

Docket Number: 1261

UNISYS CORPORATION

Theodore N. Stephens, II

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

John A. Kane, Chief Counsel

and

DEPARTMENT OF REVENUE

Karen L. Galli, Assistant Counsel

May 13, 1988

Claim and filing fee filed. Additional information to be requested.
Amount of Claim: \$357,000.00.

May 20, 1988

Notice of Claim letter forwarded to attorney for Defendant.

May 31, 1988

Letter forwarded to Plaintiff requesting copies of the Contract and Invoices to attach to the Complaint.

June 1, 1988

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

June 2, 1988

Acceptance of service of Claim received from attorney for Defendant.
Receipt of same acknowledged by attorney for Defendant June 2, 1988.

June 9, 1988

Acceptance of Service of Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General June 2, 1988.

June 21, 1988

Copy of Contract and Invoices to attach to Complaint received from attorney for Plaintiff. Additional copies to be requested.

June 22, 1988

Letter forwarded to attorney for Plaintiff requesting additional copies of a Contract and Invoices.

June 29, 1988

Respondent's Answer (admitting all allegations) to Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 26, 1988

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 26th day of July, 1988, premised on the record, the pleadings filed, and the need for an in-depth determination, it is hereby **ORDERED** and **DECREED** that an exploratory hearing be held before the Board of Claims in Court Room No. 1, 707 Transportation and Safety

Building, Harrisburg, Pennsylvania commencing at 10:00 a.m. on Thursday, July 28, 1988." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 27, 1988

Petition to Intervene filed by attorney for Department of Revenue. Copy forwarded to attorney for Plaintiff and attorney for Defendant by attorney for Department of Revenue.

July 27, 1988

Hearing originally scheduled to begin at 10:00 a.m. on July 28, 1988, continued to 2:00 p.m. at request of Plaintiff in Board's Courtroom No. 1.

Hearing held in Board's Courtroom No. 1 at 2:00 p.m. Case completed (Department of Revenue added as Intervenor - Order to follow).

Acceptance of Service of Opinion and Order dated July 26, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 27, 1988.

August 12, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 12th day of August, 1988, premised on the record, the pleadings herein and the testimony presented, it is hereby **ORDERED** and **DIRECTED** that the settlement between the parties be and hereby is accepted, and that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is obligated and **DIRECTED** to pay the Plaintiff, Unisys Corporation, the sum of Three Hundred Fifty-Seven Thousand Dollars (\$357,000.00) for the use of Commonwealth of Pennsylvania, Department of Revenue, Intervenor. Said award amount is to be held by Department of Revenue, Intervenor, in escrow pending agreement between said Intervenor and Plaintiff as to the amount of the Intervenor's claim. Should no such agreement be reached within thirty (30) days from the date hereof, either of the parties may petition the Board of Claims to reopen the matter for hearing thereon. It is further **ORDERED** that should agreement be reached, the parties shall forthwith file with the Board a notification thereof, so that the matter can be discontinued and ended with prejudice. Each party to bear its own costs."

August 15, 1988

Copy of Opinion and Order dated August 12, 1988 forwarded to attorney for Plaintiff, attorney for Defendant and attorney for Department of Revenue.

August 15, 1988

Testimony of exploratory hearing held July 28, 1988 filed.

August 17, 1988

Copy of testimony for exploratory hearing held July 28, 1988 forwarded to attorney for Defendant and attorney for Department of Revenue.

August 18, 1988

Acceptance of Service of Opinion and Order dated August 12, 1988 received from attorney for Department of Revenue. Receipt of same acknowledged by attorney for Department of Revenue August 16, 1988.

August 19, 1988

Acceptance of Service of testimony for exploratory hearing held July 28, 1988 received from attorney for Department of Revenue. Receipt of same acknowledged by attorney for Department of Revenue August 18, 1988.

August 23, 1988

Acceptance of Service of testimony for exploratory hearing held July 28, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 17, 1988.

August 23, 1988

Acceptance of Service of Opinion and Order dated August 12, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 16, 1988.

December 2, 1988

Letter Praecipe filed by attorney for Plaintiff.

December 14, 1988

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 14th day of December, 1988, upon consideration of the record and information received as to resolution of the Intervening Defendant, Commonwealth of Pennsylvania, Department of Revenue and payment of the Claim to Plaintiff, Unisys Corporation, it is hereby **ORDERED** and **DECREED** that the matter be marked closed and discontinued with prejudice." Copy forwarded to attorney for Plaintiff, attorney for Defendant and attorney for Intervening Defendant.

December 19, 1988

Acceptance of Service of Opinion and Order dated December 14, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 14, 1988.

December 21, 1988

Acceptance of Service of Opinion and Order dated December 14, 1988 received from additional attorney for Defendant. Receipt of same acknowledged by additional attorney for Defendant December 16, 1988.

January 12, 1989

Acceptance of Service of Opinion and Order dated December 14, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 4, 1989.
