

December 23, 2021

Via Electronic Filing

Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company
Motion of West Penn to Compel Discovery Responses**

Dear Secretary Chiavetta:

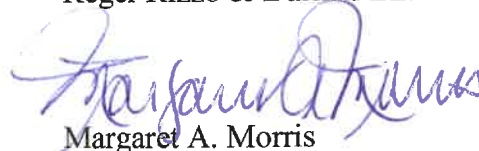
Attached for filing is the Motion of Respondent, West Penn Power Company to Compel Discovery responses of Complainants, Stephen and Nancy J. Ulishney, in the above referenced matter.

A copy of the attached Motion to Compel has been provided to the Complainants in the manner indicated on the attached Certificate of Service.

If there are any questions, please do not hesitate to contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co
Enclosures

cc: The Hon. Conrad A. Johnson, Pennsylvania Public Utility Commission [w/encl.]
Tori Giesler, FirstEnergy Service Company [w/encl.]
Stephen and Nancy J. Ulishney [w/encls.]

**Re: Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company
Motion of West Penn to Compel Discovery Responses**

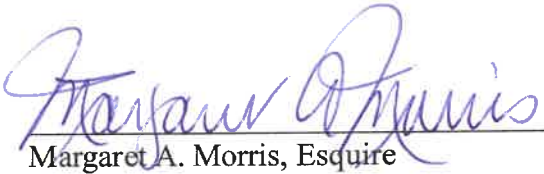
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Via First Class and Electronic Mail

Stephen and Nancy J. Ulishney
813 Everview Lane
Derry, PA 15627
benedicteone@hotmail.com

Dated: December 23, 2021


Margaret A. Morris, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

STEPHEN & NANCY J. ULISHNEY

v.

WEST PENN POWER COMPANY

Docket No. C-2021-3024487

NOTICE TO PLEAD

Pursuant to 52 Pa. Code § 5.342, you are hereby notified that if you do not file a written response to the enclosed Motion to Compel of West Penn Power Company, **within five (5) days** from service of this Notice, the facts set forth by West Penn Power Company in the Motion to Compel may be deemed to be true, whereby requiring no other proof. All pleadings, such as an Answer to Motion to Compel, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for West Penn Power Company, Margaret A. Morris, Esq., and the Honorable Conrad Johnson presiding over this proceeding.

File by Mail or e-filing with:

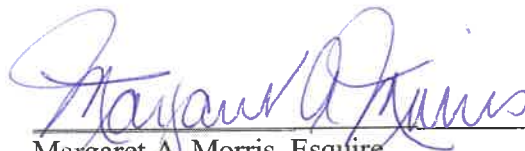
Rosemary Chiavetta, Esquire
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

Margaret A. Morris, Esquire
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
mmorris@regerlaw.com

The Hon. Conrad Johnson
cojohnson@pa.gov

Date: December 23, 2021



Margaret A. Morris, Esquire
Attorney ID No. 75048
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (tel.)
mmorris@regerlaw.com

Counsel for West Penn Power Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

STEPHEN AND NANCY J. ULISHNEY :
v. : Docket No. C-2021-3024487
WEST PENN POWER COMPANY :

**MOTION OF WEST PENN POWER COMPANY TO COMPEL
RESPONSES TO DISCOVERY REQUESTS**

West Penn Power Company (West Penn or Company) by and through its attorneys, Reger Rizzo & Darnall LLP, and pursuant to 52 Pa. Code §§5.371-5.372, hereby files this Motion to Compel Stephen and Nancy J. Ulishney (Complainants) to provide full and complete responses to Interrogatories and Request for Documents (Document Request) propounded by West Penn on November 30, 2021. In support thereof, West Penn avers as follows:

PROCEDURAL HISTORY

1. On February 16, 2021, the Complainants filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) regarding service in the name of Stephen Ulishney (Customer) to 813 Everview Lane, Derry, Pennsylvania (Service Location) under Account No. 100104754500 (Account).

