

Docket Number: 929

RICHARD D. SMITH

William J. Kelly, Esquire

VS.

**CLOSED**

WARRANT HARPST t/d/b/ HARPST  
NEWSTAND AND CIGAR STORE  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF REVENUE,  
BUREAU OF STATE LOTTERIES

James R. Steadman (Harpst Newstand)  
Nicholas J. Lamberti, Esquire  
Delancy W. Davis, Esquire (Attorney General)

**March 15, 1984**

Complaint and filing fee filed. Amount of Claim: \$6,000+.

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**March 21, 1984**

Copies of Complaint forwarded to Warren Harpst, t/d/b/a Harpst Newstand and Cigar Store and attorney for Defendant (Department of Revenue).

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**April 11, 1984**

Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**April 18, 1984**

Statement of Preliminary Objections In The Nature Of A Motion To Dismiss For Want Of Jurisdiction filed by attorney for Harpst Newstand and Cigar Store. Copies forwarded to attorney for Plaintiff and attorney for Defendant Department of Revenue by Harpst Newstand and Cigar Store.

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**April 23, 1984**

Amended Answer filed by attorney for Defendant (Revenue). Copy forwarded to attorney for Plaintiff by attorney for Harpst Newstand.

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**May 1, 1984**

Amended Answer filed by attorney for Defendant (Revenue). Copy forwarded to all parties of record.

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**May 22, 1984**

Brief in Support of Preliminary Objections in the Nature of a Motion to Dismiss for Want of Jurisdiction filed by attorney for Harpst Newstand. Copy forwarded to all parties of record by attorney for Harpst Newstand.

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**June 6, 1984**

Brief in Opposition to Preliminary Objections of Defendant, Warren Harpst filed by attorney for Plaintiff. Copy forwarded to attorney for Harpst Newstand by attorney for Plaintiff.

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**September 25, 1984**

Settlement and Discontinuance of Action filed by Office of Attorney General. Copies forwarded to attorney for Plaintiff and attorney for Defendant by Office of Attorney General.

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**September 25, 1984**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 25th day of September, 1984, the Preliminary Objections in the nature of a Motion to Dismiss for Want of Jurisdiction filed by Defendant is **DENIED.**"

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**September 28, 1984**

The Board made the following Order: "**AND NOW**, this 28th day of September, 1984, pursuant to Praecipe for Settlement and Discontinuance of Action executed by Delancey W. Davis, attorney for Defendant, Department of Revenue, James R. Steadman, attorney for Defendant Warren Hardest, t/v/b/a Harpelt Neustand and Edgar Sore and Craig A. Markham, attorney for Plaintiff, Richard D. Smith, docketed with this Board on September 25, 1984, advising that the above captioned matter has been settled by agreement of the parties and directing that the Board want the record discontinued and dismissed with prejudice, it is **ORDERED** and **DIRECTED** that the case be marked "settled, discontinued and ended with prejudice".

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**October 3, 1984**

Copies of Opinion and Order dated September 25, 1984, forwarded to attorney for Plaintiff and attorneys for Defendants.

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**October 5, 1984**

Copies of Order dated September 28, 1984, forwarded to attorney for Plaintiff and attorneys for Defendants.

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