

Docket Number: 4247

READING ANTHRACITE COMPANY

Brian S. Paszamant, Esquire

VS.

STATE WORKERS' INSURANCE FUND

~~Kelly Smith, Acting Chief Counsel~~  
John O'Boyle, Assistant Counsel

**August 30, 2022**

Plaintiff filed Statement of Claim, proof of mailing and filing fee. Amount of Claim: \$1,379,244.60+.

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**August 31, 2022**

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

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**September 15, 2022**

Attorney General filed acknowledgment of claim form dated August 31, 2022. Receipt of same acknowledged September 12, 2022.

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**September 29, 2022**

Defendant filed preliminary objections and brief in support.

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**October 4, 2022**

Board forwarded letter to Plaintiff requesting response to preliminary objections.

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**October 18, 2022**

Parties filed a joint motion to stay proceedings.

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**October 20, 2022**

Board rendered Order. Order as follows: "**AND NOW**, this 20<sup>th</sup> day of October, 2022, upon consideration of the request by all parties to this matter to stay the matter pending final determination of the workers compensation matter currently pending before the Pennsylvania Workers' Compensation Appeal Board, the Board of Claims hereby **STAYS** this matter **INDEFIITELY**, until the parties request to lift the stay or the stay is lifted by the Board." Copy forwarded to Plaintiff and Defendant.

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**October 31, 2022**

Defendant filed Acceptance of Service of Order dated October 20, 2022. Receipt of same acknowledged October 26, 2022.

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**August 26, 2024**

Defendant filed copy of Commonwealth Court Order in Docket Nos. 120 C.D. 2023, 121 C.D. 2023, 126 C.D. 2023 and 170 C.D. 2023. Order as follows: "AND NOW, this 11<sup>th</sup> day of June, 2024, the Workers' Compensation Appeal Board's January 12, 2023 order is affirmed."

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**August 27, 2024**

Plaintiff filed a letter in objection to Defendant's filing of August 26, 2024.

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**September 5, 2024**

Board rendered Order. Order as follows: "AND NOW, this 5<sup>th</sup> day of September, 2024, following receipt of letters dated August 26, 2024, from both parties advising the Board of the Commonwealth Court's opinion and order filed June 11, 2024, in the matters of Reading Anthracite Co. v. Molly Oxenrider, et al., docket numbers 120 C.D. 2023, 121 C.D. 2023, 126 C.D. 2023, and 170 C.D. 2023, it appears that the stay pending final determination of the workers' compensation matter entered by the Board on October 20, 2022, should be lifted as the workers' compensation matter has reached a final determination. Therefore, it is **ORDERED** and **DECREED** that the stay issued by the Board on October 20, 2022, is hereby lifted. Claimant is directed to file a response to the preliminary objections filed by Respondent on September 29, 2022, within thirty (30) days from the date of this Order." Copy forwarded to all parties of record.

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**September 9, 2024**

Defendant filed letter advising that despite Defendant disagreeing with Plaintiff, the parties jointly request that the stay be lifted.

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**September 13, 2024**

Plaintiff filed acceptance of service of Order dated September 5, 2024. Receipt of same acknowledged September 10, 2024.

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**September 13, 2024**

Defendant filed acceptance of service of Order dated September 5, 2024. Receipt of same acknowledged September 9, 2024.

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**October 1, 2024**

Plaintiff filed a Praecipe for Discontinuance.

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**October 2, 2024**

Board rendered an Order. Order as follows: "**AND NOW**, this 2<sup>nd</sup> day of October, 2024, upon receipt of a Praecipe executed by Brian S. Paszamant, Esquire, on behalf of Plaintiff, Reading Anthracite Company, requesting that the Board mark the above-captioned matter discontinued, docketed with this Board under date of October 1, 2024, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

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**October 11, 2024**

Defendant filed acceptance of service of Order dated October 2, 2024. Receipt of same acknowledged October 9, 2024.

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