

AMERICAN FIDELITY FIRE INSURANCE COMPANY
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

Bruce L. Phillips, Esquire and
~~Charles Cheek, Esquire~~

~~Arnold B. Weinstein, Esquire~~
~~Henry J. Costa, Jr., Esquire~~
John J. Buehly, Jr., Chief of Litigation

DOCKET NO. 644

CLOSED

White Paper 1/1/82

June 19, 1979 Complaint and filing fee filed. Amount of Claim: \$201,193.08.

June 21, 1979 Copies of Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General.

July 11, 1979 Answer and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 10, 1979 Plaintiff's Reply to Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 4, 1980 Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 27, 1980 Defendant's Reply to Request for Production of Documents filed by attorney for Defendant. Copy forwarded attorney for Plaintiff by attorney for Defendant.

July 2, 1981 Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 3, 1982 Defendant's Interrogatories Directed to Plaintiff filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 11, 1982 Proposed Order and Petition to Amend Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 3, 1982 Amended Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 17, 1982 Answer to Petition to Amend Counterclaim filed by attorney for Plaintiff. Copies forwarded to all counsel of record by attorney for Plaintiff.

October 28, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 28th day of October, 1982, upon consideration of Defendant's Petition to Amend Counterclaim, said Petition is GRANTED. Defendant is directed to file its Amended Counterclaim *over*

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October 28, 1982 within fifteen (15) days of date of this Order or said Order will be vacated by this
(continued) Board." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 4, 1982 Amended Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for
Plaintiff by attorney for Defendant.

December 9, 1982 Reply to Amended Counterclaim and New Matter filed by attorney for Plaintiff. Copy
forwarded to attorney for Defendant by attorney for Plaintiff.

January 10, 1983 Defendant's Reply to Plaintiff's New Matter filed by attorney for Defendant. Copy
forwarded to attorney for Plaintiff by attorney for Defendant.

October 16, 1989 General Release filed by attorney for Plaintiff. Copy forwarded to attorney for
Defendant by attorney for Plaintiff.

April 6, 1990 The Board rendered an Opinion and made the following order: "AND NOW, this 6th day
of April, 1990, premised on the record, the pleadings filed, and the need for an
in-depth determination, it is hereby ORDERED and DIRECTED that an exploratory hearing
be held before the Board of Claims in Courtroom No. 1, 707 Transportation and Safety
Building, Harrisburg, Pennsylvania, commencing at 10:30 a.m. on Friday, April 20,
1990. As noted above, Plaintiff's counsel will be ceposed by telephone." Copies
forwarded to attorney for Plaintiff and attorney for Defendant.

April 20, 1990 Exploratory hearing held in Board's Courtroom No. 2, 707 Transportation and Safety
Building, Harrisburg, Pennsylvania, commencing at 10:43 a.m. Case settled.

April 20, 1990 Acceptance of Service of Opinion and Order dated April 6, 1990, received from
attorney for Defendant. Receipt of same acknowledged by attorney for Defendant
April 9, 1990.

May 4, 1990 The Board rendered an Opinion and made the following Order: "AND NOW, this 4th day
of May, 1990, it is ORDERED and DECREED that the Defendant, Commonwealth of
Pennsylvania, Department of General Services, is indebted to the Plaintiff, American
Fidelity Fire Insurance Company, in the full and true sum of Seventy-Five Thousand
Dollars (\$75,000.00). Inasmuch as the sum has already been paid to the Plaintiff by

5/7/90
JBY

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John J. Buehy, Chief of Litigation

CLOSED

Case 6:90-cv-00044

May 4, 1990
(continued)
The Defendant, Plaintiff's counsel is DIRECTED to confirm, in writing, within thirty (30) days of the date of this Order, that the money has been received and that the case be marked discontinued with prejudice. Each party to bear its own costs." Copies forwarded to attorney for Plaintiff and attorney for Defendant

May 15, 1990
Acceptance of Service of Opinion and Order dated May 4, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 7, 1990.

May 16, 1990
Letter/Praescipe filed by attorney for Plaintiff.

May 17, 1990
Copy of Letter/Praescipe forwarded to attorney for Defendant.

May 14, 1990
Acceptance of Service of Letter/Praescipe received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 18, 1990.

June 5, 1990
Testimony of Exploratory Hearing held April 20, 1990 filed.

June 8, 1990
Copy of testimony for Exploratory Hearing held April 20, 1990 forwarded to attorney for Defendant.

June 11, 1990
The Board made the following order: "AND NOW, this 11th day of June, 1990, upon receipt of Letter/Praescipe, executed by Bruce Phillips, Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of May 16, 1990, it is ORDERED and DIRECTED that said case be marked 'settled, discontinued and ended with prejudice.'" Copies forwarded to attorney for Plaintiff and attorney for Defendant.