

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

OFFICE PARTNERS XXIII BLOCK G1 LLC,
Complainant,

Docket Nos. C-2022-3033251
C-2022-3033266

Vs.
THE PITTSBURGH WATER AND SEWER
AUTHORITY,

Respondent,

SECOND CONSENT MOTION TO AMEND PRE-HEARING ORDER LITIGATION

SCHEDULE

1. On or about June 17, 2022, 2022 Office Partners XXIII Block G1, LLC (“Office Partners”) filed an action before the Pennsylvania Utility Commission against The Pittsburgh Water and Sewer Authority (“PWSA”).
2. The PWSA filed responses and preliminary objections which were resolved by order of the PUC on or about August 23, 2022.
3. By consent the parties agreed that written and deposition discovery shall be completed by January 10, 2023, Dispositive Motion completed by January 31, 2023, Responses to Dispositive Motions by February 21, 2023 and a status report filed by March 14, 2023.
4. Previously the Parties consented and agreed to amend the scheduling order to allow for Discovery to be completed by March 10, 2023, Dispositive Motions and Responses by April 14, 2023 and May 5, 2023 respectively and status reports by May 19, 2023 for which this Court ordered.


5. The parties have continued to engage in discovery and Office Partners issued discovery requests at the end of December of 2022 and the parties agreed responses would be submitted by PWSA by February 3, 2023.
6. While answers and objections and some documents were produced, to date, full and complete responses have not yet been submitted to PWSA.
7. The parties met and conferred regarding discovery on February 23, 2023 and the Parties agreed that the discovery responses would be produced shortly, likely by February 24, 2023.
8. The parties also discussed amending the scheduling order as the responses are believed to be voluminous and a review will be necessary prior to depositions. Additionally, the attorney for Office Partners has some personal conflicts regarding some of the dates.
9. PWSA has consented to the foregoing as well as the following order.

WHEREFORE, it is Prayed that the PUC amend the Litigation Schedule to require Written and Deposition Discovery to be completed by April 21, 2023, Dispositive Motions if any, to be filed by May 26, 2023, Responses due by June 23, 2023 and status reports due June 30, 2023.

Respectfully submitted,

MAURICE A. NERNBERG & ASSOCIATES

Date: 2/24/2023

By 
David M. Nernberg
Pa.I.D. No. 205631


*Counsel for Complainant, Office Partners
XXIII Block G1 LLC*

CERTIFICATE OF SERVICE

I, David M. Nernberg, hereby certify that a true and correct copy of the within **Second Motion to Amend Pre-Hearing Order Litigation Schedule** was served via email upon following:

Samuel A. Hornak, Esq.
Ashley L. Buck, Esq.
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Date: 2/27/23



David M. Nernberg

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OFFICE PARTNERS XXIII BLOCK GI LLC,
Complainant,

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C-2022-3033266

Vs.
THE PITTSBURGH WATER AND SEWER
AUTHORITY,

Respondent,

ORDER OF COURT

AND NOW, this _____ day of _____, 2023, it is hereby ORDERED that the Litigation Schedule in this matter be amended and extended as follows: Written and Deposition Discovery to be completed by April 21, 2023, Dispositive Motions if any, to be filed by May 26, 2023, Responses to be filed by June 23, 2023 and status reports to be filed by June 30, 2023.

BY THE COURT:

J.