

Docket Number: 1284

LITTLE BROWN BEAR'S DAY CARE CENTER, INC.

Barbara G. Graybill, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~

Bruce G. Baron, Assistant Counsel

August 4, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$15,038.00+.

August 8, 1988

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

August 11, 1988

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General August 8, 1988.

CLOSED

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

September 19, 1988

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

May 12, 1989

Hearing scheduled for June 27 and 28, 1989, if necessary, before Eastern District, to be held in Courtroom No. 2, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m.

June 19, 1989

Respondent's Motion to Quash Subpoena or for Protective Order, Memorandum of Law in Support of Respondent's Motion to Quash and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 21, 1989

Respondent's Motion to Quash Subpoena or for Protective Order, Memorandum of Law in Support of Motion to Quash Protective Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 22, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 22nd day of June, 1989, upon consideration of the Motion to Quash Subpoena or for Protective Order, it is hereby **ORDERED** and **DECREED** that the Motion is **GRANTED** and the Subpoena issued to Terrance A. West is **QUASHED**. Claimant, Little Brown Bear's Day Care Center, Inc., may issue and serve a proper Subpoena with specific reference to any documents to be produced if such be done without delay of the scheduled hearing on June 27, 1989 and Jun 28, 1989." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 22, 1989

CLOSED
The Board rendered an Opinion and made the following Order: "**AND NOW**, this 22nd day of June, 1989, upon consideration of the Motion to Quash Subpoena or for Protective Order, it is hereby **ORDERED** and **DECREED** that the Motion is **GRANTED** and the Subpoena issued to Little Holod is **QUASHED**. Claimant, Little Brown Bear's Day Care Center, Inc., may issue and serve a proper Subpoena with specific reference to any documents to be produced if such be done without delay of the scheduled hearing on June 27, 1989 and Jun 28, 1989." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 27, 1989

Hearing held in Board's Courtroom No. 2, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10:00 a.m. Hearing completed.

June 27, 1989

Acceptance of Service of Opinions and Orders dated June 22, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 23, 1989.

June 27, 1989

Acceptance of Service of Opinions and Orders dated June 22, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 23, 1989.

June 29, 1989

Testimony of Eastern Panel Hearing held June 27, 1989 filed.

July 3, 1989

Copy of Testimony of Eastern Panel Hearing held June 27, 1989 forwarded to attorney for Defendant.

July 11, 1989

Acceptance of Service of testimony for Eastern Panel Hearing held June 27, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 5, 1989.

September 15, 1989

Claimant's Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 16, 1989

Respondent's Brief and suggested Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 11, 1989

Eastern Hearing Panel Report filed.

May 22, 1990

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 22nd day of May, 1990, upon consideration of the pleadings, testimony and a full review of the entire file in this matter, the Board enters judgment in favor of the Claimant, Little Brown Bear's Day Care Center, Inc., and against the Respondent, Commonwealth of Pennsylvania, Department of Public Welfare, in the amount of Eleven Thousand One Hundred Sixty-Two Dollars and Seventy-One Cents (\$11,162.71) plus interest at the legal rate of six percent (6%) per annum beginning from August 4, 1988. Upon receipt of said award, Claimant shall forthwith file with the Board of Claims a Praecipe that the case be marked settled, discontinued and ended with prejudice. Each party to bear its own costs." Copy forwarded to attorney for Plaintiff, attorney for Defendant, and Chief Deputy Attorney General.

May 25, 1990

Acceptance of Service of Opinion and Order dated May 22, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 24, 1990.

May 29, 1990

Acceptance of Service of Opinion and Order dated May 22, 1990 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 23, 1990.

May 30, 1990

Acceptance of Service of Opinion and Order dated May 22, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 23, 1990.

May 25, 1990

Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Defendant.

May 2, 1990

Petition for Review received from Commonwealth Court. [No. 111 C. 1990]

July 3, 1990

File transmitted to Commonwealth Court.

January 16, 1992

Copy of Opinion and Order received from Commonwealth Court. Order as follows: "We reverse the order of the Board of Claims."

July 16, 1992

File returned from Commonwealth Court.
