

Docket Number: 4127

**TITAN INDUSTRIAL SERVICES, INC.**

Walter S. Zimolong, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION**

~~William J. Cressler, Chief Counsel~~  
Gerald R. Schultz, Assistant Counsel

**\*October 9, 2015**

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$129,672.13+.

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**October 9, 2015**

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

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**October 15, 2015**

Attorney General filed Acknowledgment of claim. Receipt of same acknowledged October 14, 2015.

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**November 2, 2015**

Defendant filed preliminary objections and brief in support.

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**November 2, 2015**

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

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**December 2, 2015**

Plaintiff transmitted via facsimile an Amended Statement of Claim.

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**December 3, 2015**

Plaintiff filed via U.S. Mail an Amended Statement of Claim. Amount unchanged.

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**December 3, 2015**

Board issued deficiency notice to Plaintiff. Claim lacks verification.

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**December 4, 2015**

Plaintiff filed verification to amended claim.

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**December 8, 2015**

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 8<sup>th</sup> day of December, 2015, the Preliminary Objections filed by the Defendant on November 2, 2015, are hereby **DISMISSED** as **MOOT**." Copy forwarded to Plaintiff and Defendant.

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**December 8, 2015**

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

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**December 21, 2015**

Plaintiff filed Acceptance of Service of Opinion and Order dated December 8, 2015. Receipt of same acknowledged December 17, 2015.

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**January 15, 2016**

Defendant filed answer and new matter.

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**January 19, 2016**

Board forwarded letter to Plaintiff requesting a response to new matter.

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**January 22, 2016**

Plaintiff filed notice of service of discovery.

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**January 29, 2016**

Plaintiff filed Answer to New Matter.

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**February 1, 2016**

Board forwarded letter directing parties to proceed with discovery.

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**February 19, 2016**

Defendant filed cover letter to its Interrogatories to Plaintiff - First Set.

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**February 19, 2016**

Defendant filed cover letter to its responses to Plaintiff's Requests for Admission.

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**February 22, 2016**

Defendant filed cover letter to its Request for Production of Documents - First Set.

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**March 28, 2016**

Defendant filed cover letter to its responses to Plaintiff's Requests for Production of Documents and Interrogatories.

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**June 13, 2016**

Defendant filed a copy of a letter addressed to Plaintiff enclosing the Defendant's Requests for Admissions - 1<sup>st</sup> Set.

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**June 20, 2016**

Defendant filed a copy of a letter addressed to Plaintiff responding to Plaintiff's email of June 15, 2016.

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**July 1, 2016**

Plaintiff filed a copy of its cover letter and answers and objections to Defendant's request for admission.

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**October 26, 2016**

Plaintiff filed a copy of its cover letter and answers and objections to interrogatories.

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**January 9, 2017**

Plaintiff filed Praecipe to Attach verification to the amended complaint and reply to new matter.

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**July 24, 2017**

Plaintiff filed praecipe to discontinue.

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**July 25, 2017**

Board forwarded letter to Plaintiff, with copy to Defendant, requesting Plaintiff to clarify the circumstances as well as its intent of the prcipe to discontinue that was filed.

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**April 24, 2018**

Board rendered an Order. Order as follows: "**AND NOW**, this 24<sup>th</sup> day of April, 2018, upon receipt of a Praecipe executed by Walter S. Zimolong, Esquire, on behalf of Plaintiff, Titan Industrial Services, Inc., requesting that the Board mark the above-captioned matter discontinued without prejudice, docketed with this Board under date of July 24, 2017, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked discontinued and ended without prejudice." Copy forwarded to Plaintiff and Defendant.

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**May 7, 2018**

Plaintiff filed acceptance of service of Order dated April 24, 2018. Receipt of same acknowledged May 4, 2018.

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