

Docket Number: 4141

**eciCONSTRUCTION, LLC**

Timothy J. Woolford, Esquire  
Joseph M. Kanfer, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES**

~~Charles Anderson, Chief Counsel~~  
David L. Narkiewicz, Assistant Chief Counsel  
Joseph M. Gavazzi, Assistant Counsel

**May 11, 2016**

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

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**May 12, 2016**

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

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**May 18, 2016**

Attorney General filed Acknowledgment of Claim form. Receipt of same acknowledged May 16, 2016.

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**June 10, 2016**

Defendant file preliminary objections and brief in support.

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**June 10, 2016**

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

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**June 15, 2016**

Plaintiff transmitted via facsimile a letter in Docket NO. 4138 advising that parties have scheduled a meeting to discuss a potential resolution of claim in both Docket No. 4138 & 4141 and advising that Plaintiff has no objection to deferring both cases until after July 12, 2016.

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**June 16, 2016**

Board forwarded letter (via Facsimile & U.S. Mail) deferring action on preliminary objections in Docket Nos. 4138 & 4141 until after July 12, 2016.

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**June 17, 2016**

Plaintiff filed via U.S. mail a letter advising that parties have scheduled a meeting to discuss a potential resolution of claim in both Docket No. 4138 & 4141 and advising that Plaintiff has no objection to deferring both cases until after July 12, 2016.

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**July 11, 2016**

Plaintiff filed brief in opposition to preliminary objections.

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**August 3, 2016**

Plaintiff transmitted via facsimile a letter advising that a resolution was not achieved at the meeting and requesting the Board schedule a status conference.

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**August 5, 2016**

Board forwarded letters to parties with dates the Board is available to schedule a status conference.

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**August 5, 2016**

Plaintiff filed via U.S. mail a letter advising that a resolution was not achieved at the meeting and requesting the Board schedule a status conference.

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**August 11, 2016**

Plaintiff transmitted via facsimile a letter advising that the parties are available for a status conference on September 14, 2016.

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**August 11, 2016**

Board forwarded letter to parties scheduling a conference for Wednesday, September 14, 2016 at 1:00 p.m.

**August 15, 2016**

Plaintiff filed via U.S. mail a letter advising that the parties are available for a status conference on September 14, 2016.

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**September 14, 2016**

Board status conference held at 200 North Third Street, Suite 700, Harrisburg, PA 17101.

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**October 5, 2016**

Defendant transmitted via facsimile a letter requesting the Board to schedule a follow up status conference.

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**October 5, 2016**

Plaintiff transmitted via facsimile a letter advising that the parties are not available for a hearing on January 18, 2017, but are available on February 1, 2 and/or 3<sup>rd</sup>.

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**October 7, 2016**

Board forwarded letters to parties with dates the Board is available to schedule a status conference.

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**October 11, 2016**

Plaintiff transmitted via facsimile a letter advising that both parties are available for a status conference on October 26, 2016.

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**October 11, 2016**

Board forwarded letter to parties scheduling a conference for Wednesday, October 26, 2016 at 1:00 p.m.

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**October 11, 2016**

Plaintiff filed via U.S. mail a letter advising that both parties are available for a status conference on October 26, 2016.

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**October 26, 2016**

Board status conference held at 200 North Third Street, Suite 700, Harrisburg, PA 17101.

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**October 31, 2016**

Plaintiff filed Praecipe for Entry of Appearance of Joseph M. Kanfer of the law firm Woolford Law, P.C., on behalf of Plaintiff.

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**February 15, 2017**

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 15<sup>th</sup> day of February, 2017, upon consideration of the preliminary objection to Count VI of the Statement of Claim filed by Defendant and the response filed by Plaintiff, it is **ORDERED** and **DECREED** that the preliminary objection is **SUSTAINED** and Count VI is **DISMISSED**. Counts I thru V remain." Copy forwarded to Plaintiff and Defendant.

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**February 17, 2017**

Plaintiff transmitted via facsimile acceptance of service of Opinion and Order dated February 15, 2017. Receipt of same acknowledged February 17, 2017.

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**February 17, 2017**

Defendant filed acceptance of service of Opinion and Order dated February 15, 2017. Receipt of same acknowledged February 16, 2017.

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**February 21, 2017**

Plaintiff filed acceptance of service of Opinion and Order dated February 15, 2017. Receipt of same acknowledged February 17, 2017.

