

**Docket Number: 3954**

**LUKE B. MIHALY AND MATTHEW G. MIHALY**

Jeffrey S. Treat, Esquire  
Stephen G. Bresset, Esquire  
Ronald V. Santora, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA,  
by and through the  
DEPARTMENT OF GENERAL SERVICES, and the  
PENNSYLVANIA STATE POLICE**

\*John L. Siejk, Esquire  
\*Robert D. Schaub, Esquire

**January 29, 2009**

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

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**January 29, 2009**

Plaintiff transmitted by facsimile a corrected copy of caption.

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**January 30, 2009**

Plaintiff filed by U.S. Mail a corrected copy of caption.

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**January 30, 2009**

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

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**February 11, 2009**

Chief Deputy Attorney General filed Acceptance of Service Claim. Receipt of same acknowledged by Chief Deputy Attorney General February 9, 2009.

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**March 3, 2009**

Defendant filed Answer and New Matter to Plaintiffs' Statement of Claim.

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**March 3, 2009**

Board forwarded letter to Plaintiffs' requesting response to New Matter.

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**April 7, 2009**

Plaintiffs' filed Answer to Defendant's New Matter.

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**April 8, 2009**

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

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**\*May 1, 2009**

Plaintiffs'and Defendants filed a Stipulation to Amend Caption with a Proposed Order Amending Caption.

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**March 22, 2010**

Defendant filed Certificate of Service of Defendant's Response to the Plaintiffs' Amended Request for Admissions.

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**April 23, 2010**

Defendant filed Certificate of Service of Defendants Objections and Response to Amended Request for Production of Documents Addressed to Commonwealth of Pennsylvania to the Plaintiff.

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**October 1, 2010**

[08A113010D] Plaintiff filed Motion for Sanctions.

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**October 4, 2010**

Board forwarded letter to Plaintiff requesting brief in support.

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**October 4, 2010**

Board forwarded letter to Defendant requesting response.

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**October 14, 2010**

Plaintiff filed Brief in Support of Motion for Sanctions.

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**October 20, 2010**

Defendant transmitted via fax a letter requesting an extension of time of thirty days in which to file its response to Plaintiff's Motion for Sanctions.

**October 21, 2010**

Board issued letter to Defendant with copy to Plaintiff granting extension of time for Defendant to respond to Plaintiff's Motion for Sanctions.

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**October 22, 2010**

Defendant filed letter via U.S. mail requesting an extension of time of thirty days in which to file its response to Plaintiff's Motion for Sanctions.

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**November 22, 2010**

Defendant filed Answer to Plaintiffs' Motion for Sanctions and Brief in Opposition.

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**November 29, 2010**

Defendant filed Notice of Service of First Request for Admissions Propounded upon the Plaintiffs, First Set of Interrogatories directed to Plaintiff Luke B. Mihaly, and Notice of Deposition (Luke B. Mihaly) w/Rider served upon Plaintiff.

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**November 30, 2010**

Defendant filed Notice of Service of Commonwealth's Answers & Objections to the Plaintiffs' Amended First Set of Interrogatories served upon Plaintiff.

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**November 30, 2010**

Defendant filed Notice of Service of First Request for Production of Documents Directed to the Plaintiffs and Notice of taking oral deposition of Plaintiff Matthew G. Mihaly w/Rider served upon Plaintiff.

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**December 1, 2010**

Defendant filed Notice of Service of First Set of Interrogatories Directed to Plaintiff Matthew G. Mihaly served upon Plaintiff.

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**December 9, 2010**

Defendant filed Notice of Service of Amended Notice of Deposition (Luke B. Mihaly) w/Rider and Amended Notice of Deposition (Matthew G. Mihaly) w/Rider served upon Plaintiff.

