

Docket Number: 1299

MEDIQ INCORPORATED

Ralph S. Snyder, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

John A. Kane, Chief Counsel

October 4, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$720,956.96+.

October 7, 1988

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

October 13, 1988

Acceptance of Service of Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General October 11, 1988.

CLOSED

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

October 18, 1988

Contract, which was inadvertently omitted from Complaint, filed by attorney for Plaintiff.

October 19, 1988

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

October 27, 1988

Acceptance of Service of Contract, which was inadvertently omitted from Complaint, received from Office of Attorney General October 20, 1988.

November 3, 1988

Defendant's Preliminary Objection to Mediq Incorporated's Complaint and Memorandum of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 14, 1988

Mediq Incorporated's Amended Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 17, 1988

Mediq Incorporated's Motion to Dismiss Defendant's Preliminary Objections and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 18, 1988

The Board made the following Order: **"AND NOW**, this 18th day of November, 1988, upon consideration of MEDIQ Incorporated's Motion to Dismiss as moot the Defendant's Preliminary Objection to the Complaint, it is hereby **ORDERED** that the motion is **GRANTED**."

November 21, 1988

Copy of Motion to Dismiss Defendant's Preliminary Objections, Order dated November 18, 1988 and Amended Complaint forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

November 21, 1988

Acceptance of Service of Motion to Dismiss Defendant's Preliminary Objections, Order dated November 29, 1988 and Amended Complaint received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General November 22, 1988.

November 29, 1988

Motion to Approve Terms of Settlement filed by parties.

December 5, 1988

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 5th day of December, 1988, premised on the record, the pleadings filed, and the need for an in-depth determination, it is hereby **ORDERED** and **DIRECTED** that an exploratory hearing be held before the Board of Claims in Courtroom No. 1, 707 Transportation & Safety Building, Harrisburg, Pennsylvania, commencing at 10 a.m. on Thursday, December 8, 1988." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 7, 1988

Acceptance of Service of Opinion and Order dated December 5, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 6, 1988.

December 8, 1988

Exploratory Hearing held in Board's Courtroom No. 1 commencing at 10:14 a.m. Case settled.

December 13, 1988

Acceptance of Service of Opinion and Order dated December 5, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 8, 1988.

December 14, 1988

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 14th day of December, 1988, premised on the record, the filings herein and the testimony presented, it is hereby **ORDERED** and **DIRECTED** that the settlement between the parties be and hereby is accepted and approved, and that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare is obligated and **DIRECTED** to pay Plaintiff, Mediq Incorporated the sum of Six Hundred Thousand Dollars (\$600,000.00) in full settlement of the complaint. It is further **ORDERED** that upon receipt of payment of said award, Plaintiff 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 and attorney for 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 15, 1988.

December 19, 1988

Testimony of hearing held December 8, 1988 filed.

December 20, 1988

Copy of testimony of hearing held December 8, 1988 forwarded to attorney for Defendant.

December 23, 1988

Acceptance of Service of Opinion and Order dated December 14, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 19, 1988.

January 5, 1988

Letter Praecipe filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 10, 1989

The Board made the following Order: "AND NOW, this 10th day of January, 1989, upon receipt of Letter Praecipe, executed by Steve D. Shadowen, Esquire, on behalf of the Plaintiff, same of which is docketed with this Board under date of January 5, 1989, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'."

January 11, 1989

Copy of Order dated January 10, 1989 forwarded to attorney for Plaintiff and attorney for Defendant.

January 18, 1989

Acceptance of Service of Order dated January 10, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Defendant.

January 18, 1989

Acceptance of Service of Order dated January 10, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 12, 1989.
