

Docket Number: 4157

JAMMIT HOLDINGS, LLC
d/b/a AAA Enviro-Pest Management

~~Mark K. Emery, Esquire~~
~~John M. Kerr, Esquire~~
~~Andrew W. Barbin, Esquire~~
~~Matthew L. Owens, Esquire~~
Mr. Timothy Meyers

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Charles Anderson, Chief Counsel~~
~~David L. Narkiewicz, Assistant Counsel~~
~~Joseph M. Gavazzi, Assistant Counsel~~
Harry R. Walter, III, Assistant Counsel

December 23, 2016

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

December 27, 2016

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

January 20, 2017

Attorney General filed Acknowledgment of Statement of Claim form. Receipt of same acknowledged January 13, 2017.

January 23, 2017

Defendant filed Preliminary Objections and Brief in Support.

January 24, 2017

Board forwarded letter to Plaintiff, with copy to Defendant, requesting response to preliminary objections.

February 13, 2017

Plaintiff filed Amended Claim and Proof of Mailing. Amount of Claim \$80,700.00.

February 14, 2017

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

February 17, 2017

Attorney General filed Acknowledgment of Amended Claim form. Receipt of same acknowledged February 16, 2017.

March 15, 2017

Defendant filed Preliminary Objections to Amended Statement of Claim Pursuant to PA. R.C.P. No. 1028 and Brief in Support.

March 16, 2017

Board forwarded letter to Plaintiff, with copy to Defendant, requesting response to preliminary objections to amended statement of claim.

April 13, 2017

Plaintiff filed answer to preliminary objections to amended statement of claim and brief in support.

May 3, 2017

Board rendered Opinion and Order. Order as follows: **"AND NOW**, this 3rd day of May, 2017, upon consideration of the preliminary objections filed by the Commonwealth of Pennsylvania, Department of General Services and the response filed by Jammit Holdings, LLC, it is hereby **ORDERED** and **DECREED** that the preliminary objections are **OVERRULED**. It is **FURTHER ORDERED** and **DECREED** that all proceedings in this case are **STAYED** for twenty (20) days from the date of this Order. Accordingly, DGS shall respond to the Amended Statement of Claim within forty (40) days of the date of this Order if the case is not resolved before that time." Copy forwarded to Plaintiff and Defendant.

May 5, 2017

Defendant filed Acceptance of Service of Opinion and Order dated May 3, 2017. Receipt of same acknowledged May 4, 2017.

May 10, 2017

Plaintiff filed Acceptance of Service of Opinion and Order dated May 3, 2017. Receipt of same acknowledged May 5, 2017.

June 1, 2017

Plaintiff filed Motion for Leave to Withdraw as Counsel as well as proposed order.

June 2, 2017

Board forwarded letter to Mark K. Emery, Esquire, with copy to Defendant, requesting name, address and phone number of a contact person at JAMMIT Holdings, LLC.

June 16, 2017

Plaintiff filed a Praecipe to Withdraw/Enter Appearance withdrawing the appearance of Mark K. Emery, Esquire and entering the appearance of John M. Kerr, Esquire on behalf of Plaintiff.

July 13, 2017

Board forwarded letter to parties requesting case status.

July 18, 2017

Defendant transmitted via facsimile a letter advising that parties agreed to privately discuss the potential for a settlement and advising that the parties have agreed that no responsive pleading from Defendant will be required unless the parties fail to reach a settlement.

September 1, 2017

Plaintiff filed Entry of Appearance of Andrew W. Barbin, Esquire on behalf of Plaintiff.

July 24, 2018

Board forwarded letter to Plaintiff's counsels, with copy to Defendant, requesting praecipe or status update.

July 27, 2018

Defendant filed Answer and New Matter to Amended Statement of Claim.

July 30, 2018

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

August 24, 2018

Plaintiff filed Response to Defendant's New Matter.

August 27, 2018

Board forwarded letter to Mr. Owens, Mr. Barbin, Mr. Kerr and JAMMIT Holdings, LLC requesting clarification as to whom Plaintiff's counsel is.

