

Docket Number: 4158

BUEHLER & ASSOCIATES, INC.

~~Michael R. Kelley, Esquire~~
Joseph T. Messina, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES**

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

January 11, 2017

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$18,788.00+.

January 12, 2017

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

January 20, 2017

Attorney General filed acknowledgment of claim form. Receipt of same acknowledged January 18, 2017.

February 10, 2017

Defendant filed preliminary objections and brief in support.

February 13, 2017

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

March 17, 2017

Plaintiff filed answer to preliminary objections and brief.

March 20, 2017

Board forwarded letter to Plaintiff, with copy to Defendant, advising that Plaintiff's Exhibit "A" to its answer to preliminary objections was not attached and requesting it be filed.

March 29, 2017

Plaintiff filed Exhibit "A" to its Answer to Preliminary Objections.

March 30, 2017

Plaintiff filed Praecipe to Withdraw as Counsel Michael R. Kelly, Esquire. Plaintiff will continue to be represented by J.T. Messina Law Office.

April 24, 2017

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 24th day of April, 2017, upon consideration of the Preliminary Objections to Buehler & Associates, Inc.'s Statement of Claim filed by Defendant DGS, Buehler's response thereto, and briefs filed by the parties, it is **ORDERED** and **DECREED** that a decision on these Preliminary Objections be **DEFERRED** until such time as a hearing may be held in order for the parties to present any and all factual matters relevant to determination of Defendant's Preliminary Objections. To this end, the parties are directed to submit to the Board, within 20 days of the exit date of this Order, a proposed schedule for said hearing to include the date(s) and time estimates for the conduct of same, giving due consideration to any preparation the parties may wish to undertake prior to hearing." Copy forwarded to Plaintiff and Defendant.

May 4, 2017

Defendant transmitted via facsimile a letter on behalf of the parties requesting this matter be stayed indefinitely pending the outcome of settlement discussions.

May 5, 2017

Board rendered an Order. Order as follows: **"AND NOW**, this 5th day of May, 2017, for the reasons noted in Defendant's letter of May 4, 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.

May 5, 2017

Defendant filed via U.S. mail a letter on behalf of the parties requesting this matter be stayed indefinitely pending the outcome of settlement discussions.

May 3, 2017

Defendant filed acceptance of service of Opinion and Order dated April 24, 2017. Receipt of same acknowledged April 25, 2017.

May 11, 2017

Defendant filed acceptance of service of Opinion and Order dated May 5, 2017. Receipt of same acknowledged May 10, 2017.

September 7, 2018

Plaintiff filed Motion to Consolidate Docket No. 4185 with 4156.

September 18, 2018

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 18th day of September, 2018, upon consideration of the motion to consolidate filed by Buehler & Associates, Inc., it is hereby **ORDERED** and **DECREED** that said motion is **DENIED** without prejudice to refile at a later date consistent with this Opinion." Copy forwarded to Plaintiff and Defendant.

September 20, 2018

Defendant filed acceptance of service of opinion and order dated September 18, 2018. Receipt of same acknowledged September 19, 2018.

June 21, 2022

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.

July 6, 2022

Plaintiff filed statement of intention to proceed.

November 27, 2023

Plaintiff filed Praecipe to Withdraw Claim.

November 29, 2023

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 29th day of November, 2023, upon receipt of a Praecipe executed by Joseph T. Messina, Esquire, on behalf of Plaintiff, Buehler & Associates, Inc., requesting that the Board grant Plaintiff's praecipe to voluntarily withdraw the above-captioned claim, docketed with this Board under date of November 27, 2023, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked voluntarily withdrawn." Copy forwarded to Plaintiff and Defendant.

December 12, 2023

Defendant filed acceptance of service of an order dated November 29, 2023. Receipt of same acknowledged December 7, 2023.
