

Docket Number: 1328

JOSEPH BENDER, M.D.

~~Francis P. O'Hara, Esquire~~

~~Robert E. Slota, Esquire~~

*Roman J. Koropey, Esquire

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~

James S. Marshall, Assistant Counsel

December 29, 1988

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:

January 4, 1989

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

January 10, 1989

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 4, 1989.

CLOSED

January 12, 1989

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 11, 1989.

February 17, 1989

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

February 27, 1989

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

June 4, 1990

Letter/Entry of Appearance filed by Robert E. Slota, Esquire, attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

***August 7, 1990**

Settlement Stipulation executed by Joseph Bender, M.D., Plaintiff, Roman J. Koropecy, Esquire, attorney for Plaintiff, John A. Kane, Chief Counsel for Department of Public Welfare, and James S. Marshall, Assistant Counsel for Department of Public Welfare, attorney for Defendant, filed by Roman J. Koropecy, Esquire, attorney for Plaintiff.

Copy forwarded to attorney for Defendant by Roman J. Koropecy, Esquire, attorney for Plaintiff.

September 14, 1990

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 14th day of September, 1990, it is **ORDERED** and **DECREED**

that, within thirty (30) days of this Order, the Commonwealth of Pennsylvania, Department of Public Welfare shall issue and forward a check in the amount of Sixteen Thousand Nine Hundred Seventeen Dollars (\$16,917.00) to the Plaintiff, Joseph Bender, M.D. It is further **ORDERED** and **DECREED** that the Defendant shall, within fifteen (15) days of this Order, forward to the State Employees' Retirement System ("SERS") to the attention of Ms. Susan C. Hostetter, Director, Bureau of Benefit Administration any final payroll information necessary to process Dr. Bender's retirement account together with an indication that Dr. Bender is not indebted to the Commonwealth and that his retirement account may be processed by SERS in due course.

The Department of Public Welfare shall not oppose the release of retirement funds due Dr. Bender by SERS. Upon receipt of the settlement amount and the notification of processing, counsel for Plaintiff shall file with the Board of Claims a Praecipe requesting that this case be closed and terminated with prejudice. Each party to bear its own costs. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED
September 21, 1990

Acceptance of Service of Opinion and Order dated September 14, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 17, 1990.

September 25, 1990

Acceptance of Service of Opinion and Order dated September 14, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 21, 1990.

October 30, 1990

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

November 1, 1990

The Board made the following Order: "**AND NOW**, this 1st day of November, 1990, upon receipt of the Praecipe to Terminate filed by Roman J. Koropecy, Esquire, on behalf of Plaintiff, to "mark this matter closed and terminated with prejudice in accordance with the Order of the Board of Claims of September 14, 1990", same of which is docketed with this Board under date of October 30, 1990, it is **ORDERED** and **DIRECTED** that said case be marked settled, discontinued and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 15, 1990

Acceptance of Service of Order dated November 1, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 7, 1990.

CLOSED