August 31, 2018

Mr. John Kerr, Esquire filed a motion to withdraw as counsel for JAMMIT Holdings, LLC and proposed order.

September 4, 2018

Board rendered Order. Order as follows: "**AND NOW**, this 4th day of September, 2018, upon consideration of the record in this case and the Motion to Withdraw as Counsel for JAMMIT Holdings, LLC d/b/a AAA Enviro-Pest Management filed by John. M. Kerr, Esquire, it is hereby **ORDERED** and **DECREED** that John M. Kerr, Esquire is **WITHDRAWN** as counsel in this matter." Copy forwarded to all parties of record.

September 6, 2018

Defendant filed Acceptance of Service of Order dated September 4, 2018. Receipt of same acknowledged September 6, 2018.

September 7, 2018

Plaintiff (Mr. Owens) filed Acceptance of Service of Order dated September 4, 2018. Receipt of same acknowledged September 6, 2018.

September 7, 2018

Plaintiff (Mr. Kerr) filed Acceptance of Service of Order dated September 4, 2018. Receipt of same acknowledged September 6, 2018.

April 12, 2019

Plaintiff filed Praecipe for Entry of Appearance of Matthew L. Owens, Esquire and the Law Offices of Matthew L. Owens, Esquire LLC on behalf of Plaintiff.

October 21, 2019

Defendant filed letter requesting that the parties be directed to submit proposed scheduling orders so that the case can be listed for hearing.

October 22, 2019

Board forwarded letter to parties requesting scheduling information.

November 6, 2019

Defendant transmitted via facsimile a letter providing proposed scheduling dates.

November 6, 2019

Plaintiff transmitted via facsimile a letter advising that it agrees with Defendant's proposed scheduling dates.

November 8, 2019

Board rendered Scheduling Order. Order as follows: **"AND NOW**, this 8th day of November, 2019, it is hereby **ORDERED** as follows: 1. The last day for plaintiff and defendant to exchange expert reports, if any, and to file same with the Board is January 13, 2020;¹ 2. All discovery (including exchange and Board filing of any further rebuttal expert reports) shall be completed by February 10, 2020;² 3. The last day for filing pre-trial motions is February 19, 2020; 4. Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than April 6, 2020 (Please note BOC R.P. 899.501(b) and (c)(3)); 5. A pre-trial

conference is scheduled for Tuesday, April 14, 2020 at 1:00 p.m. Said conference shall be held at 200 North Third Street, Fulton Building, 7th Floor, Harrisburg, PA 17101; 6. This matter is set for hearing beginning on Monday, May 18, 2020 and running through Friday, May 22, 2020, 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.

November 14, 2019

Defendant filed Acceptance of Service of Scheduling Order dated November 8, 2019. Receipt of same dated November 13, 2019.

November 18, 2019

Plaintiff filed Acceptance of Service of Scheduling Order dated November 8, 2019. Receipt of same dated November 14, 2019.

January 17, 2020

Defendant filed Notice of Service of a Notice of Deposition and First Set of Requests for Production of Documents.

February 4, 2020

Defendant filed letter advising that the parties jointly request that the deadlines in the Scheduling Order dated November 8, 2019 be extended by 60 days.

February 13, 2020

Board rendered a Revised Scheduling Order. Order as follows: "**AND NOW**, this 13th day of February, 2020, upon joint request of the parties, it is hereby **ORDERED** as follows: 1. The last day for plaintiff and defendant to exchange expert reports, if any, and to file same with the Board is April 13, 2020; 2. All discovery shall be completed by April 13, 2020; 3. The last day for filing pre-trial motions is April 20, 2020; 4. Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than June 8, 2020 (Please note BOC R.P. 899.501(b) and (c)(3)); 5. A pre-trial conference is scheduled for Tuesday, June 16, 2020 at 1:00 p.m. Said conference shall be held at 200 North Third Street, Fulton Building, 7th Floor, Harrisburg, PA 17101; 6. This matter is set for hearing beginning on Monday, July 20, 2020 and running through Friday, July 24, 2020, 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.

