,819.00 +

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**April 3, 2006**

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

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**April 6, 2006**

Attorney General filed Acceptance of Service of Claim dated April 3, 2006. Receipt of same acknowledged April 4, 2006.

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**April 27, 2006**

Entry of Appearance filed by Defendant.

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**April 27, 2006**

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

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**May 12, 2006**

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

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**May 17, 2006**

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

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**June 16, 2006**

Defendant filed a letter advising of a Certificate of Service to be filed.

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**November 3, 2006**

Plaintiff filed a praecipe to place claim at issue on next available hearing list. Copy forwarded to Defendant.

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**November 6, 2006**

Board issued letter to parties requesting a proposed scheduling order.

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**November 9, 2006**

Defendant filed Objection to Listing Case for Trial. Copy forwarded to Plaintiff.

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**November 13, 2006**

Board issued letter to parties directing them to await the completion of deposition transcripts, to confer thereafter and make a determination of how much time required for discovery.

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**November 16, 2006**

Defendant filed Proposed Schedule. Copy forwarded to Plaintiff.

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**November 20, 2006**

Plaintiff filed Proposed Schedule. Copy forwarded to Defendant.

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**December 1, 2006**

Board issued Order. Order as follows: **"AND NOW**, this 1st day of December, 2006, it is hereby **ORDERED** and **DECREED** as follows: 1. The last day for defendant's expert report, if any, to be provided to plaintiff is January 31, 2007\*; 2. All discovery, including exchange of expert rebuttal reports shall be completed by March 12, 2007\*\*; 3. The last day for filing pre-trial motions is March 30, 2006\*\*; 4. Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than April 27, 2007 (Please note BOC R.P. 501(b) and (c)(3)); 5. A pre-trial conference is scheduled for Wednesday, May 23, 2007 at 1:00 p.m. Said conference shall be held at 200 North Third Street, Fulton Building, 7th Floor, Harrisburg, PA 17101; 6. This matter is set for hearing beginning on Monday, July 9, 2007 and running through Tuesday, July 10, 2007, or as necessary. Said hearing shall be held at

Saint Joseph's Center, 2900 Seminary Drive, Greensburg, PA 15601-3700 commencing at 9:30 a.m." \*Plaintiff has advised the Board that it does not have, nor does it intend to provide, an expert report as part of its case in chief.\*\*All discovery motions shall be filed at least 30 days in advance of the close of discovery to allow for a 15 day response period and decision by the Board prior to the close of the discovery. Copy forwarded to Plaintiff and Defendant.

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**December 6, 2006**

Plaintiff filed Acceptance of Service of Scheduling Order dated December 1, 2006. Receipt of same acknowledged December 4, 2006.

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**December 11, 2006**

Defendant filed Acceptance of Service of Scheduling Order dated December 1, 2006. Receipt of same acknowledged December 7, 2006.

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**April 27, 2007**

Plaintiff filed Claimant's Pre-Trial Statement. Copy forwarded to Defendant.

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**April 27, 2007**

Defendant filed Pre-Hearing Memorandum. Copy forwarded to Plaintiff.

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**May 23, 2007**

Both parties filed Joint Stipulation of Facts.

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**June 28, 2007**

Defendant filed letter via fax advising that the parties have settled and request the hearing scheduled in this matter be cancelled.

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**July 6, 2007**

Board forwarded letter to parties cancelled Panel Hearing which was scheduled for July 9 and 10, 2007, per Defendant's letter of June 28, 2007.

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**July 16, 2007**

Parties filed Settlement Agreement and Mutual Release which was executed by parties.

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**July 26, 2007**

Board issued Order. Order as follows: **AND NOW**, this 26th day of July, 2007, upon receipt of a document entitled "Settlement Agreement and Mutual Release" executed by Gregory A. Kittridge, Vice President of Lone Pine Construction Inc., A Pennsylvania Corporation, Plaintiff in this matter and Virginia J. Davison, Assistant Counsel for the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, Defendant in this matter, which document and attachments the Board understands to be intended as a praecipe requesting that the Board mark the above-captioned matter settled, discontinued and ended with prejudice, docketed with this Board under date of July 16, 2007, 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.

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**August 1, 2007**

Plaintiff filed Acceptance of Service of Order dated July 26, 2007. Receipt of same acknowledged by Plaintiff July 30, 2007.

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**August 6, 2007**

Defendant filed Acceptance of Service of Order dated July 26, 2007. Receipt of same acknowledged by Defendant July 30, 2007.