

AMERICAN FIDELITY FIRE INSURANCE COMPANY

VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF GENERAL SERVICES

VS.

WILLIAM ALESKER and DONALD REIFF, individually
and t/a ALESKER AND REIFF ARCHITECTS

Bruce L. Phillips, Esquire and
J. Charles Sheak, Esquire

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Henry J. Costa, Jr., Esquire

Joel W. Todd, Esquire

Docket No. 656

CLOSED

October 9, 1979 Complaint and filing fee filed. Amount of claim: \$860,450.68. Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

October 30, 1979 Answer filed by defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

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

January 31, 1980 Amended Answer with Counterclaim as well as Stipulation filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 19, 1980 Reply to Counterclaim 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 to attorney for plaintiff by attorney for defendant.

April 14, 1980 Petition for Extension of Time to Join Additional Defendant, proposed Order and proposed Rule filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 15, 1980 by Judge Pace "AND NOW, this 15th day of April, 1980, a rule is granted to show cause why Rule executed/as follows: "AND NOW, this 15th day of April, 1980, a rule is granted to show cause why Commonwealth of Pennsylvania, Department of General Services should not be granted an extension of time to join an additional defendant. Rule returnable 20 days from date hereof at 707 Transportation and Safety Building, Harrisburg, Pennsylvania before 5 p.m. All proceedings to stay meanwhile." Copies forwarded to attorney for plaintiff and attorney for defendant.

April 21, 1980 Notice of Deposition as well as Schedule of William J. Koehler, Jr. filed by attorney for plaintiff.

May 1, 1980 The Board rendered the following Order: "AND NOW, this 1st day of May, 1980, the Rule to Show Cause, granted heretofore, is made absolute. It is now DIRECTED that the Defendant, Commonwealth of Pennsylvania, Department of General Services, may join William Alesker and Donald Reiff, individually and t/a Alesker and Reiff Architects, as Additional Defendants within thirty (30) days of the date of this Order.



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V.S.
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t/a ALESKER AND REIFF ARCHITECTS

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Joel W. Todd, Esquire and
Daniel Mungall, Jr., Esquire

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CLOSED

- Contd -

May 2, 1980 Order dated May 1, 1980, forwarded to attorney for plaintiff, attorney for defendant, attorney for additional defendants.

May 22, 1980 Third Party Complaint (Complaint Against Additional Defendants) filed by attorney for defendant. Copies forwarded to attorney for plaintiff and attorney for additional defendants by attorney for defendant.

July 21, 1980 Preliminary Objections of Additional Defendants in the Nature of a Petition Raising a Question of Jurisdiction to Defendant's Complaint Against Additional Defendants filed by attorney for Additional Defendants. Request made for additional copies. Copy forwarded to Plaintiff by Attorney for Additional Defendants.

July 23, 1980 Copy of Preliminary Objections of Additional Defendants forwarded to attorney for defendant by attorney for Additional Defendants.

July 31, 1980 Entry of Co-Appearance of Daniel Mungall, Jr., Esquire, as co-counsel for Additional Defendants filed. Additional copies of Preliminary Objections also filed.

August 11, 1980 Answer to Preliminary Objections of Additional Defendants, Brief in Support and proposed Order filed by attorney for defendant. Copies forwarded to all parties of record by attorney for defendant.

Sept. 5, 1980 Supplemental Brief in Opposition to Additional Defendant's Preliminary Objections filed by attorney for defendant. Copies forwarded to all other parties by attorney for defendant.

Sept. 5, 1980 Memo. of Additional Defendants in support of Prelim. Obj. filed by atty for additional defendants.

Sept. 11, 1980 Notice of Taking Deposition of William J. Koehler, Jr., filed by attorney for plaintiff. Copies forwarded to all parties of record by attorney for plaintiff.

Nov. 19, 1980 Reply Memo. of Addtl. Def. in Support of Prelim. Objections filed by Additional Defendants.
February 27, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 27th day of February, 1981, upon the consideration of the Preliminary Objections as filed by the Additional Defendant and the Briefs filed thereon by both parties, it is the opinion of this Board that the request as set forth in the Preliminary Objections of the Additional Defendant must be denied. The Additional Defendant is given thirty (30) days from the date of this Order in which to file responsive pleadings."

February 28, 1981 Copies of Opinion and Order dated February 27, 1981, forwarded to attorney for plaintiff, attorney for defendant and attorney for additional defendants.

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VS.

Bruce L. Phillips, Esquire
Henry J. Costa, Jr., Esquire
-continued-

Docket No. 656

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WILLIAM AEBKER & DONALD REIFF,
individually and t/a
AEBKER AND REIFF ARCHITECTS
Joel W. Todd, Esquire and
Daniel Mungall, Jr., Esquire

June 5, 1981 Answer of Additional Defendants filed by attorney for additional defendants. Copies forwarded to all counsel of record.

July 8, 1981 Defendant's Interrogatories Directed to Plaintiff filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 20, 1981 Plaintiff's Answers to Defendant's Interrogatories filed by attorney for plaintiff. Copies forwarded to all counsel of record 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 Complaint 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.

September 29, 1982 Notices of Depositions of David P. Howe, Philip Warren and John MacDonald filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

October 26, 1982 Hearing scheduled for January 4 through 7, 1983 as well as January 11 through 14, 1983, if necessary, at 10 a.m.

October 27, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 27th 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 within fifteen (15) days of date of this Order or said Order will be vacated by this Board. Compliance with this Order or the Response thereto, shall not be a reason for continuance of the hearing which has been set for January 4 through January 7, 1983, as well as January 11 through January 14, 1983." Copies forwarded to attorney for plaintiff and attorney for defendant.

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Docket No. 656

-continued-

CLOSED

WILLIAM ALESKER & DONALD REIFF, INDIVIDUALLY AND TRADING AS ALESKER AND REIFF ARCHITECTS
VS.
AND T/A ALESKER & REIFF ARCHITECTS
Joseph W. Todd, Esquire and
Daniel Aungall, Jr., Esquire

November 4, 1982 Amended Counterclaim filed by attorney for defendant. Copies forwarded to all counsel of record by attorney for defendant.

November 9, 1982 Notice of Deposition of John MacDonald filed.

November 17, 1982 Copy of a letter addressed to Mr. McDonald received from attorney for defendant postponing deposition of Mr. McDonald until further notice.

November 22, 1982 Reply to Amended Counterclaim as well as New Matter filed by attorney for plaintiff. Copies forwarded to all counsel of record by attorney for plaintiff.

January 4, 1983 Hearing held in Board's Court Room at 10 a.m. Case settled.

January 24, 1983 Testimony of hearing held January 4, 1983 filed.

January 28, 1983 Copy of testimony of hearing held January 4, 1983 forwarded to attorney for defendant.

August 22, 1983 Praecipe to settle, Discontinue and End filed by parties.

August 23, 1983 The Board made the following Order: "AND NOW, this 23rd day of August, 1983, upon receipt of Praecipe to settle, Discontinue and End, executed by Bruce L. Phillips, Esquire, on behalf of Plaintiff, American Fidelity Fire Insurance Company; Henry J. Costa, Jr., Assistant Counsel, on behalf of defendant, Commonwealth of Pennsylvania, Department of General Services; and, Daniel Aungall, Jr., Esquire on behalf of Additional Defendants, William Alesker and Donald Reiff, individually and trading as Alesker and Reiff Architects, some of which is docketed with this Board under date of August 22, 1982, it is ORDERED and DIRECTED that said case be marked 'settled, discontinued and ended with prejudice'."

August 25, 1983 Copies of Order dated August 23, 1983 forwarded to all counsel of record.