

Docket Number: 4073

**Hanover Insurance Company and
Dependable Distribution Company**

~~Scott M. Russ, Esquire~~
~~Michael R. Logue, Esquire~~
Stephen L. Banko, Jr., Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
State Workers' Insurance Fund**

James D. Jordan, Esquire

and

**COMMONWEALTH OF PENNSYLVANIA
Department of Labor & Industry**

James D. Jordan, Esquire

and

Seabright Insurance Company

~~Carla Eve Connor, Esquire~~
Michael R. Small, Esquire

and

Dionis Nunez

Dionis Nunez, Pro se

January 19, 2012

Commonwealth Court Opinion as follows: The preliminary objection of the State Workers' Insurance Fund and the Department of Labor and Industry is sustained and this matter is **TRANSFERRED** to the Board of Claims.

AS FILED IN COMMONWEALTH COURT

July 30, 2010

Complaint filed by Hanover and Dependable.

August 10, 2010

Entry of Appearance filed on behalf of Department of Labor & Industry (L&I) and State Workers' Insurance Fund (SWIF).

August 10, 2010

Notice Exited

August 10, 2010

L&I and SWIF Preliminary Objections and Brief filed.

August 31, 2010

Argument scheduled for October 7, 2010 at 10:00 AM via telephone on Preliminary Objections.

September 1, 2010

Hanover and Dependable filed Motion to Dismiss PO's with Memorandum of Law.

September 2, 2010

Order filed. Quigley, Keith B. Order of August 31, 2010 vacated. Both parties shall file a total of 15 copies of their respective briefs. The Chief Clerk shall list the respondents' preliminary objections for oral argument on the next available argument list.

September 10, 2010

Entry of Appearance of Carla Eve Connor on behalf of Seabright Insurance Company.

September 13, 2010

Tentative Argument scheduled for December 2010.

September 21, 2010

SWIF and L&I filed additional copies of brief in support of PO's.

September 24, 2010

Hanover filed Motion to Dismiss PO's with Memorandum of Law in Support.

October 12, 2010

Seabright filed Answer to Plaintiff's Declaratory Judgment Complaint with new matter and crossclaims.

October 25, 2010

SWIF and L&I filed Answer to Crossclaim.

October 29, 2010

Argument scheduled for December 8, 2010.

November 19, 2010

Dependable and Hanover filed Plaintiffs' Reply to New Matter and Counterclaim.

December 6, 2010

SWIF and L&I filed Application for Continuance Motion to Continue Oral Argument.

December 7, 2010

Order Granting Application for Continuance as follows: Upon consideration of the Commonwealth respondents' motion to continue oral argument, currently set for December 8, 2010, on the December 2010 Argument List at Harrisburg, the motion is granted and the argument is continued to next available argument list.

December 21, 2010

Tentative Argument set for March 2011 (Harrisburg)

January 20, 2011

Argument scheduled for March 9, 2011 at 9:30 AM.

January 30, 2013

Commonwealth Court transferred filed to Board of Claims.

AS FILED AT THE BOARD OF CLAIMS

January 30, 2013

Commonwealth Court transferred record.

January 31, 2013

Board of Claims received filed from Commonwealth Court. Amount of Claim: Unknown.

January 31, 2013

Board issued letter to Plaintiffs requesting Restated Claim, proof of mailing and filing fee.

May 3, 2013

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

May 6, 2013

Board issued acknowledgment letter and forwarded copy of claim to Attorney General.

May 10, 2013

Attorney General filed Acknowledgment of Claim form. Receipt of same acknowledged May 7, 2013.

May 28, 2013

U.S. Post Office returned the acknowledgement of claim letter due to address change and/or incorrect mailing address of Mr. Dionis Nunez.

June 5, 2013

L&I and SWIF filed preliminary objections, brief in support and proposed order.

June 5, 2013

Plaintiffs transmitted via facsimile a praecipe to withdraw appearance of Michael R. Logue, Esquire and enter appearance of Stephen L. Banko, Jr., Esquire on behalf of Plaintiffs.

June 6, 2013

Board forwarded letter to Plaintiffs, with copy to all parties, advising of the rules for filing responses/briefs.

June 6, 2013

Plaintiffs filed via U.S. mail a praecipe to withdraw appearance of Michael R. Logue, Esquire and enter appearance of Stephen L. Banko, Jr., Esquire on behalf of Plaintiffs.

June 7, 2013

L&I and SWIF filed certificate of service of preliminary objections served on Stephen L. Banko, Jr., Esquire and Mr. Dionis Nunez.

June 10, 2013

Seabright filed a praecipe to withdraw appearance of Carla E. Connor and enter appearance of Michael R. Small, on behalf of Seabright Insurance Company.

June 10, 2013

Seabright filed preliminary objections, legal memorandum of law in support and proposed order.

June 10, 2013

Board forwarded letter to Plaintiffs, with copy to all parties of record, advising of the rules for filing responses/briefs.

June 10, 2013

Board re-forwarded a copy of the acknowledgment letter and letter to Plaintiffs, with copy to all parties, advising of the rules for filing responses/briefs to Mr. Nunez at the address provided by Seabright.

June 10, 2013

L&I and SWIF filed certificate of service of brief in support of preliminary objections served on Stephen L. Banko, Jr., Esquire and Mr. Dionis Nunez.

June 17, 2013

U.S. Post Office returned the Board's letter that was forwarded letter to Plaintiffs, with copy to all parties of record, advising of the rules for filing responses/briefs due to address change and/or incorrect mailing address of Mr. Dionis Nunez.

June 25, 2013

Plaintiff filed Praecipe to Discontinue.

June 26, 2013

Board rendered an Order. Order as follows: "**AND NOW**, this 26th day of June, 2013, upon receipt of a Praecipe executed by Stephen L. Banko, Jr., Esquire, on behalf of Plaintiffs, Hanover Insurance Company and Dependable Distribution Company, requesting that the Board mark the above-captioned matter discontinued, docketed with this Board under date of June 25, 2013, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked discontinued and ended with prejudice." Copy forwarded to all parties of record.

July 3, 2013

Plaintiff filed Acceptance of Service of Order dated June 26, 2013. Receipt of same acknowledged July 1, 2013.