2. On May 5, 2021, West Penn filed its Answer and New Matter which denied the material allegations. On the same day, the Company also filed Preliminary Objections to the Formal Complaint seeking to strike the request for damages.

3. By Hearing Notice, dated June 7, 2021, the Commission initially scheduled this matter for a telephonic hearing on July 13, 2021 before Administrative Law Judge Conrad Johnson (Judge Johnson).

4. Judge Johnson issued the Prehearing Order on June 7, 2021.
5. By *First Interim Order* issued June 9, 2021, Judge Johnson ordered that the Preliminary Objections of West Penn Power Company are sustained.
6. On July 8, 2021, *via* Electronic Mail, Complainants requested a continuance of the scheduled July 13, 2021 hearing..
7. On July 9, 2021, *via* Electronic Mail, Judge Johnson denied Complainants' request for a continuance, instead converting the scheduled hearing into prehearing conference.
8. By Hearing Notice, dated July 15, 2021, the matter was rescheduled for a hearing on October 5, 2021.
9. On September 27, 2021, *via* Electronic Mail, Judge Johnson, citing a scheduling conflict, continued the scheduled October 5, 2021 hearing.
10. By Hearing Notice, dated September 27, 2021, the matter was rescheduled for a hearing on November 3, 2021.
11. On November 1, 2021, *via* Electronic Mail, Complainants requested a continuance of the scheduled November 3, 2021 hearing due to unavailability of their "expert" witness.
12. By Hearing Notice, dated November 2, 2021, the matter was rescheduled for a hearing on January 11, 2022.
13. On November 30, 2021, pursuant to 52 Pa. Code § 5.341, West Penn propounded the Discovery Request *via* Electronic Mail. A copy of the Discovery Request is provided as Attachment 1.

14. In its Discovery Request, West Penn sought clarification/information regarding the vague allegations and statements made in the Formal Complaint as well as the testimony to be provided by their unnamed expert.

15. Objections to the Discovery Request were due on or before December 10, 2021 and responses to the Discovery Request were due on or before December 20, 2021. The Complainants did not timely file any objection to the Discovery Request and have not provided any responses or the requested documents.

16. Accordingly, and prior to filing this Motion to Compel, counsel for West Penn contacted the Complainants, *via* email, on December 20, 2021, reminding them of the due date for responses. By letter, dated December 20, 2021, the undersigned counsel notified the Complainants, *via* email that the responses to the Discovery Request were now overdue. A copy of the letter, dated December 20, 2021, is provided as Attachment 2.

17. By email. Dated December 20, 2021, the Complainants advised that they were not answering the Discovery and their witnesses will provide responses to the Discovery at the scheduled hearing. A copy of the email, dated December 20, 2021, is provided as Attachment 3.

MOTION TO COMPEL

18. The Commission's regulations permit the discovery of "any matter, not privileged, which is relevant to the subject matter involved in the pending action." 52 Pa. Code § 5.321(c).

19. Generally speaking, this Commission applies a standard of relevance which is less restrictive than that required by parties to present information into the evidentiary record. It is not grounds for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code §5.321(c).

20. Discovery may be obtained regarding any matter relevant to the subject matter. Relevant evidence is evidence that tends to make an act at issue more or less probable. Moreover, evidence is relevant if it advances the inquiry in some degree and, thus, has probative value. Although the law does not furnish an absolute test of relevancy, the Pennsylvania Supreme Court follows a two-part analysis for determining relevance. In *Commonwealth v. Stewart*, 461 Pa. 274, 336 A.2d 282 (1975), the Court held that “[i]t must be determined first if the inference sought to be raised by the evidence bears upon a matter at issue in this case and, second, whether the evidence renders the desired inference more probable than it would be without the evidence. *Id.* at 284.

