

WALTER FIEHL and PAULINE FIEHL
VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

XXXXXXXXXXXXXXXXXXXX
Peter G. Loftus, Esquire

Dennis Strain, Esquire (address in Rolodex)

Docket No. 812

CLOSED

PLAINT COMPLAINT



April 16, 1982 Case transmitted from Commonwealth Court. Amount of Claim: \$37,822.50 +.

April 19, 1982 Request made to attorney for plaintiff to submit additional copies of complaint and filing fee.

May 17, 1982 Additional copies and filing fee filed.

May 26, 1982 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

June 23, 1982 Answer filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 23, 1982 Joint Motion for View of Premises filed by parties.

September 21, 1982 Petition to Withdraw Appearance as Counsel filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 21, 1982 Petition to Withdraw Appearance as Counsel filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 23, 1982 Entry of Appearance filed by Peter G. Loftus, Esquire.

September 27, 1982 The Board rendered an Opinion and made the following Order: "AND NOW, this 27th day of September, 1982, upon cause being shown and the Board determining no justifiable reason for refusal of the request, it is ORDERED and DIRECTED that James A. Sposito, Esquire be and is hereby authorized to withdraw as counsel for said Plaintiffs." Copies forwarded to attorney for plaintiff and attorney for defendant.

October 1, 1982 The Board made the following Order: "Filed with this Board under date of August 23, 1982, was a Joint Motion For View of Premises. The Board determined that said View will enhance the determination of the matter and directs that a View of the premises shall be held on Wednesday, October 13, 1982, at 10 a.m. The Board does assign by this Order, William J. Schumacher, Jr., P. E. to represent the Board of Claims during said View.

October 4, 1982 Copies of Order dated October 1, 1982 forwarded to attorney for plaintiff and attorney for defendant.

WALTER F. EHL and PAULINE FIEHL
VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL RESOURCES

John P. Pesota, Esquire
Peter S. Loftus, Esquire

Dennis Strain, Esquire

Docket No. #12

CLOSED

October 19, 1982 Hearing scheduled for December 1, 2 and if necessary, December 3, 1982, before (Eastern District),
to be held in City Hall Council Chambers, Pottsville, Pennsylvania, commencing at 10 a.m.

December 1, 1982 Hearing held in City Hall Council Chamber, Pottsville, Pennsylvania, commencing at 10 a.m.

December 2, 1982 Hearing held in City Hall Council Chambers, Pottsville, Pennsylvania, commencing at 10 a.m. Case completed.

January 3, 1983 Testimony of hearing held December 1, 1982 filed.

January 5, 1983 Copy of testimony of hearing held December 1, 1982 forwarded to attorney for defendant.

February 14, 1983 Proposed Findings of Fact, Proposed Conclusions of Law and Facts filed by attorney for
Plaintiff. Copy forwarded to attorney for defendant by attorney for Plaintiff.

March 16, 1983 Proposed Findings of Fact, Proposed Conclusions of Law and Brief filed by attorney for
defendant. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 8, 1983 Panel Opinion filed.

May 4, 1984 The Board rendered an Opinion and made the following Order: "AND NOW, this 4th day of May,
judgment is entered in favor of the Plaintiffs, Walter Fiehl and Pauline Fiehl, in the amount
of \$15,120.00, and against the Defendant, Commonwealth of Pennsylvania, Department of Environ-
mental Resources, Coal and Clay Mine Subsidence Insurance Fund, together with interest from
November 17, 1981, at the legal rate of six (6%) percent per annum. Each party to bear its
own costs." Copies forwarded to attorney for Plaintiff and attorney for defendant.