

Docket Number: 4217

MIDWEST BANK
AND
WHITNEY E. PEYTON

Ronald L. Hicks, Jr., Esquire
Carolyn McGee, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

~~Theron Perez, Chief Counsel~~
Joseph M. Gavazzi, Assistant Counsel

AND

FAYETTE THERMAL, LLC

Martin J. Cerullo, Esquire

September 17, 2020

Plaintiffs filed Statement of Claim, proof of mailing and filing fee. Amount of Claim: \$2,021,266.80+.

September 17, 2020

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

September 23, 2020

Attorney General filed acknowledgment of Statement of Claim Statement of Claim. Receipt of same acknowledged - undated.

October 8, 2020

Department of Corrections filed letter advising all parties request a 30 day stay in order to pursue an amicable resolution.

October 9, 2020

Board rendered Order. Order as follows: "**AND NOW**, this 9th day of October, 2020, upon request of the parties, it is hereby **ORDERED** and **DECREED** that the proceedings in this case are **STAYED** for 30 days from October 8, 2020, the date of the request, or until further action by the Board." Copy forwarded to all parties of record.

October 9, 2020

Fayette Thermal filed via facsimile acceptance of service of Order dated October 9, 2020. Receipt of same acknowledged October 9, 2020.

October 13, 2020

Plaintiff transmitted via facsimile acceptance of service of Order dated October 9, 2020. Receipt of same acknowledged October 9, 2020.

October 14, 2020

Fayette Thermal filed via U.S. mail acceptance of service of Order dated October 9, 2020. Receipt of same acknowledged October 9, 2020.

October 19, 2020

Plaintiff transmitted via U.S. Mail acceptance of service of Order dated October 9, 2020. Receipt of same acknowledged October 9, 2020.

April 23, 2021

Plaintiff filed Praecipe to Discontinue.

April 26, 2021

Board rendered Order. Order as follows: "**AND NOW**, this 26th day of April, 2021, upon receipt of a Praecipe executed by Carolyn McGee, Esquire, on behalf of Plaintiff, Midwest Bank and Whitney E. Peyton, requesting that the Board mark the above-captioned matter settled, discontinued and closed, docketed with this Board under date of April 26, 2021, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked settled, discontinued and ended with prejudice." Copy forwarded to all parties of record.

May 7, 2021

Plaintiff filed acceptance of service of Order dated April 25, 2021. Receipt of same acknowledged April 30, 2021.
