

Docket Number: 4009

HERRE BROS., INC.

Jason A. Copley, Esquire
~~Jason C. Tomasulo, Esquire~~

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES**

~~Michael Eichert, Chief Counsel~~
David L. Narkiewiecz, Assistant Chief Counsel
Harry R. Walter, III, Assistant Counsel

AND

~~ERDMAN ANTHONY ASSOCIATES, INC. d/b/a ERDMAN ANTHONY~~

~~Frederick M. Brehm, Esquire~~

March 25, 2011

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

March 25, 2011

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

March 30, 2011

Attorney General filed Acknowledgement of Claim form. Receipt of same acknowledged March 29, 2011.

April 1, 2011

DGS filed Entry of Appearance of David L. Narkiewicz, Assistant Chief Counsel and Harry R. Walter, III, Assistant Counsel on behalf of Defendant.

April 8, 2011

Herre Bros. transmitted letter via facsimile advising that the Board hold the matter in abeyance through May 27, 2011. DGS and Erdman have agreed to same.

April 11, 2011

Erdman filed Entry of Appearance of Frederick M. Brehm, Esquire on behalf of Erdman Anthony Associates, Inc. d/b/a Erdman Anthony.

April 11, 2011

Board issued letter to Herre Bros. with copy to DGS and Erdman granting temporary abeyance of this matter.

May 25, 2011

DGS filed letter requesting an extension of the abeyance period through June 30, 2011.

May 25, 2011

Board issued letter to DGS with copy to Herre Bros. And Erdman granting an extension of the abeyance period through June 30, 2011.

June 30, 2011

DGS filed letter requesting an extension of the abeyance period through July 29, 2011.

July 1, 2011

Board issued letter to DGS with copy to Herre Bros. And Erdman granting an extension of the abeyance period through July 29, 2011.

July 28, 2011

DGS filed letter requesting an extension of the abeyance period through September 2, 2011.

July 29, 2011

Board issued letter to DGS with copy to Herre Bros. and Erdman granting an extension of the abeyance period through September 2, 2011.

September 15, 2011

Erdman filed preliminary objections, brief in support and proposed order.

September 16, 2011

Board forwarded letter to Plaintiff, with copy to DGS and Erdman, advising of the rules for filing responses/briefs.

October 13, 2011

Plaintiff filed letter requesting that the Board continue the abeyance in this entire case through November 14, 2011.

October 14, 2011

Board issued letter to DGS with copy to Herre Bros. and Erdman granting an extension of the abeyance period through November 14, 2011.

November 9, 2011

Plaintiff filed letter via facsimile requesting that the Board continue the abeyance in this entire case through December 12, 2011.

November 10, 2011

Board issued letter to DGS with copy to Herre Bros. and Erdman granting an extension of the abeyance period through December 12, 2011.

November 14, 2011

Plaintiff filed letter via U.S. Mail requesting that the Board continue the abeyance in this entire case through December 12, 2011.

November 30, 2011

DGS filed letter requesting that the Board continue the abeyance in this entire case through January 13, 2012.

December 1, 2011

Board issued letter to DGS with copy to Herre Bros. and Erdman granting an extension of the abeyance period through January 13, 2012.

January 10, 2012

Plaintiff filed letter via facsimile requesting that the Board continue the abeyance in this entire case through February 13, 2012.

January 11, 2012

Board issued letter to Plaintiff with copy to all other parties granting an extension of the abeyance period through February 13, 2012.

March 12, 2012

Plaintiff filed letter via facsimile requesting that the Board continue the abeyance in this entire case through April 11, 2012.

March 13, 2012

Board issued letter to Plaintiff with copy to all other parties granting an extension of the abeyance period through April 11, 2012.

March 14, 2012

Plaintiff filed letter via U.S. Mail requesting that the Board continue the abeyance in this entire case through April 11, 2012.

April 5, 2012

Plaintiff filed letter via facsimile requesting that the Board continue the abeyance in this entire case through May 11, 2012.

April 9, 2012

Board issued letter to Plaintiff with copy to all other parties granting an extension of the abeyance period through May 11, 2012.

May 8, 2012

Plaintiff filed letter via facsimile requesting that the Board continue the abeyance in this entire case through June 11, 2012.

May 9, 2012

Board issued letter to Plaintiff with copy to all other parties granting an extension of the abeyance period through June 11, 2012.

June 11, 2012

DGS filed letter via facsimile requesting that the Board continue the abeyance in this entire case through June 11, 2012.

June 11, 2012

Board issued letter to DGS with copy to all other parties granting an extension of the abeyance period through July 13, 2012.

July 12, 2012

DGS filed letter via facsimile requesting that the Board continue the abeyance in this entire case through September 7, 2012.