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**March 21, 2017**

Plaintiff transmitted via facsimile a letter requesting permission to submit a proposed scheduling order.

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**March 22, 2017**

Board forwarded letter to parties requesting proposed scheduling information.

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**March 22, 2017**

Plaintiff filed via U.S. mail a letter requesting permission to submit a proposed scheduling order.

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**March 28, 2017**

Defendant transmitted via facsimile a letter forwarded to Plaintiff relative to discovery requests.

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**April 5, 2017**

Defendant transmitted via facsimile a letter in response to Board's request for proposed scheduling dates with proposed dates.

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**April 6, 2017**

Plaintiff filed a letter in response to Board's request for proposed scheduling dates & proposed scheduling order.

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**April 7, 2017**

Board rendered a scheduling order. Order as follows: **"AND NOW**, this 7<sup>th</sup> day of April, 2017, it is hereby **ORDERED** and **DECREED** as follows: 1. The last day for plaintiff's expert report, if any, to be provided to defendant is February 7, 2018; 2. The last day for defendants' expert report, if any, to be provided to plaintiff is March 13, 2018; 3. All discovery, including exchange of any further rebuttal expert reports, shall be completed by April 13, 2018; 4. The last day for filing pre-trial motions is May 2, 2018; 5. Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than June 6, 2018 (Please note BOC R.P. 501(b) and (c)(3)); 6. A pre-trial conference is scheduled for Wednesday, June 13, 2018 at 1:00 p.m. Said conference shall be held at 200 North Third Street, Fulton Building, 7th Floor, Harrisburg, PA 17101; 7. This matter is set for hearing beginning on Monday, July 16, 2018 and running through Friday, August 3, 2018, or as otherwise necessary. Said hearing shall be held at 200 North Third Street, Fulton Building, 6th Floor, Harrisburg, PA 17101. Unless otherwise noted, the first day of all hearings begins at 9:30 a.m., and subsequent hearing days begin at 9:00 a.m." Copy forwarded to Plaintiff and Defendant.

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**April 7, 2017**

Board forwarded letter to parties addressing Mr. Gavazzi's letter of April 4, 2017 regarding responding to the remaining counts in this matter.

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**April 10, 2017**

Plaintiff transmitted via facsimile acceptance of service of scheduling order dated April 7, 2017. Receipt of same acknowledged April 10, 2017.

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**April 12, 2017**

Plaintiff filed via U.S. mail acceptance of service of scheduling order dated April 7, 2017. Receipt of same acknowledged April 10, 2017.

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**May 3, 2017**

Defendant filed acceptance of service of Scheduling Order dated April 7, 2017. Receipt of same acknowledged April 11, 2017.

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**May 22, 2017**

Defendant transmitted via facsimile a letter advising that the parties have reached an agreement in principle and requesting that the evidentiary hearing scheduled in 4138 to begin July 19, 2017 be removed from the calendar and that all three cases (4138, 4141 and 4151) be stayed pending formalization of a settlement agreement.

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**May 24, 2017**

Board rendered an Order. Order as follows: "**AND NOW**, this 24<sup>th</sup> day of May, 2017, for the reasons noted in Defendant's letter of May 22, 2017, it is hereby **ORDERED** and **DECREED** that the proceedings in this case are **STAYED** until further action by the Board." Copy forwarded to Plaintiff and Defendant.

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**May 30, 2017**

Plaintiff filed acceptance of service of Order dated May 24, 2017. Receipt of same acknowledged May 26, 2017.

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**September 20, 2017**

Plaintiff filed Praecipe to Settle, Discontinue and End.

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**September 21, 2017**

Board rendered Order. Order as follows: "**AND NOW**, this 21<sup>st</sup> day of September, 2017, upon receipt of a Praecipe executed by Joseph M. Kanfer, Esquire, on behalf of Plaintiff, eciConstruction, LLC, requesting that the Board mark the above-captioned matter settled, discontinued and ended, docketed with this Board under date of September 20, 2017, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

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**September 27, 2017**

Defendant filed acceptance of service of Order dated September 21, 2017. Receipt of same acknowledged September 22, 2017.

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**September 27, 2017**

Plaintiff filed acceptance of service of Order dated September 21, 2017. Receipt of same acknowledged September 26, 2017.

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