

Docket Number: 3922

HERRE BROS., INC.,

KATHLEEN J. SELIGMAN, ESQUIRE  
JASON A. COPLEY, ESQUIRE

VS.

COMMONWEALTH OF PENNSYLVANIA,  
PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION,  
SHIPPENSBURG UNIVERSITY

~~JEFFREY COOPER, CHIEF COUNSEL~~  
THOMAS J. MADIGAN, ESQUIRE  
ANN B. GRAFF, ESQUIRE

**November 29, 2007**

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$215,992.47+.

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**December 3, 2007**

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

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**December 12, 2007**

Chief Deputy Attorney General filed Acceptance of Service of New Claim dated December 3, 2007. Receipt of same acknowledged by Chief Deputy Attorney General December 07, 2007.

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**December 21, 2007**

Defendant filed Praecipe for Entry of Appearance of Thomas J. Madigan, Esquire and Ann B. Graff, Esquire of Pepper Hamilton, LLP.

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**December 28, 2007**

Defendant filed Answer and New Matter.

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**December 31, 2007**

Board forwarded letter to Plaintiff requesting response to New Matter.

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**January 9, 2008**

Plaintiff filed Reply to Respondent's New Matter.

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**January 11, 2008**

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

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**March 21, 2008**

Defendant filed Notice of Service of Shippensburg University's Objections and Responses to Herre Bros., Inc.'s Requests for Production of Documents.

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**June 13, 2008**

SSHE filed Motion for Consolidation of Docket Nos. 3922 and 3916 and Brief in Support.

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**June 16, 2008**

Board issued letter to Plaintiff directing a response to Defendant's Motion for Consolidation of Docket Nos. 3922 and 3916.

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**July 14, 2008**

Herre Bros. filed Response to SSHE's Motion to Consolidate and Brief in Opposition.

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**July 14, 2008**

Liberty Mutual filed Response to SSHE's Motion for Consolidation and Brief in Opposition.

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**July 18, 2008**

Plaintiff filed Reply Brief in Support of Motion for Consolidation.

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**August 15, 2008**

Board rendered Opinion and Order. Order as follows: **"AND NOW,** this 15<sup>th</sup> day of August, 2008, upon consideration of the motion for consolidation and supporting brief filed by the Pennsylvania State System of Higher Education and the responses thereto filed by Lyons Construction Services, Inc., Liberty Mutual Insurance Co. and Herre Bros., Inc., it is hereby **ORDERED** and **DECREED** that said motion is **DENIED.**" Copy forwarded to all parties of record.

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**August 21, 2008**

SSHE filed Acceptance of Service of Opinion and Order dated August 15, 2008. Receipt of same acknowledged on August 19, 2008.

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**August 25, 2008**

Herre Bros. filed Acceptance of Service of Opinion and Order dated August 15, 2008. Receipt of same acknowledged on August 22, 2008.

**September 2, 2008**

Lyons filed Acceptance of Service of Opinion and Order dated August 15, 2008. Receipt of same

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**October 21, 2009**

Plaintiff filed letter advising that this matter has settled.

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**October 23, 2009**

Board forwarded letter to parties directing clarification on the intent of Plaintiff's letter filed October 21, 2009, as to whether or not the case settled.

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**October 23, 2009**

Plaintiff transmitted letter via fax advising that its October 19, 2009, letter asking that this matter be marked settled was filed in error and to disregard that filing. Plaintiff request the above-captioned matter be reinstated.

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**October 26, 2009**

Plaintiff filed letter via U.S. mail advising that its October 19, 2009, letter asking that this matter be marked settled was filed in error and to disregard that filing. Plaintiff request the above-captioned matter be reinstated.

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**October 26, 2009**

Board issued letter to parties advising that it has taken no action on Plaintiff's letter of October 23, 2009, the case remains open in our records.

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**October 28, 2009**

Defendant filed letter apologizing for the confusion over the settlement of the above-referenced action, there is a procedural issue that parties need to resolve.

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**March 11, 2019**

Board forwarded Notice of Proposed Termination of Case for Lack of Activity Pursuant to Pa. Rule of Civil Procedure 230.2 to parties.

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**May 2, 2019**

Board rendered Opinion and Order. Order as follows: **"AND NOW,** this 2<sup>nd</sup> day of May, 2019, pursuant to Pa. R.C.P. 230.2, the above captioned case is **TERMINATED, ENDED** and **DISMISSED** with prejudice due to lack of activity." Copy forwarded to all parties of record.

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**May 13, 2019**

Plaintiff filed Acceptance of Service of Opinion and Order dated May 2, 2019. Receipt of same acknowledged on May 7, 2019.

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