July 13, 2012

Board issued letter to DGS with copy to all other parties granting an extension of the abeyance period through September 7, 2012.

September 7, 2012

DGS filed letter requesting that the Board continue the abeyance in this entire case through October 26, 2012.

September 10, 2012

Board issued letter to DGS with copy to all other parties granting an extension of the abeyance period through October 26, 2012.

October 31, 2012

DGS filed letter requesting that the Board continue the abeyance in this entire case through December 7, 2012.

October 31, 2012

Board issued letter to DGS with copy to all other parties granting an extension of the abeyance period through December 7, 2012.

December 7, 2012

DGS filed letter requesting that the Board continue the abeyance in this entire case through January 31, 2013 and advising that all parties have agreed to this extension.

December 7, 2012

Board issued letter to DGS with copy to all other parties granting an extension of the abeyance period through January 31, 2013.

January 31, 2013

DGS filed letter requesting that the Board continue the abeyance in this entire case through April 5, 2013 and advising that all parties have agreed to this extension.

February 1, 2013

Board issued letter to DGS with copy to all other parties granting an extension of the abeyance period through April 5, 2013.

April 12, 2013

DGS filed letter requesting that the Board continue the abeyance in this entire case through June 7, 2013 and advising that all parties have agreed to this extension.

April 12, 2013

Board issued letter to DGS with copy to all other parties granting an extension of the abeyance period through June 7, 2013.

June 7, 2013

DGS filed letter requesting that the Board continue the abeyance in this entire case through July 19, 2013 and advising that all parties have agreed to this extension.

June 10, 2013

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 10th day of June, 2013, it is hereby **ORDERED** and **DECREED** that this action be **STAYED** until further notice. Any party may request the Board to lift this stay if and when it has reason to proceed further in this action." Copy forwarded to Plaintiff and Defendant.

June 17, 2013

Defendant filed Acceptance of Service of Opinion and Order dated June 10, 2013. Receipt of same acknowledged June 13, 2013.

April 8, 2014

DGS filed letter requesting to lift the stay and order the parties to proceed with the pleadings.

April 8, 2014

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 8th day of April, 2014, it is hereby **ORDERED** and **DECREED** that the stay issued by the Board on June 10, 2013 is hereby lifted. Herre Bros., Inc. shall have 30 days from the date of this Order to respond to the outstanding preliminary objections of Erdman Anthony Associates, Inc. The parties should proceed accordingly." Copy forwarded to all parties of record.

April 14, 2014

Erdman Anthony filed Acceptance of Service of Opinion and Order dated April 8, 2014. Receipt of same acknowledged April 10, 2014.

April 15, 2014

DGS filed Acceptance of Service of Opinion and Order dated April 8, 2014. Receipt of same acknowledged April 11, 2014.

April 15, 2014

Plaintiff filed Acceptance of Service of Opinion and Order dated April 8, 2014. Receipt of same acknowledged April 17, 2014.

June 30, 2014

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 30th day of June, 2014, upon considerations of the preliminary objections filed by Erdman Anthony to the Complaint and the lack of any response to the preliminary objections by Herre Bros., **IT IS ORDERED** that the preliminary objection to Counts III and IV based upon lack of subject matter jurisdiction is **SUSTAINED**. Erdman Anthony is **DISMISSED** as a defendant in this action." Copy forwarded to all parties of record.

June 30, 2014

Board forwarded letter to Plaintiff and Defendant advising that the Board wishes to schedule a status conference and requesting dates.

July 2, 2014

Defendant filed Acceptance of Service of Opinion and Order dated June 30, 2014. Receipt of same acknowledged July 1, 2014.

July 9, 2014

Erdman filed Acceptance of Service of Opinion and Order dated June 30, 2014. Receipt of same acknowledged July 1, 2014.

July 29, 2014

Board held status conference.

July 29, 2014

Board forwarded letter to parties directing Defendant to file a response to Plaintiff's statement of claim.

August 18, 2014

Plaintiff filed a stipulation signed by both parties.

August 19, 2014

Board forwarded letter to parties acknowledging receipt of the parties' stipulation.

***August 28, 2014**

Plaintiff filed Amended Complaint and proof of mailing. Amount of Claim: \$267,025.37.

August 28, 2014

Board forwarded notice of deficiency: amended complaint lacks verification and 2 copies.

August 29, 2014

Plaintiff filed verification and additional copies.

September 2, 2014

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

September 5, 2014

Attorney General filed Acknowledgment of Amended Claim form. Receipt of same acknowledged September 3, 2014.

November 18, 2016

Plaintiff filed Withdrawal of Appearance of Jason C. Tomasulo, Esquire on behalf of Plaintiff.
