

Docket Number: 3842

D. A. NOLT, INC.

Wendy F. Klein Keane, Esquire
George E. Pallas, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Trent Hargrave, Chief Counsel~~
~~Susan Ann Sivulich, Assistant Counsel~~

July 13, 2006

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$119,027.13+.

July 14, 2006

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

July 20, 2006

Attorney General filed Acknowledgement of Claim dated July 14, 2006. Receipt of same acknowledged on July 18, 2006.

August 14, 2006

Defendant filed Answer to Complaint and Counterclaim.

September 8, 2006

Plaintiff filed Answer to Counterclaim with New Matter.

September 11, 2006

Board forwarded letter to Defendant requesting response to New Matter.

September 12, 2006

Plaintiff filed a Praecipe to Substitute Verification which was filed with previous Answer to Counterclaim.

September 27, 2006

Defendant filed Answer to New Matter.

September 28, 2006

Board forwarded letter to parties directing parties to commence with discovery.

November 7, 2006

Defendant filed Notice of Service of Responses to Request for Production of Documents.

February 7, 2007

Plaintiff filed (via fax) letter requesting the Board schedule a status conference and requesting that a trial be scheduled.

February 8, 2007

Board forwarded letter to parties requesting status information.

February 12, 2007

Plaintiff filed (via U.S. mail) letter requesting the Board schedule a status conference and requesting that a trial be scheduled.

February 16, 2007

Plaintiff filed proposed scheduling order.

February 20, 2007

Plaintiff filed letter (via facsimile) outlining status of case.

February 21, 2007

Defendant filed proposed scheduling order.

February 23, 2007

Board rendered an Order. Order as follows: "**AND NOW**, this 23rd day of February, 2007, it is hereby **ORDERED** and **DECREED** as follows: 1. The last day for plaintiff's expert report, if any, to be provided to defendant is August 3, 2007¹; 2. The last day for defendant's expert report, if any, to be provided to plaintiff is September 5, 2007¹; 3. All discovery, including exchange of expert rebuttal reports, shall be completed by September 20, 2007²; 4. The last day for filing pre-trial motions

is October 5, 2007²; 5. Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than November 19, 2007 (Please note BOC R.P. 501(b) and (c)(3)); 6. A pre-trial conference is scheduled for Tuesday, November 27, 2007 at 1:00 p.m. Said conference shall be held at 200 North Third Street, Fulton Building, 7th Floor, Harrisburg, PA 17101; 7. This matter is set for hearing beginning on January 7, 2008 and running through January 11, 2008, or as necessary. Said hearing shall be held at 200 North Third Street, Fulton Building, 6th Floor, Harrisburg, PA 17101 commencing at 9:30 a.m. ¹If expert testimony is to be offered without production of a report, a summary of such testimony, as described in Pa. R.C.P. 4003.5(a)(1) shall be provided in lieu of such report. ²All 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.

February 28, 2007

Plaintiff filed Acceptance of Service of Scheduling Order dated February 23, 2007. Receipt of same acknowledged February 27, 2007.

February 28, 2007

Defendant filed Acceptance of Service of Scheduling Order dated February 23, 2007. Receipt of same acknowledged February 27, 2007.

March 2, 2007

Plaintiff filed letter requesting a 60 day extension of the scheduling order as DGS has not completed a thorough discovery.

November 26, 2007

Defendant transmitted letter advising that the parties have settled and that Plaintiff should be filing a praecipe upon receipt of the settlement agreement.

November 26, 2007

Plaintiff transmitted letter advising that the parties have

settled and that Plaintiff will be forwarding a praecipe to discontinue within the next several days.

November 27, 2007

Plaintiff filed letter advising that the parties have settled and that Plaintiff will be forwarding a praecipe to discontinue within the next several days.

November 27, 2007

Defendant filed letter advising that the parties have settled and that Plaintiff should be filing a praecipe upon receipt of the settlement agreement.

November 28, 2007

Board forwarded letter to parties advising that hearing scheduled for January 7, 8, 9, 10 and 11, 2008, has been canceled.

December 6, 2007

Plaintiff filed Praecipe to Settle, Discontinue and End.

December 12, 2007

Defendant filed letter advising that Defendant is in agreement with the settlement evidenced by Plaintiff's praecipe that was filed and that the settlement included Defendant's counter-claim.

December 14, 2007

Board rendered an Order. Order as follows: "**AND NOW**, this 14th day of December, 2007, upon receipt of a Praecipe to Settle, Discontinue and End executed by George E. Pallas, Esquire, on behalf of Plaintiff, D.A. Nolt, Inc., requesting that the Board mark the above matter settled, discontinued and ended, docketed with this Board under date of December 6, 2007, and a letter executed by Susan Ann Sivulich, Assistant Counsel, on behalf of Defendant, Commonwealth of Pennsylvania, Department of General Services, dated December 12, 2007, advising that Defendant's counter-claim was included in the settlement, it is **ORDERED** and

DIRECTED that the above matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

December 19, 2007

Defendant filed acceptance of service of order dated December 14, 2007. Receipt of same acknowledged December 17, 2007.