February 18, 2020

Defendant filed acceptance of service of Revised Scheduling Order dated February 13, 2020. Receipt of same acknowledged February 14, 2020.

March 20, 2020

Plaintiff filed acceptance of service of Revised Scheduling Order dated February 13, 2020. Receipt of same acknowledged February 17, 2020.

May 26, 2020

Board forwarded letter via facsimile & U.S. Mail to parties inquiring whether the parties wish to proceed with the June 16, 2020 pre-trial conference date or to postpone pre-trial conference and hearing.

May 29, 2020

Defendant transmitted via electronically a letter requesting that this matter be stayed indefinitely and advising that Plaintiff joins in this request.

June 2, 2020

Board rendered an Order. Order as follows: "**AND NOW**, this 2nd day of June, 2020, upon joint request of the parties, it is hereby **ORDERED** and **DECREED** that all deadlines, conferences and hearing dates set for this matter by Order of November 8, 2019 to occur subsequent to the date of this Order are canceled and the proceedings in this case are **STAYED** indefinitely." Copy forwarded to Plaintiff and Defendant.

June 2, 2020

Defendant transmitted electronically acceptance of service of Order dated June 2, 2020. Receipt of same acknowledged June 2, 2020.

June 2, 2020

Plaintiff transmitted via facsimile acceptance of service of Order dated June 2, 2020. Receipt of same acknowledged June 2, 2020.

June 4, 2020

Plaintiff filed acceptance of service of Order dated June 2, 2020. Receipt of same acknowledged June 2, 2020.

June 16, 2020

Defendant filed acceptance of service of Order dated June 2, 2020. Receipt of same acknowledged June 9, 2020.

August 27, 2020

Plaintiff transmitted via facsimile a motion to withdraw as counsel and proposed order.

August 31, 2020

Plaintiff filed via U.S. Mail a motion to withdraw as counsel and proposed order.

August 31, 2020

Board forwarded letter, via facsimile & U.S. Mail to Matthew L. Owens, Esquire, with copy to Defendant, requesting name, address and phone number of a contact person at JAMMIT Holdings, LLC.

September 1, 2020

Plaintiff transmitted via facsimile a letter advising of the contact information for Plaintiff, owner Timothy Meyers.

September 3, 2020

Board rendered an Order. Order as follows: "**AND NOW**, this 3rd day of September, 2020, upon consideration of the record in this case and the Motion to Withdraw as Counsel for JAMMIT Holdings, LLC d/b/a AAA Enviro-Pest Management filed by Matthew L. Owens, Esquire, it is hereby **ORDERED** and **DECREED** that Matthew L. Owens, Esquire is **WITHDRAWN** as counsel in this matter." Copy forwarded to Plaintiff, Defendant and Mr. Meyers.

September 4, 2020

Plaintiff filed via U.S. Mail a letter advising of the contact information for Plaintiff, owner Timothy Meyers.

September 10, 2020

Plaintiff transmitted via facsimile acceptance of service of Order dated September 3, 2020. Receipt of same acknowledged September 8, 2020.

September 15, 2020

Plaintiff filed via US. Mail acceptance of service of Order dated September 3, 2020. Receipt of same acknowledged September 8, 2020.

September 27, 2023

Board forwarded Notice of Proposed Termination of Case for Lack of Activity Pursuant to Pa. Rule of Civil Procedure 230.2 to Plaintiff, with copy to Defendant.

January 11, 2024

Board rendered Order. Order as follows: "**AND NOW**, this 11th day of January, 2024, pursuant to Pa. R.C.P. 230.2, the above captioned case is **TERMINATED, ENDED** and **DISMISSED** with prejudice due to lack of activity." Copy forwarded to all parties of record.

July 15, 2024

Defendant filed acceptance of service of Order dated January 11, 2024. Receipt of same acknowledged January 17, 2024.
