

Docket Number: 4265

**J.C. LEE CONSTRUCTION AND SUPPLY COMPANY, INC.
for the use and benefit of
LAKE ERIE TRAFFIC CONTROL, LLC**

Ryan T. McCarthy, Esquire
K. Bradley Mellor, Esquire
Jeffrey M. Olszewski, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

~~Jeffrey Spotts, Chief Counsel~~
~~Brett D. Pollock, Assistant Counsel~~
~~Jason M. Wolgemuth, Deputy Chief Counsel~~
Robert J. Kopacz, Assistant Chief Counsel

January 25, 2024

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

January 29, 2024

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

February 22, 2024

Defendant filed Answer with New Matter.

February 26, 2024

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

February 27, 2024

Attorney General filed acknowledgment of claim form. Receipt of same acknowledged February 12, 2024.

March 13, 2024

Plaintiff filed Reply to New Matter.

March 14, 2024

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

April 10, 2024

Defendant filed praecipe for Entry of Appearance of Jason M. Wolgemuth, Deputy Chief Counsel, on behalf of Defendant.

April 23, 2024

Defendant filed certificate of service of Defendant's Interrogatories to Plaintiff.

April 23, 2024

Defendant filed certificate of service of Defendant's Request for Production of Documents to Plaintiff.

May 1, 2024

Defendant filed a letter requesting a subpoena 4009.21 to produce documents.

May 1, 2024

Board forwarded a Subpoena 4009.21 - to produce documents dated May 1, 2024 to Defendant.

May 8, 2024

Defendant filed Certificate of Service of Notice of Intent to Serve Subpoena to Produce Documents and Things Pursuant to Rule 4009.21.

May 29, 2024

Defendant filed Certificate Prerequisite to Service of Subpoena Pursuant to Rule 4009.22.

August 22, 2024

Plaintiff filed Certificate of Service of Plaintiff's objections and responses to Defendant's request for production of documents.

October 15, 2024

Defendant filed Certificate of Service of Defendant's objections and answers to Plaintiff's First Set of Interrogatories.

October 15, 2024

Defendant filed Certificate of Service of Defendant's objections and responses to Plaintiff's first set of requests for production of documents.

March 10, 2025

Defendant filed Certificate of Service for a Notice to Take Deposition of Corporate Designee.

April 29, 2025

Defendant filed a letter requesting a subpoena 4009.21 to produce documents.

April 29, 2025

Defendant filed a letter requesting a subpoena 234.1 to attend.

May 1, 2025

Board forwarded a Subpoena 4009.21 - to produce documents dated May 1, 2025 to Defendant.

May 1, 2025

Board forwarded a Subpoena 234.1 - to attend dated May 1, 2025 to Defendant.

May 13, 2025

Defendant advised that they did not receive the subpoenas requested on April 29, 2025.

May 14, 2025

Board reissued a Subpoena 4009.21 - to produce documents and a Subpoena 234.1 - to attend dated May 14, 2025 to Defendant.

May 14, 2025

Defendant filed Certificate of Service for a Revised Notice to Take Deposition of Corporate Designee.

May 27, 2025

Defendant filed Notice of Intent to Serve Subpoena to Produce Documents and Things Pursuant to Rule 4009.21 upon Street Smart Rentals, LLC.

June 2, 2025

Defendant filed certificate of service of a notice of deposition of Mary Aylesworth.

June 2, 2025

Defendant filed certificate of service of a notice of deposition of John C. Lee, III.

June 5, 2025

Defendant filed notice of service of subpoena to attend and testify that was served upon Robert Lieder.

June 5, 2025

Defendant filed a letter requesting a subpoena 234.1 to attend.

June 10, 2025

Board forwarded a Subpoena 234.1 - to attend dated June 10, 2025 to Defendant.

June 17, 2025

Defendant filed Certificate Prerequisite to Service of a Subpoena Pursuant to Rule 4009.22.

August 20, 2025

Defendant forwarded a courtesy copy of Robert Lieder's deposition of July 23, 2025 as well as a courtesy copy of a letter addressed to Plaintiff regarding misrepresentations in the statement of claim.

September 17, 2025

Defendant filed notice of withdrawal of appearance of Jason M. Wolgemuth, Assistant Counsel on behalf of Defendant.

September 17, 2025

Defendant filed praecipe for entry of appearance of Robert J. Kopacz, Assistant Chief Counsel on behalf of Defendant.

November 24, 2025

Defendant filed Motion for Sanctions Pursuant to Pa.R.C.P. 1023 and Brief in Support.

December 22, 2025

Plaintiff filed its Response in Opposition and Brief in Opposition to Defendant's Motion for Sanctions.