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**December 20, 2010**

Board issued Opinion and Order. Order as follows: **AND NOW**, this 20th day of December, 2010, upon consideration the Motion for Sanctions against the Commonwealth of Pennsylvania, by and through the Department of General Services and the Pennsylvania State Police, filed by claimants Luke B. Mihaly and Matthew G. Mihaly, it is **ORDERED** and **DECREED** that the Motion for Sanctions is **DENIED**. Copies forwarded to Plaintiff and Defendant.

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**December 23, 2010**

Defendant filed Acceptance of Service of Opinion and Order dated December 20, 2010. Receipt of same acknowledged December 22, 2010.

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**December 23, 2010**

Plaintiff filed Acceptance of Service of Opinion and Order dated December 20, 2010. Receipt of same acknowledged December 22, 2010.

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**January 7, 2011**

Plaintiff filed Notice of Service of Plaintiff's Response to Defendant's First Request for Admissions.

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**January 13, 2011**

Plaintiff filed Notice of Service of Response to Production of Documents.

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**January 14, 2011**

Plaintiff filed Motion for Protective Order and Brief in Support.

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**January 14, 2011**

Board forwarded letter to Defendant requesting response to motion.

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**February 2, 2011**

Defendant filed Notice of Service of Amended Notice of Deposition (Luke B. Mihaly) w/Rider and Amended Notice of Deposition (Matthew G. Mihaly) w/Rider served upon Plaintiff.

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**February 14, 2011**

Defendant filed Answer to Plaintiff's Motion for Protective Order and Brief in Opposition.

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**February 15, 2011**

Defendant filed Proposed Order and Motion to Compel Full and Complete Answers, Without Objection, to the Interrogatories Directed to Plaintiff Matthew G. Mihaly and served on November 30, 2010.

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**February 15, 2011**

Board issued letter to Plaintiff directing a response to Defendant's Motion to Compel.

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**February 24, 2011**

Board issued Opinion and Order. Order as follows: ? **AND NOW**, this 24<sup>th</sup> day of February, 2011, upon consideration the Motion for Protective Order against the Commonwealth of Pennsylvania, by and through the Department of General Services and the Pennsylvania State Police, filed by plaintiffs Luke B. Mihaly and Matthew G. Mihaly, it is **ORDERED** and **DECREED** that the Motion for Protective Order is **DENIED**, and the Commonwealth of Pennsylvania's use of interrogatories in excess of the limit of 60 imposed by BOC R.P. 403(a) is **GRANTED**. Responses to the interrogatories by plaintiffs Luke B. Mihaly and Matthew G. Mihaly shall be provided within 30 days of the exit date of this **ORDER**.? Copies forwarded to Plaintiff and Defendant.

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**March 1, 2011**

Defendant filed Acceptance of Service of Opinion and Order dated February 24, 2011. Receipt of same acknowledged February 28, 2011.

**March 2, 2011**

Plaintiff filed Acceptance of Service of Opinion and Order dated February 24, 2011. Receipt of same acknowledged February 28, 2011.

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**March 7, 2011**

Plaintiff filed an Entry of Appearance of Stephen G. Bresset, Esquire, and Ronald V. Santora, Esquire.

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**March 9, 2011**

Board issued Opinion and Order. Order as follows: **AND NOW**, this 9<sup>th</sup> day of March, 2011, it is hereby **ORDERED** and **DECREED** that the motion to compel discovery filed by the Defendant on February 15, 2011, is hereby **GRANTED**. Plaintiff is directed to respond to Defendant's discovery requests within 15 days of this Order. Copy forwarded to Plaintiff and Defendant.

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**March 10, 2010**

Defendant filed Notice of Service of Second Amended Notice of Deposition (Luke B. Mihaly) and (Matthew G. Mihaly) w/rider served upon Plaintiff.

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**March 14, 2011**

Defendant filed Acceptance of Service of Opinion and Order dated March 9, 2011. Receipt of same acknowledged March 11, 2011.

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**March 15, 2011**

Plaintiff filed Acceptance of Service of Opinion and Order dated March 9, 2011. Receipt of same acknowledged March 14, 2011.