

Docket Number: 1427

PARK PLEASANT, INC.

Steven E. Bernstein, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

Cynthia W. Williams, Assistant Counsel

**April 20, 1990**

Complaint (via fax) filed. Amount of Claim: \$66,272.00+.

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**April 23, 1990**

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

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**April 26, 1990**

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

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**April 30, 1990**

Amended Complaint (Verification) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 1, 1990**

Acceptance of Service of Complaints received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 2, 1990.

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**May 8, 1990**

Acceptance of Service of Complaints received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 2, 1990.

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**May 9, 1990**

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

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**May 21, 1990**

Acceptance of Service of Amended Complaint (Verification) received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 10, 1990.

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**June 4, 1990**

Plaintiff's Motion for Stay of Proceedings filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 4, 1990**

Acceptance of Service of Amended Complaint (Verification) received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 8, 1990.

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**June 6, 1990**

Respondent's Objection to Claimant's Motion for Stay and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 27, 1990**

The Board rendered an Opinion and made the following Order: "AND NOW, this 27th day of June, 1990, for the reasons set out above, it is **ORDERED** and **DECREED** that the Motion for Stay of Proceedings be and is hereby **DENIED**. It is further **ORDERED** and **DECREED** that Plaintiff, Park Pleasant, Inc., shall file its response to the New Matter within thirty (30) days of this Order." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**July 2, 1990**

Acceptance of Service of Opinion and Order dated June 27, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 29, 1990.

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**July 3, 1990**

Acceptance of Service of Opinion and Order dated June 27, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 28, 1990.

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**July 30, 1990**

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

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**March 19, 1991**

Notice of Appearance of Cynthia W. Williams, Assistant Counsel, on behalf of Defendant, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**August 27, 1991**

Hearing scheduled for October 10 and 11, 1991, in Board's Court Room No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania commencing at 10:00 a.m.

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**October 3, 1991**

Respondent's Motion to Dismiss and Memorandum of Law in Support of Respondent's Motion to Dismiss filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**October 10, 1991**

Hearing held in Board's Court Room No. 1, 707 Transportation and Safety Building, Harrisburg, Pennsylvania, commencing at 10:15 a.m. Case concluded.

**November 20, 1991**

Claimant's Response to Respondent's Motion to Dismiss filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**November 19, 1991**

Testimony of hearing held October 10, 1991 filed.

**November 20, 1991**

Copy of testimony of hearing held October 10, 1991 forwarded to attorney for Defendant.

**November 25, 1991**

Affidavit of Barry H. Frank, Esquire, attesting to the authenticity of Exhibit P-6 and Exhibit P-7 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**November 25, 1991**

Title page and copyright page which was erroneously omitted from the original textual excerpt to be made part of Exhibit P-8 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**December 5, 1991**

Acceptance of Service of testimony for hearing held October 10, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 26, 1991.

**January 10, 1992**

The Board rendered an Opinion and made the following Order: "AND NOW, this 10th day of January, 1992, the Motion to Dismiss, as filed by the Defendant, is hereby **DENIED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 16, 1992**

Acceptance of Service of Opinion and Order dated January 10, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 13, 1992.

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**January 22, 1992**

Acceptance of Service of Opinion and Order dated January 10, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 13, 1992.

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**March 10, 1992**

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

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**March 20, 1992**

Plaintiff's Post-Hearing Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 20, 1992**

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

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**July 2, 1992**

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

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**November 10, 1992**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 9th day of November, 1992, the Board finds in favor of the Plaintiff, Park Pleasant, Inc., and against the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, in the amount of Forty-Three Thousand One Hundred Dollars (\$43,100.00), plus interest at the legal rate of six percent (6%) per annum from April 20, 1990, the date of the filing of the Claim. Upon receipt of said award, Plaintiff shall forthwith file with the Board a Praecipe to mark the case 'closed and ended with prejudice'. Each party to pay their own costs and attorneys' fees." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

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November 16, 1992

Acceptance of Service of Opinion and Order dated November 10, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 12, 1992.

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Acceptance of Service of Opinion and Order dated November 12, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 12, 1992.

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**December 11, 1992**

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

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**December 17, 1992**

Petition for Review received from Commonwealth Court [No. 2643 C.D. 1992].

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**January 11, 1993**

Entry of Appearance of Jack M. Mumford, Esquire as filed in Commonwealth Court filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 13, 1993**

File transmitted to Commonwealth Court.

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**January 15, 1993**

Withdrawal of Appearance of Steven E. Bernstein as filed in Commonwealth Court filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 5, 1993**

Courtesy copy of Entry of Appearance of Jack M. Mumford, Esquire on behalf of Plaintiff as filed in Commonwealth Court.

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**May 14, 1993**

Copy of Opinion and Order (Notice of Discontinuance) received from Commonwealth Court. Order as follows: "This is to notify you that the above-captioned matter has been withdrawn discontinued and ended."

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**May 14, 1993**

File returned from Commonwealth Court.

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**CLOSED**