21. The information/documents sought by West Penn is relatively simple and straightforward. The Discovery Request is directly relevant and material to the allegations raised in the Formal Complain as well as information regarding the “expert” witness that the Complainants recently advised would be presenting testimony that the actions of West Penn were negligent.

22. Due process requires that West Penn be advised of the allegations so that it can prepare and defend its actions at hearing. *Schneider v. Pa. P.U.C.*, 479 A.2d 10 (Pa. Cmwlth. 1984).

23. West Penn is entitled to the requested information to enable it to fully prepare for the scheduled hearing on January 11, 2022. The Complainants are preventing West Penn from preparing for the hearing and presenting a proper defense.

24. Commission Regulations at 52 Pa. Code §5.371 address the consequences of a participant’s failure to comply with the Commission’s discovery regulations. Section 5.371 provides that:

(a) The Commission or the presiding officer may, on motion, make an appropriate order if one of the following occurs:

(1) A party fails to appear, answer, file sufficient answers, file objections, make a designation or otherwise respond to discovery requests, as required under this subchapter.

25. Commission Regulations at 52 Pa. Code §5.372 provides that the presiding officer may impose appropriate sanctions upon a party found to be in violation of the obligations set forth in the Commission's Regulations.

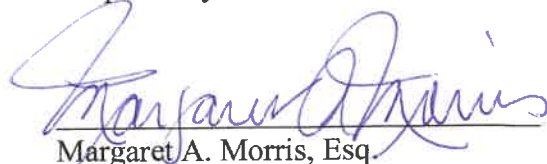
26. West Penn requests that the Complainants be directed to provide full and complete responses to the Discovery Request so that they are received by the undersigned counsel within five (5) days after entry of an order granting this Motion to Compel.

27. In the event the Complainants fail to comply with the issued order, West Penn requests that the Formal Complaint be dismissed in its entirety.

WHEREFORE, West Penn respectfully requests that Judge Johnson grant the Motion to Compel and (a) issue an order compelling the Complainants to fully and completely respond to the Discovery Request; (b) direct that the responses and documents must be received by counsel for West Penn no later than five (5) calendar days after entry of said order; and (3) dismiss the Formal Complaint of Stephen and Nancy J. Ulishney, in its entirety, in the event the Complainant fails to timely and fully comply with said order.

Date: December 23, 2021

Respectfully submitted,



Margaret A. Morris, Esq.
Attorney ID No. 75048
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 tel.
(215) 495-6600 fax
mmorris@regerlaw.com

Counsel for West Penn Power Company

Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company

Attachment 1

Discovery Request

November 30, 2021

Via Electronic Mail

Stephen and Nancy J. Ulishney
benedicteone@hotmail.com

**Re: Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company
Interrogatories and Request for Documents of West Penn**

Dear Mr. and Mrs. Ulishney:

Enclosed are the Interrogatories and Request for Documents of West Penn Power Company in the above referenced proceeding. Pursuant to 52 Pa. Code §§ 5.321 and 5.349 et seq. any Objections are due within **ten (10) days** of service of this letter or December 10, 2021; your Answers are due within **twenty (20) days** of service of this letter or December 20, 2021.

Please note that you must send a cover letter and Certificate of Service for your responses to Rosemary Chiavetta, Esquire, Secretary of the PA Public Utility Commission (PUC). **You do not file your responses with the PUC.**

Very truly yours,

Reger Rizzo & Darnall LLP


Margaret A. Morris

MAM/co
Enclosures

cc: The Hon. Conrad A. Johnson, PA Public Utility Commission [Cert. of Service only]
Rosemary Chiavetta, Esquire, PA Public Utility Commission [Cert. of Service only]
Tori Giesler, Esquire, FirstEnergy Service Company [w/encl.]



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265
EFILING - FILING DETAIL

Date Created	Filing Number
11/30/2021	2328209

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

Docket Number: C-2021-3024487

Case Description: Stephen and Nancy J. Ulishney v. West Penn Power Company

Transmission Date: 11/30/2021 3:59 PM

Filed On: 11/30/2021 3:59 PM

eFiling Confirmation Number: 2328209

File Name	Document Type	Upload Date
UlishneyCOS.pdf	Certificate of Service	11/30/2021 3:58:17 PM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

No paper submission is necessary for filings under 250 pages.

