

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ALDERWOODS (PENNSYLVANIA), INC., a
wholly owned subsidiary of SERVICE
CORPORATION INTERNATIONAL, t/a
BURTON L. HIRSCH FUNERAL HOME

Docket No. C-2016-2522634

v.

DUQUESNE LIGHT COMPANY

COMPLAINANT’S PETITION TO WITHDRAW COMPLAINT

Pursuant to 52 Pa. Code § 5.94(a), Complainant, Alderwoods (Pennsylvania), Inc., a wholly owned subsidiary of Service Corporation International, t/a Burton L. Hirsch Funeral Home (“Complainant” or “Hirsch”), by and through its attorneys White and Williams LLP, petitions to withdraw its complaint in the captioned matter. In so petitioning, Hirsch avers as follows:

1. This case arises from a fire which completely destroyed Hirsch’s funeral home on or about January 10, 2009.
2. On or about September 14, 2015, the Court of Common Pleas ordered the matter bifurcated, with liability to be adjudicated by the Public Utility Commission, and, if liability were found, the Court of Common Pleas to then assess damages.
3. On January 7, 2016, pursuant to the Court’s order, Hirsch filed a complaint with the Public Utility Commission.
4. The parties have reached an amicable settlement of the matter.
5. In accordance with the terms of the parties’ settlement agreement, Hirsch has submitted a Praecipe to Settle, Discontinue and End with the Court of Common Pleas. See Exhibit A attached.

6. Given the settlement, the captioned matter should be discontinued, as there is no longer any dispute to adjudicate.

7. Once the Praecipe to Settle, Discontinue and End with the Court of Common Pleas is filed, there will no longer be any controversy pending in the Court, and the Court's September 14, 2015 bifurcation order will be moot.

WHEREFORE, Complainant, Alderwoods (Pennsylvania), Inc., a wholly owned subsidiary of Service Corporation International, t/a Burton L. Hirsch Funeral Home, respectfully requests that it be granted leave to withdraw its complaint in the captioned matter, and the matter be dismissed, with each party to bear its own costs.

Respectfully submitted,

WHITE AND WILLIAMS LLP

/s/ Alan J. Charkey

By: Alan J. Charkey, Esquire
Attorneys for Complainant,
Alderwoods (Pennsylvania), Inc., a wholly
owned subsidiary of Service Corporation
International, t/a Burton L. Hirsch Funeral
Home

Date: September 29, 2017

VERIFICATION

I, Alan J. Charkey, Esquire, hereby state that I am counsel for Complainant, Alderwoods (Pennsylvania), Inc., a wholly owned subsidiary of Service Corporation International, t/a Burton L. Hirsch Funeral Home, and that the statements contained in the foregoing Petition to Withdraw Complaint are true and correct to the best of my knowledge, information and belief.

I understand that this verification is made pursuant to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsifications to authorities.

/s/ Alan J. Charkey
Alan J. Charkey

Date: September 29, 2017

CERTIFICATE OF SERVICE

I, Alan J. Charkey, Esquire, hereby certify that on September 29, 2017, I served a copy of Complainant's Petition to Withdraw Complaint upon counsel of record for the Defendant, Duquesne Light Company, Bradley S. Tupi, Esquire, Tucker Arensberg, P.C., 1500 One PPG Place, Pittsburgh, PA 15222, by e-mail to btupi@tuckerlaw.com.

WHITE AND WILLIAMS LLP

By: _____
Alan J. Charkey, Esquire

Attorneys for Plaintiff,
Alderwoods (Pennsylvania), Inc., a wholly
owned subsidiary of Service Corporation
International, t/a Burton L. Hirsch Funeral
Home

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY

ALDERWOODS (PENNSYLVANIA), INC.,
a wholly owned subsidiary of SERVICE
CORPORATION INTERNATIONAL, t/a
BURTON L. HIRSCH FUNERAL HOME,

Plaintiff

v.

DUQUESNE LIGHT COMPANY,

Defendant.

CIVIL DIVISION

Docket No. GD-09-14720

**PLAINTIFF'S PRAECIPE TO
SETTLE, DISCONTINUE AND END**

Code No. 009 – Trespass-Other

Filed on behalf of Plaintiff,
Alderwoods (Pennsylvania), Inc., a
wholly owned subsidiary of Service
Corporation International, t/a Burton L.
Hirsch Funeral Home

Counsel of record for Plaintiff:

Alan J. Charkey, Esquire
Pennsylvania Identification No. 77556

WHITE AND WILLIAMS LLP
1650 Market Street
One Liberty Place, Suite 1800
Philadelphia, PA 19103
Telephone: (215) 864-7178

Party Represented by Out-of-County
Counsel Only

CERTIFICATE OF SERVICE

I, Alan J. Charkey, Esquire, hereby certify that on September 27, 2017, I served a copy of Plaintiff's Praecipe to Settle, Discontinue and End, upon counsel of record for the Defendant, Duquesne Light Company, Bradley S. Tupi, Esquire, Tucker Arensberg, P.C., 1500 One PPG Place, Pittsburgh, PA 15222, by e-mail to btupi@tuckerlaw.com.

WHITE AND WILLIAMS LLP

/s/ Alan J. Charkey
By: Alan J. Charkey, Esquire

Attorneys for Plaintiff,
Alderwoods (Pennsylvania), Inc., a wholly
owned subsidiary of Service Corporation
International, t/a Burton L. Hirsch Funeral
Home

WHITE AND WILLIAMS LLP

By: Peter T. Parashes, Esquire
Identification Number 22436
By: Alan J. Charkey, Esquire
Identification Number 77556
One Liberty Place
1650 Market Street, Suite 1800
Philadelphia, PA 19103
(215) 864-7000

Attorneys for Plaintiff,
Alderwoods (Pennsylvania), Inc., a wholly
owned subsidiary of Service Corporation
International, t/a Burton L. Hirsch Funeral
Home

ALDERWOODS (PENNSYLVANIA), INC.,
a wholly owned subsidiary of SERVICE
CORPORATION INTERNATIONAL, t/a
BURTON L. HIRSCH FUNERAL HOME

v.

DUQUESNE LIGHT COMPANY

IN THE COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY

CIVIL DIVISION

Docket No. GD-09-14720

PRAECIPE TO SETTLE, DISCONTINUE AND END

TO THE DEPARTMENT OF COURT RECORDS:

In accordance with Rule 229 of the Pennsylvania Rules of Civil Procedure, the captioned matter having been amicably settled by the parties, kindly mark the captioned matter settled, discontinued and ended, with each party to bear its own costs.

WHITE AND WILLIAMS LLP

By: /s/ Alan J. Charkey _____
Alan J. Charkey, Esquire
1650 Market Street
One Liberty Place, Suite 1800
Philadelphia, PA 19103
(215) 864-6312

Attorneys for Plaintiff,
Alderwoods (Pennsylvania), Inc., a wholly
owned subsidiary of Service Corporation
International, t/a Burton L. Hirsch Funeral
Home

Date: September 27, 2017