

Docket Number: 4033

STAR TREE SERVICE, INC.

Donald F. Fessler, Jr., Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF LABOR & INDUSTRY,  
STATE WORKERS' INSURANCE FUND

~~Jane Pomerantz, Chief Counsel~~  
James D. Jordan, Counsel  
Arthur F. McNulty, Chief Counsel

**March 8, 2012**

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

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**March 12, 2012**

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

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**March 12, 2012**

Plaintiff filed an additional verification (signed by president of Star Tree) to be attached to the original claim.

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**March 15, 2012**

James D. Jordan, Assistant Counsel for Department of Labor & Industry transmitted via fax a request for a copy of the new claim transmittal letter.

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**March 15, 2012**

Board forwarded (via fax) a copy of the new claim transmittal letter to James D. Jordan, Assistant Counsel.

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**March 19, 2012**

Defendant filed Notice of Service of Errata Sheet pertaining to Requests for Admission Addressed to Plaintiff.

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**March 20, 2012**

Attorney General filed Acknowledgment of Claim form. Receipt of same acknowledged March 15, 2012.

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**March 21, 2012**

Defendant filed Praecipe for Entry of Appearance of Arthur F. McNulty, Chief Counsel and James D. Jordan, Assistant Counsel on behalf of Defendant.

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**March 21, 2012**

Defendant filed Notice of Service of requests for admission.

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**April 9, 2012**

Defendant filed Preliminary Objections and Brief in Support.  
[02A050412]

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**April 9, 2012**

Board forwarded letter to Plaintiff requesting response to Preliminary Objections.

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**April 19, 2012**

Plaintiff filed Certificate of Service of Plaintiff's Responses to Defendant's Requests for Admissions (Responses attached).

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**May**

Defendant filed a Motion to Determine Sufficiency of Responses, Brief in Support and Proposed Order.

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**May 4, 2012**

Board forwarded a letter to Plaintiff, with copy to Defendant, advising of the rules for filing responses/briefs.

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**May 4, 2012**

Plaintiff filed Responses to Preliminary Objections and Brief in Response.

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**May 9, 2012**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 8<sup>th</sup> day of May, 2012, it is hereby **ORDERED** and **DECREED** that this action be **STAYED** until further notice. Either party may advise the Board if and when it has reason to proceed further in this action." Copy forwarded to Plaintiff & Defendant.

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**May 14, 2012**

Plaintiff filed Reply to Defendant's Motion to Determine Sufficiency of Responses and Brief in Support.

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**May 17, 2012**

Plaintiff filed Acceptance of Service of Opinion and Order dated May 8, 2012. Receipt of same acknowledged May 17, 2012.

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**October 11, 2012**

Plaintiff filed a letter advising that the parties have reached an amicable resolution and requesting an order noting the claim filed by Star Tree has been withdrawn.

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**October 12, 2012**

Board rendered a Praecipe Order. Order as follows: **"AND NOW,** this 12<sup>th</sup> day of October, 2012, in receipt of a letter executed by Donald F. Fessler, Jr., Esquire, on behalf of Plaintiff, Star Tree Service, Inc., requesting that the Board "issue an order noting that the claim filed by Star Tree Service, Inc. has been withdrawn," docketed with this Board under date of October 11, 2012, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked withdrawn, discontinued and ended without prejudice." Copy forwarded to Plaintiff and Defendant.

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**October 18, 2012**

Plaintiff filed Acceptance of Service of Order dated October 12, 2012. Receipt of same acknowledged October 15, 2012.

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