

THE R. G. JOHNSON COMPANY
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF LABOR AND INDUSTRY
STATE WORKMEN'S INSURANCE FUND

Edward T. Baker, Esquire
Roger C. Wiegand, Esquire
Richard L. Cole, Jr., Esquire

DOCKET NO. 732

February 3, 1981 Pursuant to Order of Commonwealth Court to transfer Complaint to Board of Claims, the following received from Commonwealth Court: Complaint, Commonwealth Court Docket Entries, Order re: Declaratory Judgment, Stipulation for Extension of Time to Plead, Stipulation by and between The R. G. Johnson Co. and State Workmen's Insurance Fund, Joint Motion to Transfer Complaint and Order to Transfer Complaint.

BEFORE THE BOARD OF CLAIMS

February 11, 1981 Request made to Plaintiff for five (5) additional copies of Complaint as well as filing fee. Amount of Claim:

February 24, 1981 Five (5) additional copies of Complaint as well as filing fee received from attorney for Plaintiff.

February 28, 1981 Copies of Complaint forwarded to attorney for Plaintiff and Deputy Attorney General.

March 10, 1981 Agreement for Extension of Time to Plead filed by parties.

March 13, 1981 The Board rendered an Opinion and made the following Order: "Upon review of the said Agreement hereinbefore mentioned and the entire record of the case before this Board, the Board of Claims grants the request for an indefinite extension of time to file such pleadings as are necessary. Either party, alone or through counsel, may remove the indefinite extension by proper Petition or Notification." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 3, 1992 The Board rendered an Opinion and made the following Order: "AND NOW, this 3rd day of November, 1992, a Rule to Show Cause is issued upon Plaintiff, The R. G. Johnson Company, wherein it is DIRECTED that Plaintiff advise the Board within thirty (30) days of this Order whether or not Plaintiff has any intention of prosecuting this Claim. This Rule shall become absolute and the case shall be marked closed and settled with prejudice in the event the Board does not receive a response to said Rule." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 5, 1992 Acceptance of Service of Opinion and Order dated November 3, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 4, 1992.

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November 9, 1992 Acceptance of Service of Opinion and Order dated November 3, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 5, 1992.

November 15, 1993 The Board rendered an Opinion and made the following Order: "AND NOW, this 15th day of November, 1993, this Order is issued as a result of the failure of Plaintiff to advise the Board of Claims within thirty (30) days from November 3, 1992 as to whether or not Plaintiff has any intention of prosecuting this Claim. It is, therefore, DIRECTED that the Rule is made ABSOLUTE and that the record shall be marked closed and settled with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 17, 1993 Acceptance of Service of Opinion and Order dated November 15, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 17, 1993.