

Docket Number: 4144

DON E. BOWER, INC.

Donald G. Karpowich, Esquire
Sean W. Logsdon, Esquire
Kevin M. Walsh, Jr., Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES**

~~Charles Anderson, Chief Counsel~~
Harry R. Walter, III, Assistant Counsel

May 27, 2016

Plaintiff filed Statement Claim, proof of mailing and filing fee.
Amount of Claim: \$2,207,406.44+.

May 31, 2016

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

June 8, 2016

Attorney General filed Acknowledgment of Statement of Claim form.
Receipt of same acknowledged June 2, 2016.

June 27, 2016

Defendant filed answer and new matter to statement of claim.

June 28, 2016

Board forwarded letter to Plaintiff, with copy to Defendant,
requesting response to new matter.

July 13, 2016

Plaintiff filed reply to new matter.

July 14, 2016

Board forwarded letter advising parties to proceed with discovery.

July 20, 2016

Plaintiff filed Notice of Service of First Set of Interrogatories
and First Request for Production of Documents.

October 20, 2016

Defendant filed Notice of Service of Answers to Interrogatories and
Answers to Request for Production of Documents.

April 6, 2017

Defendant requested by telephone 2 Subpoenas, 4009.21 to Produce documents.

April 6, 2017

Board forwarded 2 Subpoenas, 4009.21 to Produce documents dated April 6, 2017 to Defendant.

August 11, 2017

Plaintiff requested by telephone a Subpoena, 4009.21 to Produce documents.

August 14, 2017

Board forwarded Subpoena, 4009.21 to Produce documents dated August 14, 2017 to Plaintiff.

August 24, 2017

Plaintiff filed a notice of intent to serve subpoena to produce documents.

August 24, 2017

Plaintiff filed a certificate prerequisite to service of a subpoena.

September 14, 2017

Plaintiff requested by telephone a Subpoena, 4009.21 to Produce documents.

September 15, 2017

Board forwarded Subpoena, 4009.21 to Produce documents dated September 15, 2017 to Plaintiff.

September 21, 2017

Plaintiff filed a notice of intent to serve subpoena to produce documents.

September 21, 2017

Plaintiff filed certificate of service of subpoena to produce documents and certificate of compliance.

September 21, 2017

Plaintiff filed a certificate prerequisite to service of a subpoena.

January 22, 2018

Plaintiff filed Motion to Enforce Subpoena, Brief in Support and Proposed Order.

January 23, 2018

Board forwarded letter to UGI Corporation and UGI Central Penn Gas, with copy to Plaintiff and Defendant, requesting response to motion.

February 20, 2018

UGI Corporation and UGI Central Penn Gas filed a Joint Motion for a Protective Order from Plaintiff's Third-Party Subpoenas and in Opposition to Plaintiff's Motion to Enforce Subpoena, Memorandum in Support and its Proposed Order.

February 21, 2018

Board forwarded letter to Plaintiff, with copy to Defendant and UGI Corporation and UGI Central Penn Gas, requesting response to motion.

March 16, 2018

Plaintiff filed Answer and Brief in Opposition to Motion for Protective Order.

April 10, 2018

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 10th day of April, 2018, upon consideration of the motion to enforce Plaintiff's subpoena and the motion for a protective order filed by UGI and CPG, it is **ORDERED** as follows:

1. Plaintiff's motion to enforce subpoena is **DENIED**; and
2. The motion for protective order filed by UGI/CPG is **GRANTED** to the extent that they shall not be required to produce the electronically-stored information which is the subject of Plaintiff's subpoenas unless and until Plaintiff forwards to UGI/CPG the reasonable cost for review and production of same in the amount of \$3,973." Copy forwarded to Plaintiff, Defendant and UGI/CPG.

April 12, 2018

Defendant filed Acceptance of Service of Opinion and Order dated April 10, 2018. Receipt of same April 11, 2018.

April 18, 2018

Plaintiff filed Acceptance of Service of Opinion and Order dated April 10, 2018. Receipt of same April 16, 2018.

April 20, 2018

UGI/CPG filed Acceptance of Service of Opinion and Order dated April 10, 2018. Receipt of same April 16, 2018.

August 16, 2019

Plaintiff filed Praecipe for Discontinuance.

August 19, 2019

Board rendered Praecipe Order. Order as follows: "**AND NOW**, this 19th day of August, 2019, upon receipt of a Praecipe executed by Sean W. Logsdon, Esquire, on behalf of Plaintiff, Don E. Bower, Inc., requesting that the Board mark the above-captioned claim settled, discontinued and ended with prejudice, docketed with this Board under date of August 16, 2019, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

August 22, 2019

Plaintiff filed acceptance of service of Order dated August 19, 2019. Receipt of same acknowledged August 20, 2019.