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

**Re: Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company
Interrogatories and Request for Documents of West Penn**

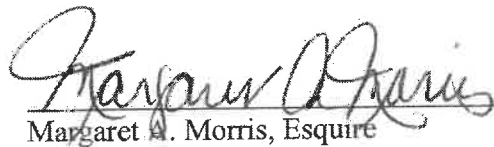
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

Via Electronic Mail

Stephen and Nancy J. Ulishney
benedictcane@hotmail.com

Dated: November 30, 2021


Margaret A. Morris, Esquire

INSTRUCTIONS¹

Unless stated otherwise, the following instructions are to be considered to be applicable to all interrogatories:

- (a) Whenever a date, amount or other computation or figure is requested, the exact date, amount or other computation or figure is to be given unless it is not known; and then, the approximate date, amount or other computation or figure should be given or the best estimate thereof; and the answer shall state that the date, amount or other computation or figure is an estimate or approximation.
- (b) No answer is to be left blank. If the answer to an interrogatory or subparagraph of an interrogatory is “none” or “unknown,” such statement must be written in the answer. If the question is inapplicable, “N/A” must be written in the answer. If an answer is omitted because of the claim of privilege, the basis of privilege is to be stated.
- (c) If additional space is required for an answer, attach supplemental answer sheets which clearly identify the interrogatory number being answered.
- (d) These interrogatories are continuing and any information secured subsequent to the filing of your answers which would have been includable in the answers had it been known or available, are to be supplied by supplemental answers.

INTERROGATORIES

1. Please state the following information for each witness, which you intend to call to testify at the time of the hearing.
 - a. Provide the full name of the witness.
 - b. Provide the contact information of the witness.

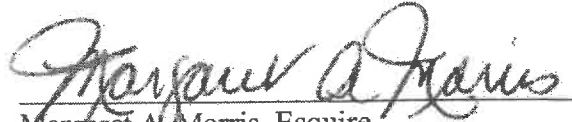
¹ Complainants are not represented by counsel. Therefore, these instructions have been simplified. A good faith effort to completely answer the questions is expected.

- c. Provide the title or position held by the witness.
 - d. Provide the educational background of the witness.
 - e. Provide the employment background of the witness.
 - f. Provide the scope of the testimony for each witness.
2. In your email requesting a continuance, you indicated that you will present the testimony of an expert witness.
- a. Provide the full name of the expert witness.
 - b. Provide the contact information of the expert witness.
 - c. Provide the educational background of the expert witness.
 - d. Provide the employment background of the expert witness.
 - e. What is the area the witness is considered an expert?
 - f. Has the expert witness ever been qualified as an expert in any legal or administrative proceeding?
 - i. If yes, please provide the docket number for the proceeding.
 - ii. Please provide the area the witness was qualified as a witness.
 - g. Has the expert witness ever published any article related to his/her expertise?
 - h. Provide a copy of the witness's certifications/licenses.
 - i. Provide a list of all sources the witness relied upon for his/her opinion.
 - j. Please state the scope of testimony for the expert witness.
3. Please define the term "power surge" that is referenced in the Formal Complaint.
4. In your Complaint, you stated that Claims said one thing and engineering said another. Please explain.
5. Please provide a record of the date and duration of all alleged "outages".
6. What relief are you seeking given Judge Johnson's ruling that the PUC cannot award damages?

REQUEST FOR DOCUMENTS

1. Provide a copy of all Proposed Exhibits you intend to submit for the hearing.
2. Please identify which witness will sponsor each Proposed Exhibit.
3. Please explain the relevance of each Proposed Exhibit.

