

Docket Number: 1367

MARK E. REISINGER, JOHN E. MARSH, JOHN R. WHITTINGTON, JR., ROY L. HENRY, JR., JAMES D. MORRIS, DWAYNE L. SWORD, JERRY M. REID, ROBERT L. SMITH, ROBERT E. SHAW, MICHAEL E. O'BRIEN, LACEY J. SHOWELL AND NATHANIEL HARGROVE

William H. Andring, Esquire

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

~~Theodore G. Otto, III, Chief Counsel~~

~~*Carol L. Cingranelli, Assistant Counsel (Office of Administration)~~

~~Frank A. Fisher, Chief Counsel (OA)~~

May 4, 1989

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

May 9, 1989

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

May 18, 1989

Acceptance of Service of Statement of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 10, 1989.

June 8, 1989

Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 19, 1989

Additional information (Verifications) filed by attorney for Plaintiff.

June 28, 1989

Copy of additional information (Verifications) forwarded to attorney for Defendant and Chief Deputy Attorney General.

July 5, 1989

Acceptance of Service of two (2) Verifications received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 29, 1989.

July 10, 1989

Acceptance of Service of two (2) Verifications received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 6, 1989.

July 17, 1989

Defendant's Brief in Support of Its Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

***August 30, 1989**

Praecipe for Appearance of Carol L. Cingranelli, Assistant Counsel filed by attorney for Defendant. Copy forwarded to attorney for

Plaintiff by attorney for Defendant.

September 1, 1989

Plaintiff's Brief in Opposition to Preliminary Objections of Defendant filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 21, 1989

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

October 5, 1989

The Board rendered an Opinion and made the following Order: "AND NOW, this 5th day of October, 1989, the preliminary Objections as filed by the Defendant are **DENIED**. The Defendant is given thirty (30) days from the date of this Order to file appropriate pleadings." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 17, 1989

Acceptance of Service of Opinion and Order dated October 5, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 13, 1989.

November 30, 1989

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

December 6, 1989

Motion to Dismiss filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 18, 1989

Proposed Order and Motion to Strike Answer and New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 21, 1989

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

January 10, 1990

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

February 14, 1990

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 14th day of February, 1990, the Motion of the Plaintiff to Strike the Answer and New Matter of the Defendant is hereby **DENIED**."

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 14, 1990

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 14th day of February, 1990, the Motion to Dismiss as filed by the Defendant is hereby **DISMISSED**". Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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Order of Court letter directing Plaintiff to begin discovery within thirty (30) days or the matter will be listed for trial, forwarded to attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 23, 1993

Hearing scheduled for February 16, 17 and 18, 1994 before the Central District to be held in Room 707 Transportation & Safety Building, Harrisburg, PA commencing at 10 a.m.

February 16, 1994

Hearing opened this date without Plaintiff or his attorney present.

By telephone, Plaintiff's attorney advises that he wished to withdraw Claim.

February 23, 1994

Testimony of Eastern District Panel Hearing held February 16, 1994 filed.

March 2, 1994

Copy of testimony of hearing held February 16, 1994 forwarded to attorney for Defendant.

March 10, 1994

Acceptance of Service of testimony for hearing held February 16, 1994 received from attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 9, 1993

Eastern District Panel Report filed.

April 5, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 5th day of April, 1994, it is **ORDERED** and **DECREED** that the Complaint be, and is hereby, **DISMISSED** with prejudice for failure to prosecute. The docket shall be marked 'terminated and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 1, 1994

Acceptance of Service of Opinion and Order dated April 5, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant.

CLOSED