

Docket Number: 1376

WILLIAM ELECTRIC

James S. Williams, Electric Contractor

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE

Paul S. Roeder, Chief Counsel

June 19, 1989

Complaint and filing fee filed. Amount of Claim: \$3,333.00+.

June 21, 1989

Copies of Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General.

June 28, 1989

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 22, 1989.

July 5, 1989

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 22, 1989.

July 11, 1989

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

August 1, 1989

Reply to Department of Revenue Letter of July 24, 1989 filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

August 4, 1989

The Board rendered the following Order: "AND NOW, this 4th day of August, 1989, this Board, in response to the condition of the record at this time, issues the following: 1. The Preliminary Objection filed by the Defendant must be accompanied by a brief within 20 days of the date of this Order. 2. The document filed by the Plaintiff entitled Reply to Department of Revenue Letter of July 24, 1989 shall be treated by the Board as a response to the Preliminary Objections, but not as a brief contra. 3. Plaintiff may, after receipt of the Defendant's brief, file a responsive brief. Upon receipt of the documents herein described or within 45 days of the date of this Order, the Board of Claims shall respond by Order of the Board to the Preliminary Objections and to the document submitted by Plaintiff entitled Reply to the Department of Revenue Letter of July 24, 1989."

Copies forwarded to Plaintiff and attorney for Defendant.

August 10, 1989

Acceptance of Service of Order dated August 4, 1989 received from Plaintiff of Order dated August 4, 1989 received from Plaintiff. Receipt of same acknowledged by Plaintiff August 7, 1989.

August 10, 1989

Acceptance of Service of Order dated August 4, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 8, 1989.

August 24, 1989

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

September 7, 1989

Reply to Department of Revenue Brief Dated August 24, 1989 filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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 in the nature of a violation of the criminal code and violation of Plaintiff's civil rights are hereby **GRANTED**.

The Preliminary Objections of the Defendant in the nature of a demurrer are hereby **DENIED**. The Defendant is given thirty (30) days in which to file responsive pleadings not inconsistent with this Opinion." Copies forwarded to Plaintiff and attorney for Defendant.

October 13, 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 11, 1989.

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 Plaintiff October 14, 1989.

December 18, 1989

Letter/Petition filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 27, 1989

Stipulation and Settlement Agreement filed by attorney for Defendant, executed by parties.

February 12, 1990

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 12th day of February, 1990, upon review and approval of the Stipulation and Settlement Agreement, it is hereby **ORDERED** and **DECREED** as follows: 1. That the Respondent, Commonwealth of Pennsylvania, Department of Revenue shall pay to Claimant, Williams Electric, settlement in the amount of Two Thousand Nine Hundred Dollars (\$2,900.00), which includes costs of the claim in this matter.

2. Claimant agrees to withdraw its Complaint at this docket number and agrees to release the Respondent, its agencies and agents from any and all claims of any nature arising from the action that are the subject of this proceedings. 3. The Claimant upon receipt of said award is directed to file Praecipe notifying the Board of receipt of said monies and authorizing withdrawal of the Complaint with prejudice. Each party to bear its own costs, other than the filing fee included in the settlement amount. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 20, 1990

Acceptance of Service of Opinion and Order dated February 12, 1990, received from Plaintiff. Receipt of same acknowledged by Plaintiff February 15, 1990.

February 20, 1990

Acceptance of Service of Opinion and Order dated February 12, 1990, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 15, 1990.

April 18, 1990

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

April 26, 1990

The Board made the following Order: "**AND NOW**, this 26th day of April,

1990, upon receipt of Letter/Praecipe acknowledging receipt of award, executed by James S. Williams, Electric Contractor, on behalf of Plaintiff, Williams Electric, same of which is docketed with this Board under date of April 18, 1990, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued, and ended with prejudice'." Copies forwarded to Plaintiff and attorney for Defendant.

May 1, 1990

Acceptance of Service of Order dated April 26, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 30, 1990.

May 3, 1990

Acceptance of Service of Order dated April 26, 1990 received from Plaintiff. Receipt of same acknowledged by Plaintiff April 30, 1990.

CLOSED