

Docket Number: 4136

SPORTS FACILITY, LLC, t/d/b/a THE WASHINGTON WILD THINGS

James M. Poerio, Esquire
Robert P. Walter, Esquire

VS.

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

~~Marsha A. Sajer, Chief Counsel~~
James D. Jordan, Esquire

February 29, 2016

Plaintiff filed Statement of Claim, proof of mailing and filing fee. Amount of Claim: in excess of \$100,000.00.

February 29, 2016

Board issued deficiency notice to Plaintiff. Claim lacks additional copies.

March 2, 2016

Plaintiff filed additional copies of statement of claim.

March 3, 2016

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

March 17, 2016

Attorney General filed Acknowledgment of Claim form. Receipt of same acknowledged March 8, 2016.

March 29, 2016

Defendant filed Praecipe for Appearance entering the appearance of James D. Jordan, Esquire, on behalf of Defendant.

March 29, 2016

Defendant filed preliminary objections, brief in support and two proposed orders.

March 29, 2016

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

April 26, 2016

Plaintiff transmitted via facsimile a letter advising that opposing counsel has agreed to a one-week extension for the filing of Plaintiff's response to the preliminary objections.

April 26, 2016

Board forwarded letter to Plaintiff, with copy to Defendant, advising that it's in receipt of its letter dated April 26, 2016 regarding the extension of time agreed to between the parties.

April 28, 2016

Plaintiff filed via U.S. mail a letter advising that opposing counsel has agreed to a one-week extension for the filing of Plaintiff's response to the preliminary objections.

May 6, 2016

Plaintiff filed response to preliminary objections and brief in opposition.

May 10, 2016

Board forwarded letter (via facsimile & U.S. Mail) to parties requesting date for a status conference.

May 11, 2016

Defendant transmitted via facsimile a letter requesting, on behalf of both parties, that the Board defer any further action on this case until June 24, 2016.

July 11, 2016

Board forwarded letter to parties requesting a status update.

July 15, 2016

Defendant transmitted via facsimile a letter providing the Board with a status update.

July 19, 2016

Defendant transmitted via facsimile a letter advising that the parties are not able to reach an amicable resolution at this time and therefore a conference as suggested seems warranted.

July 20, 2016

Board forwarded letter to parties requesting date for a status conference.

July 27, 2016

Defendant transmitted via facsimile a letter advising that Defendant is available for a status conference on any date in August.

July 27, 2016

Board forwarded letter to parties regarding available dates for a status conference.

July 29, 2016

Plaintiff transmitted via facsimile a letter advising that he is available for a conference on August 3, 2016.

July 29, 2016

Board forwarded letter to parties scheduling a conference for August 3, 2016 at 2:00 p.m.

August 2, 2016

Defendant transmitted via facsimile a status conference memorandum.

August 3, 2016

Defendant filed via U.S. mail a status conference memorandum.

August 3, 2016

Board status conference held at 200 North Third Street, Suite 600, Harrisburg, PA 17101.

August 25, 2016

Defendant filed certificate of service of requests for admission addressed to Plaintiff.

September 2, 2016

Defendant filed letter advising that the parties have reached a tentative settlement and that the outstanding Requests for Admission are withdrawn.

September 19, 2016

Plaintiff filed letter advising that the parties are unable to confirm and wrap up all details of the settlement until the end of September when Defendant's attorney returns to the office.

October 31, 2016

Plaintiff filed praecipe to discontinue.

November 1, 2016

Board rendered an Order. Order as follows: "**AND NOW**, this 1st day of November, 2016, upon receipt of a praecipe executed by James M. Poerio, Esquire, on behalf of Plaintiff, Sports Facility, LLC, t/d/b/a The Washington Wild Things, advising the Board that the parties have reached an agreement to settle all outstanding issues in this matter, and requesting discontinuance of the above-referenced claim, docketed with this Board under date of October 31, 2016, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

November 10, 2016

Plaintiff filed acceptance of service of Order dated November 1, 2016. Receipt of same acknowledged November 7, 2016.
