

Docket Number: 1252

BEER & POP WAREHOUSE, INC., Q.F.A., INC. AND JET DISTRIBUTORS, INC.

Martha S. Helmreich, Esquire
Roslyn M. Litman, Esquire

VS.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
LIQUOR CONTROL BOARD

~~Jim Goodman, Chairman~~
Eileen S. Maunus, Esquire

December 21, 1987

By order of Commonwealth Court, case filed, ORDER as follows: "NOW, December 21, 1987, it appearing that the Commonwealth Court does not have jurisdiction over this matter, the above matter is transferred to the Board of Claims. See Modjeski and Masters v. Larson, 50 Pa. Commonwealth Ct. 215, 412 A.2d 680 (1980); 42 Pa. C.S. §7541(c) (2). The Chief Clerk shall Certify to the Board of Claims a copy of the docket entries of the above case and shall remit to the Board the record thereof."

THE FOLLOWING FILED IN COMMONWEALTH COURT:

CLOSED
December 17, 1987
Petition filed
December 17, 1987
Application for relief filed
December 17, 1987

Brief in Support of application for relief filed.
December 21, 1987

Order rendered by Commonwealth Court (See previous December 21, 1987 entry).
January 4, 1988

Petitioner's application for relief in the nature of a motion for reconsideration and certificate of service filed.
January 4, 1988

Petitioner's brief in support of motion for reconsideration and certificate of service filed.
January 22, 1988

On Order, upon consideration of petitioners' application for relief in the nature of a motion for reconsideration, said application is denied. See Vespaziani v. Commonwealth, 40 Pa. Commonwealth Ct. 54, 396 A.2d 489 (1978). (PER CURIAM) January 25, 1988 Order exit.

BEFORE THE BOARD OF CLAIMS:

March 25, 1988

Record transferred from Commonwealth Court.

April 15, 1988

File received from Commonwealth Court. Amount of Claim:

April 22, 1988

Letter forwarded to Plaintiff requesting additional copies of Complaint and filing fee.

May 3, 1988

Additional copies of Complaint and filing fee received.

May 1988

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

May 11, 1988

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 5, 1988.

May 16, 1988

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 11, 1988.

May 23, 1988

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

June 23, 1988

Notice of Deposition of Eileen S. Maunus filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 17, 1989

Letter received from attorney for Plaintiff advising that no Answer to New Matter is to be filed in this matter. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 7, 1989

Petition and Motion to Quash Claim and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 27, 1989

Response to Petition and Motion to Quash Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 27, 1989

Notice of Deposition of Felix Thau, Esquire filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 27, 1989

Revised Notice of Deposition of the Pennsylvania Liquor Control Board filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 30, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 30th day of November, 1989, the Petition and Motion to Quash is hereby **DENIED**. The Defendant is directed to proceed in accordance with this Order. The time period within sixty (60) days herefrom is deemed in order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 7, 1989

Acceptance of Service of Opinion and Order dated November 30, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 4, 1989.

March 8, 1990

Confidential Attorney Work Product filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 19, 1991

Request for Admissions filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 12, 1991

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

March 25, 1991

Amended Request for Admissions and Motion to Determine Sufficiency of Answers and Objections to Requests for Admission and for Order Striking Non-Responsive Matters from Answers to Requests and Directing that Certain Matters be taken as Admitted filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 16, 1991

Motion in Opposition to Claimant's Motion to Determine Sufficiency of Answers and Objections to Requests for Admission and for Order Striking Non-Responsive Matters from Answers to Requests and Directing that Certain Matters be taken as Admitted filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 19, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 19th day of April, 1991, the requests of the Claimant as evidenced by the original motion and the amended motion must be **DENIED**. This case will be listed for trial within the immediate future." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 24, 1991

Acceptance of Service of Opinion and Order dated April 19, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 22, 1991.

April 29, 1991

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

June 1, 1992

Copy of Motion to Dismiss or For Summary Judgment as well as Memorandum of Points and Authorities in Support, thereof, as filed in Allegheny County Court of Common Pleas, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 11, 1992

Respondent's Counter-Motion to Schedule Denovo Hearing and Reply to Appellant's Motion to Dismiss or For Summary Judgment as well as Memorandum in Support, thereof, as filed in Allegheny County Court of Common Pleas, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 26, 1996

Letter received from Plaintiff advising that Orders have been rendered by Commonwealth Court which resolve the issues and requests the matter be withdrawn.

March 20, 1996

The Board rendered an Opinion and made the following Order: **AND NOW**, this 20th day of March, 1996, it is **ORDERED** and **DECREED** that this case be marked 'closed and terminated with prejudice.' Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 26, 1996

Acceptance of Service of Order dated March 26, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 22, 1996.

March 28, 1996

Acceptance of Service of Order dated March 26, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 22, 1996.