Respectfully submitted,



Margaret A. Morris, Esquire
Attorney ID # 75048
Reger Rizzo & Darnall, LLP
Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, PA 19104-2899
(215) 495-6524 (voice)
mmorris@regerlaw.com

Dated: November 30, 2021

Counsel for West Penn Power Company

Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company

Attachment 2

Delinquency Letter, dated December 20, 2021

December 20, 2021

Via Electronic Mail

Stephen and Nancy J. Ulishney
benedicteone@hotmail.com

**Re: Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company
Delinquent Discovery Response Notice**

Dear Mr. and Mrs. Ulishney:

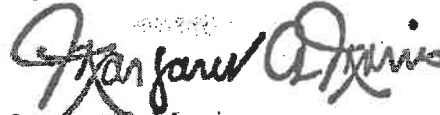
On November 30, 2021, *via* Electronic Mail, you were served with Interrogatories and Requests for Documents (Discovery) on behalf of West Penn Power Company (West Penn). The due date for your responses to this Discovery was today by 4:30 PM.

Please be advised that if your responses are not received by 4 PM on Thursday, December 23, 2021, I will file a Motion to Compel on December 27, 2021, so that West Penn can prepare its defense to the allegations raised in your Formal Complaint.

Your prompt attention to this matter is greatly appreciated. If there are questions, please contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co

cc: Tori Giesler, FirstEnergy Service Company

Docket No. C-2021-3024487
Stephen and Nancy J. Ulishney v. West Penn Power Company

Attachment 3

Complainants' email, dated December 20, 2021

Margaret A. Morris, Esquire

Subject: FW: Uishney v WPP Delinquent Discovery Notice

From: X- Management <benedicteone@hotmail.com>
Sent: Monday, December 20, 2021 8:12:07 PM
To: Margaret A. Morris, Esquire <mmorris@regerlaw.com>
Subject: Re: Uishney v WPP Delinquent Discovery Notice

DEAR MS.MORRIS:
I RECENTLY SENT YOU THE FOLLOWING RESPONSE TO YOUR REQUEUST. IF FOR SOME REASON YOU DID NOT RECEIVE IT, I AM RESENDING IT TO YOU.

DEAR MS. MORRIS:

AFTER RECEIVING YOUR MOST RECENT REQUEST, OUR RESPONSE IS AS FOLLOWS. AT THE END OF THE FIRST HEARING WITH JUDGE CONRAD, HE CLEARLY STATED THAT BOTH PARTIES TRY TO COME TO AND ACCEPTABLE AGREEMENT, AND AT THIS TIME THERE HAS BEEN NO ATTEMPT ON YOU CLIENTS PART. THIS IS UNACCEPTABLE AND DISAPPOINTING. JUDGE CONRAD ALSO STATED THAT THE BURDEN OF PROOF IS ON US. ALLOW ME TO SUMMARIZE ONCE AGAIN, AND BY DOING SO CLEARLY DEFINES OUR BURDEN OF PROOF, THAT WEST PENN HAS BEEN NEGLIGENT AND ARE AS A RESULT OF THIS NEGLIGENCE HAS CAUSED MULTIPLE DAMGES TO PRIVATE PROPERTY.

TWO YEARS AGO OUR COMMUNITY BEGAN TO EXPERIENCE FREQUENT "POWER SURGES/OUTAGES/RECLOSER OPERATIONS." PLEASE NOTE, IN RESPONSE TO YOUR REQUEST, THESE TERMS AS FAR AS WE ARE CONCERNED MEAN THE SAME THING. THEY ALL REPRESENT A BRIEF INTERRUPTION IN POWER. AS A RESULT THEY HAVE CAUSED DAMAGE TO HOMEOWNERS PROPERTY.

