

Docket Number: 1244

DAUPHIN COUNTY PROBATION OFFICE

Charles B. Zwally, Dauphin County Solicitor
Guy P. Beneventano, Assistant Solicitor

CLOSED vs.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Kenneth L. Sable, Chief Claims Attorney

March 31, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$15,020.00.

April 7, 1988

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

April 8, 1988

Acceptance of Service of Claim received from Defendant. Receipt of same acknowledged by Defendant April 7, 1988.

April 13, 1988

Acceptance of Service of Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General April 8, 1988.

May 6, 1988

Letter Answer admitting all allegations filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 3, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 3rd day of June, 1988, premised on the record, it hereby **ORDERED** and **DECREED** that an exploratory hearing will be held on Friday June 10, 1988, at 10:00 a.m., before the Board of Claims in Courtroom No. 1, 707 Transportation & Safety Building." Copy forwarded to attorney for Plaintiff and attorney for Defendant. (By letter, Plaintiff need not attend exploratory hearing).

June 6, 1988

Acceptance of Service of Opinion and Order dated June 3, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 3, 1988.

June 8, 1988

Acceptance of Service of Opinion and Order dated June 3, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 5, 1988.

June 10, 1988

Exploratory hearing held in Board's Courtroom No. 1 commencing at 11:19 a.m. Case completed.

June 24, 1988

Testimony of hearing held June 10, 1988 filed.

June 29, 1988

Copy of testimony forwarded to attorney for Defendant.

June 29, 1988

The Board rendered an Amended Opinion and made the following Order: "AND NOW, this 29th day of June, 1988, upon consideration of the pleadings and the testimony presented, it is hereby **ORDERED** and **DECREED** that an award be made in favor of the Plaintiff, Dauphin County Juvenile Probation Office, and against the Defendant, Commonwealth of Pennsylvania, Department of Transportation, in the amount of Fifteen Thousand Twenty Dollars (\$15,020.00) plus the filing fee of Fifty Dollars (\$50.00). No interest or service charge will be allowed. Each party to bear its own costs other than the filing fee included in the award."

June 30, 1988

Acceptance of Service of Testimony for hearing held June 10, 1988 filed by attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 29, 1988.

July 1, 1988

Copy of Opinion and Order dated June 29, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

July 6, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 6th day of July, 1988, upon consideration of the pleadings and the testimony presented, it is hereby **ORDERED** and **DECREED** that an award be made in favor of the Plaintiff, Dauphin County Juvenile Probation Office, and against the Defendant, the Commonwealth of Pennsylvania, Department of Transportation, in the amount of Fifteen Thousand Twenty Dollars (\$15,020.00) plus the filing fee of Fifty Dollars (\$50.00). No interest or service charge will be allowed. Each party to pay its own costs other than the filing fee included in the award." Displaywriter misprinted a section of the opinion.

July 7, 1988

Copy of Amended Complaint and Order dated July 6, 1988 forwarded to attorney for Plaintiff and attorney for Defendant.

July 6, 1988

Acceptance of Service of Opinion and Order dated June 29, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 5, 1988.

July 8, 1988

Acceptance of Service of Opinion and Order dated June 29, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 8, 1988.

July 11, 1988

Acceptance of Service of Opinion and Order dated June 29, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 7, 1988.

July 11, 1988

Acceptance of Service of Opinion and Order dated June 29, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 7, 1988.

November 22, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW,** this 22nd day of November, 1988, a Rule to Show Cause is issued upon Plaintiff, Dauphin County Probation Office, wherein it is directed that Claimant advise the Board within 30 days of this Rule whether or not Claimant has received the sum of money directed by the Board of Claims. This Rule shall become absolute in the event the Board does not receive a response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 28, 1988

Acceptance of Service of Opinion and Order dated November 22, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 28, 1988.

January 25, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 25th day of January, 1989, this Order is issued as a result of the failure of Plaintiff to advise the Board of Claims within 30 days of November 22, 1988, whether or not Claimant received the monies directed be paid to said Claimant has received the monies **DIRECTED** that the record shall be marked 'closed and settled with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 26, 1989

Acceptance of Service of Opinion and Order dated January 25, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 26, 1989.

January 31, 1989

Acceptance of Service of Opinion and Order dated November 22, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 25, 1989.

February 1, 1989

Acceptance of Service of Opinion and Order dated January 25, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 30, 1989.

CLOSED