

**\*(CONSOLIDATED INTO 4201)\***  
**Docket Number: 4208**

**DEBLIN, INC., FOR THE USE AND BENEFIT OF TRINITY EXCAVATING,  
INC.**

Timothy J. Woolford, Esquire  
Francis A. Camarota, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA TURNPIKE COMMISSION**

~~Doreen McCall, Chief Counsel~~  
Kelly H. Decker, Esquire

**March 26, 2020**

Board received Claim electronically with proof of mailing. Amount of Claim: in excess of \$50,000.

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**March 26, 2020**

Board issued deficiency notice to Plaintiff: lacks copies of claim and filing fee.

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**March 27, 2020**

Plaintiff filed paper copies of claim and filing fee.

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**March 27, 2020**

Board issued Acknowledgment letter requesting response from Defendant and forwarding a copy of the Claim to Attorney General.

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**April 23, 2020**

Defendant transmitted via electronically preliminary objections to Plaintiff's statement of claim, brief in support and proposed order.

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**April 23, 2020**

Defendant filed via U.S. Mail preliminary objections to Plaintiff's statement of claim, brief in support and proposed order.

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**April 23, 2020**

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

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**May 22, 2020**

Plaintiff transmitted via electronically answer to preliminary objections, brief in opposition and proposed order.

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**May 26, 2020**

Plaintiff filed via U.S. Mail answer to preliminary objections, brief in opposition and proposed order.

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**June 2, 2020**

Board forwarded letter to Defendant, with copy to Plaintiff, requesting a reply to Plaintiff's answer to Defendant's preliminary objections.

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**June 16, 2020**

Attorney General filed acknowledgment of statement of claim form. Receipt of same acknowledged April 14, 2020.

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**June 18, 2020**

Defendant transmitted via electronically a letter requesting an extension of time until July 2, 2020, in which to file its reply to Plaintiff's answer to preliminary objections and advising Plaintiff's attorney does not oppose.

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**June 19, 2020**

Board forwarded letter to Defendant, with copy to Plaintiff, granting an extension of time for Defendant to reply to Plaintiff's answer to preliminary objections.

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**July 1, 2020**

Defendant transmitted via facsimile Defendant's reply brief in further support of its preliminary objections.

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**July 2, 2020**

Defendant filed via U.S. mail Defendant's reply brief in further support of its preliminary objections.

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**July 6, 2020**

Board forwarded letter to Plaintiff, with copy to Defendant, requesting a sur-reply to Defendant's reply brief.

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**July 22, 2020**

Plaintiff transmitted via facsimile a letter requesting an extension of time until August 7, 2020 in which to file its sur-reply.

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**July 23, 2020**

Board forwarded letter to Plaintiff, with copy to Defendant, granting its extension of time until August 7, 2020 in which to file its sur-reply.

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**August 7, 2020**

Plaintiff filed sur-reply brief in opposition to preliminary objections.

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**August 14, 2020**

Board forwarded letter, via Facsimile & U.S. Mail, to parties requesting date for telephonic status conference.

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**August 14, 2020**

Plaintiff transmitted via facsimile a letter advising that the parties are available for a telephonic status conference September 17, 22 or 23.

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**August 18, 2020**

Plaintiff filed via U.S. mail a letter advising that the parties are available for a telephonic status conference September 17, 22 or 23.

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**August 18, 2020**

Board forwarded letter to parties scheduling a telephonic status conference for September 22, 2020 at 1:00 p.m.

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**September 22, 2020**

Board held telephonic status conference on September 22, 2020 at 1:00 p.m.

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**October 5, 2020**

Defendant transmitted via facsimile a letter withdrawing preliminary objections.

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**October 6, 2020**

Board rendered Order. Order as follows: "**AND NOW**, this 6<sup>th</sup> day of October, 2020, pursuant to Defendant's letter dated October 5, 2020, it is **ORDERED** and **DECREED** that the preliminary objections are **WITHDRAWN**. Defendant shall have 20 days from the exit date of this Order to respond to the Statement of Claim." Copy forwarded to Plaintiff and Defendant.

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**October 19, 2020**

Plaintiff filed acceptance of service of Order dated October 6, 2020. Receipt of same acknowledged October 13, 2020.

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**October 26, 2020**

Defendant filed answer with new matter to statement of claim.

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**October 27, 2020**

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

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**November 17, 2020**

Plaintiff filed reply to new matter.

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**November 17, 2020**

Board forwarded letter to parties directing them to proceed with discovery.

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**February 16, 2021**

Plaintiff filed Uncontested Motion to Consolidate Docket Nos. 4201 and 4208 and Proposed Order.

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**February 16, 2021**

Board rendered an Order. Order as follows: "**AND NOW**, this 16<sup>th</sup> day of February, 2021, upon consideration of Plaintiff, Deblin, Inc., for the use and benefit of Trinity Excavating, Inc.'s Uncontested Motion to Consolidate, concurred in by Defendant, Commonwealth of Pennsylvania, Pennsylvania Turnpike Commission, it is hereby **ORDERED** and **DECREED** that the Motion is **GRANTED** and the above cases are **CONSOLIDATED** under Docket Number 4201 for all purposes, including discovery and hearing." Copy forwarded to Plaintiff and Defendant.

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**November 21, 2022**

Plaintiff filed Praecipe for Discontinuance.

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**November 22, 2022**

Board rendered Order. Order as follows: "**AND NOW**, this 22<sup>nd</sup> day of November, 2022, upon receipt of a Praecipe executed by Matthew K. Myer, Esquire, on behalf of Plaintiff, Deblin, Inc. for the use and benefit of Trinity Excavating, Inc., requesting that the Board mark the above-captioned matter settled, discontinued and ended with prejudice, docketed with this Board under date of November 21, 2022, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.