PLEASE ALLOW ME TO REMIND ALL CONCERNED THAT IT WAS NOT UNTIL THIS PROBLEM WAS BECOMING AN ALL TO FREQUENT ISSUE AND MANY RESIDENTS COMPLAINING AND DOCUMENTING THE FREQUENCIES THAT WE REACHED OUT TO WEST PENN. IT WAS NOT UNTIL THEN THEY EVEN BEGAN TO ACKNOWLEDGE THERE WAS AN ISSUE. AS A RESULT OF THE ISSUE, RESIDENTS BEGAN TO EXPERIENCE DAMAGES TO THEIR APPLIANCES, HVAC'S, GARAGE DOOR OPENERS, ETC. THIS NOT ONLY INCLUDED OUR IMMEDIATE COMMUNITY, BUT THE SURROUNDING AREA. INCLUDING IN THE DAMAGES WAS THE DAMAGE TO STEPHEN AND NANCY ULISHNEY'S REFRIGERATOR. THEY FOLLOWED ALL THE PROPER PROTOCOL, FROM GETTING THE SERVICE REPAIRMAN, AN ELECTRICAN, FILING ALL THE PROPER PAPERWORK FOR A CLAIM BASED ON THE EXPERT STATEMENTS FROM THE REPAIRMAN AND ELECTRICIAN. WEST PENN HAS USED EVERY EXCUSE TO DENY THEY ARE AT FAULT, AND THAT AS A RESULT OF THE ISSUE ON THE LINE THAT DAMAGES ARE OCCURRING. AFTER AGAIN COMPLETING COMPLAINTS WITH THE PUC, THIS WAS JUST WEST PENN POWERS WAY OF PUTTING US OFF. NOTHING HAS BEEN ACCOMPLISHED OTHER THAN US CONSTANTLY REITERATING THE SITUATION AND ALOT OF PAPER PUSHING ON YOUR PART

REMEMBER IT WAS NOT UNTIL WE REACHED OUT TO WEST PENN THAT THEY BEGAN TO ACKNOWLEDGE THIS MAJOR ISSUE. FOR TWO YEARS I HAVE BEEN IN CONTACT WITH A WEST PENN ENGINEER ASSIGNED TO THIS ISSUE. SEAN HIMAN AND 19 ENGINEERS HAVE WORKED ON THIS ISSUE. STATING THAT WEST PENN PUT THAT MUCH MAN POWER ON, THIS WAS CLEARLY A MAJOR ISSUE. WHILE IT HAS IMPROVED, WE HAVE THOUGHT THIS IN THE PAST, AND THEN IT STARTS UP AGAIN,

SO TIME WILL TELL. THIS STILL DOES NOT RESOLVE THE DAMAGES THAT HAVE BEEN CAUSED BY THIS ISSUE. WHETHER OTHERS HAVE FILED CLAIMS THAT IS ON THEM, I ONLY CONCERN MYSELF WITH OUR CLAIM.

IN OCTOBER SEAN HIMAN REACHED OUT TO US, DUE TO THE FACT THAT IN A TWO DAY PERIOD WE EXPERINCED SEVERAL "POWER SURGES, OUTAGES, RECLOSER OPERATIONS. HE STATED THAT THEY CONTINUE TO WORK ON THE ISSUE. IRONICALLY, DURING ONE OF THOSE RECENT OUTAGES A NEIGHBOR EXPERIENCED DAMAGE AS A DIRECT RESULT OF THE OUTAGE. HE DID FILE A CLAIM. SEAN ALSO STATED IN THIS CONVERSATION THAT WEST PENN WAS NOT GOING TO PAY OUR CLAIM. FOR THE RECORD, AGAIN WE ARE AWARE THAT THE PUC PAYS NO CLAIMS NOR CAN THEY MAKE WEST PENN PAY CLAIMS. IT IS TIME FOR WEST PENN TO BE ACCOUNTABLE TO THEIR CUSTOMERS. WEST PENN HAS MADE EXCUSE AFTER EXCUSE, AND BY DOING SO WE FIND THEM NEGLIGENT. OVER A MONTH AGO I NOTIFIED SEAN AND WEST PENN THAT THERE IS A TREE ON A LINE ON GREENFIELD ROAD AND TO DATE NOTHING HAS BEEN DONE. JUST ANOTHER EXAMPLE OF THEIR ATTENTION TO ISSUES.

