

Docket Number: 1051

SUSQUEHANNA TOWNSHIP a First Class Township organized under the Laws
off the Commonwealth of Pennsylvania

John A. Roe, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA MUNICIPAL RETIREMENT BOARD

~~Herbert Goldstein, Chief Counsel~~
~~Nicholas Joseph Marcucci, Assistant Counsel~~
~~Ann Elizabeth Reesmen, Assistant Counsel~~
Nicholas Joseph Marcucci, Assistant Counsel

March 20, 1986

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$300.00

March 24, 1986

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

March 31, 1986

Acceptance of Service of Complaint received from Defendant. Receipt of same acknowledged by Defendant March 27, 1986.

April 2, 1986

Acceptance of Complaint received from Office of Attorney General. Receipt of same acknowledge by Office of Attorney General March 25, 1986.

April 14, 1986

Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 5, 1986

Memorandum of Law in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 30, 1986

Memorandum of Law Opposing Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 24, 1986

The Board rendered an Opinion and made the following Order: **"AND NOW**, This 24th day of July, 1986, the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Pennsylvania Municipal Retirement Board, are DENIED. The Defendant is GRANTED a period of thirty (30) days from the date of this Order to file Responsive Pleadings."

July 25, 1986

Copies of Opinion and Order, dated July 24, 1986 forwarded to attorney for Plaintiff and attorney for Defendant.

July 29, 1986

Acceptance of Service of Opinion and Order, dated July 24, 1986, received from Defendant. Receipt of same acknowledged by Defendant July 28, 1986.

July 30, 1986

Acceptance of Service of Opinion and Order, dated July 24, 1986, received from Plaintiff. Receipt of same acknowledged by Plaintiff July 30, 1986.

August 22, 1986

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 30, 1986

Reply to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 1, 1986

Counter-Reply To Reply To New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 10, 1986

Interrogatories and Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 13, 1987

Answers to Interrogatories and Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 26, 1987

Hearing scheduled for July 21 through 24, 1987, as well as July 28 through 31, 1987, if necessary, in Board's Court Room No. 1 at 10:00 a.m.

June 8, 1987

Notice of Oral Deposition of Thomas D. Levy filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 13, 1987

Praecipe (Entry of Appearance) filed by Nicholas Joseph Marcucci, attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 21, 1987

Hearing held in Board's Court room at 10:00 a.m.

July 22, 1987

Hearing held in Board's Court room at 10:00 a.m.

July 23, 1987

Hearing scheduled for this date postponed until July 24, 1987

July 24, 1987

Hearing held in Board's Court Room at 10:00 a.m.

July 28, 1987

Hearing held in Board's Court Room at 10:00 a.m.

July 29, 1987

Hearing scheduled for this date postponed until July 30, 1987.

July 30, 1987

Hearing held in Board's Court Room at 11:00 a.m. Case completed.

August 20, 1987

Testimony of hearing held July 21, 1987 filed.

August 21, 1987

Copy of testimony, for hearing held July 21, 1987 forwarded to attorney for Defendant.

August 25, 1987

Testimony of hearing held July 22, 1987 filed.

August 27, 1987

Copy of testimony, for hearing held in July 22, 1987, forwarded to attorney for Defendant.

August 31, 1987

Testimony of hearing held July 24, 1987 filed.

September 2, 1987

Copy of testimony, for hearing held July 24, 1987 forwarded to attorney for Defendant.

September 4, 1987

Testimony of hearing held July 28, 1987 filed.

September 4, 1987

Testimony of hearing held July 30, 1987 filed.

September 10, 1987

Copy of testimony for hearing held July 28, 1987 forwarded to attorney for Defendant.

September 10, 1987

Copy of testimony for hearing held July 30, 1987 forwarded to attorney for Defendant.

September 23, 1987

Acceptance of Service of testimony dated September 10, 1987 received from attorney for Defendant. Receipt of same acknowledge by attorney for Defendant September 21, 1987.

September 23, 1987

Acceptance of Service of testimony dated September 2, 1987 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 21, 1987.

September 23, 1987

Acceptance of Service of testimony dated August 27, 1987 received from attorney for Defendant. Receipt of same acknowledged by

attorney for Defendant September 21, 1987

October 23, 1987

Findings of Fact, Conclusions of Law and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 12, 1988

Motion to Reopen Record filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 12, 1988

Brief and Proposed Findings of Fact and Conclusions of Law in Reply to Plaintiff's Brief and Plaintiff's Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 3, 1988

Plaintiff's reply Brief and Answer to Motion to Reopen Record filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 6, 1988

Response Brief of Defendant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 16, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 16th day of June, 1988, premised on the record, specifically Notes of Testimony, page 655, it hereby ORDERED and DECREED that the record should not be reopened." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

June 23, 1988

Acceptance of Service of Opinion and Order dated June 16, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 20, 1988.

July 6, 1988

Acceptance of Service of Opinion and Order dated June 16, 1988

received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 17, 1988.

August 24, 1988

Supplemental Proposed Findings of Fact filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 17, 1988

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 17th day of November, 1988, the Board of Claims finds in favor of the Defendant, Commonwealth of Pennsylvania, Pennsylvania Municipal Retirement Board, and against the Plaintiff, Susquehanna Township. Each party to bear its own costs." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 23, 1988

Acceptance of Service of Opinion and Order dated November 17, 1988, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 22, 1988.

November 28, 1988

Acceptance of Service of Opinion and Order dated November 17, 1988, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 21, 1988.