I HAVE SPOKEN TO AN EXPERT, WHO IS RETIRED FROM A POWER COMPANY. AFTER EXPLAINING THE ENTIRE SITUATION TO HIM, HIS IMMEDIATE RESPONSE WAS, " THIS SHOULD HAVE NEVER GOTTEN THIS FAR, WEST PENN SHOULD HAVE JUST PAID THE CLAIM."

AFTER SPEAKING WITH THOSE THAT I PLAN TO HAVE AT THE HEARING, THEY STATED THEY DID NOT WISH TO HAVE THEIR INFORMATION SHARED IN ADVANCE, THEY COULD STATE IT ALL AT THE HEARING. THEY ASK IF WEST PENN WAS SUPPLYING US WITH THEIR SOURCES AND I STATED, NO NOT TO MY KNOWLEDGE.

IN CLOSING, WE ASK YOU TO SPEAK WITH YOUR CLIENT AND COME TO AN ACCEPTABLE AGREEMENT TO SETTLE THIS MATTER. IF YOU ARE UNABLE TO ACHEIVE THE MONETARY SETTLEMENT AMOUNT OF \$1327.00, WE FIND THAT PROCEEDING WITH THIS HEARING IS A TOTAL WASTE OF OUR VALUABLE TIME, AND THEREFORE WILL FOR GO PARTICIPATING IN THE SCHEDULED HEARING. WE ARE AWARE OF OTHER AVENUES TO PURSUE THIS UNPAID CLAIM, AND IF NECESSARY WILL DECIDE OUR NEXT STEPS.

SINCERELY,
STEPHEN AND NANCY ULISHNEY
RE: DOCKET NO. C- 2021-3024487

From: Margaret A. Morris, Esquire <mmorris@regerlaw.com>
Sent: Monday, December 20, 2021, 5:43 PM
To: Email Admin
Subject: Uishney v WPP Delinquent Discovery Notice

Please see attached Discovery delinquent letter.

Margie Morris

REGER | RIZZO | DARNALL
Attorneys at Law

Cira Centre, 13th Floor
2929 Arch Street
Philadelphia, Pa 19104
Phone: 215.495.6500

Margaret A. Morris, Esquire
mmorris@regerlaw.com
Direct: 215.495.6524
Cell: 215.870.5785

Fax: 215.495.6600
Web: www.regerlaw.com

NOTICE: THIS COMMUNICATION, INCLUDING ATTACHMENTS, MAY CONTAIN INFORMATION THAT IS CONFIDENTIAL AND PROTECTED BY THE ATTORNEY/CLIENT OR OTHER PRIVILEGES. IT CONSTITUTES NON-PUBLIC INFORMATION INTENDED TO BE CONVEYED ONLY TO THE DESIGNATED RECIPIENT(S). IF THE READER OR RECIPIENT OF THIS COMMUNICATION IS NOT THE INTENDED RECIPIENT, AN EMPLOYEE OR AGENT OF THE INTENDED RECIPIENT WHO IS RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, OR YOU BELIEVE THAT YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY RETURN E-MAIL AND PROMPTLY DELETE THIS E-MAIL, INCLUDING ALL ATTACHMENTS WITHOUT READING OR SAVING THEM IN ANY MANNER. THE UNAUTHORIZED USE, DISSEMINATION, DISTRIBUTION, OR REPRODUCTION OF THIS E-MAIL, INCLUDING ATTACHMENTS, IS PROHIBITED AND MAY BE UNLAWFUL. RECEIPT BY ANYONE OTHER THAN THE INTENDED RECIPIENT(S) IS NOT A WAIVER OF ANY ATTORNEY/CLIENT OR OTHER PRIVILEGE.

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