

Docket Number: 1436

BRANDEGEE, INC.

Joseph U. Metz, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE GOVERNOR, and \*DEPARTMENT OF GENERAL SERVICES OFFICE  
OF THE BUDGET AND DEPARTMENT OF COMMERCE

~~James Haggerty, Chief Counsel~~

~~Michael Daley, Chief Counsel~~

~~Jose E. Morales, Assistant Counsel~~

Jan Matthew Tamanini, Assistant Counsel

Craig Shagin, Chief Counsel

**May 11, 1990**

Complaint and filing fee filed by attorney for Plaintiff. Amount of Claim: \$61,591.

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**May 15, 1990**

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

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**May 22, 1990**

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 17, 1990.

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**June 12, 1990**

Preliminary Objections to Plaintiff's Complaint filed by attorney for Defendant (Department of General Services). Copy forwarded to attorney for Plaintiff and attorney for Defendant (Office of the Governor) by attorney for Defendant (Department of General Services).

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**June 13, 1990**

Acceptance of Service of Complaint received from attorney for Defendant (Department of General Services). Receipt of same acknowledged by attorney for Defendant (Department of General Services) May 30, 1990.

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**June 14, 1990**

Preliminary Objections of Defendant Office of the Governor and Brief in Support of Defendant Office of the Governor's Preliminary Objections filed by attorney for Defendant (Office of Governor). Copy forwarded to attorney for Plaintiff and attorney for Defendant (Department of General Services) by attorney for Defendant (Office of the Governor).

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**July 17, 1990**

Response to Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorneys for Defendants by attorney for Plaintiff.

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**August 23, 1990**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 23rd day of August, 1990, the request of the Plaintiff, Brandegeee, Inc., to file an Amended Complaint is hereby **GRANTED**. The Plaintiff shall file an Amended Complaint within thirty (30) days of the date of this Order'." Copies forwarded to attorney for Plaintiff and attorneys for Defendants.

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**August 28, 1990**

Acceptance of Service of Opinion and Order dated August 23, 1990 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 25, 1990.

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**February 21, 1991**

Amended Complaint filed by attorney for Plaintiff. Copy forwarded to attorneys for Defendants (Office of the Governor) and (Department of General Services) by attorney for Plaintiff.

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**\*March 4, 1991**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 4th day of March, 1991, it is **ORDERED** and **DECREED** that the caption of this case shall be as follows: BRANDEGEE, INC. VS. COMMONWEALTH OF PENNSYLVANIA, OFFICE OF THE GOVERNOR, OFFICE OF THE BUDGET and DEPARTMENT OF COMMERCE, DOCKET NO. 1436. In light of the deletion of the Department of General Services as a named Defendant, it is **ORDERED** and **DECREED** that the Preliminary Objections as filed by the Department of General Services shall be dismissed as being **MOOT** and the Department of General Services is **STRICKEN** as a party Defendant." Copy forwarded to attorney for Plaintiff, attorneys for Defendants, and Chief Deputy Attorney General.

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**March 4, 1991**

Copy of Complaint and Amended Complaint forwarded to attorney for Defendant (Department of Commerce).

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**March 4, 1991**

Copy of Amended Complaint forwarded to Chief Deputy Attorney General.

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**March 6, 1991**

Acceptance of Service of Opinion and Order dated March 4, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 5, 1991.

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**March 6, 1991**

Acceptance of Service of Opinion and Order dated March 4, 1991 received from attorney for Defendant (Department of General Services). Receipt of same acknowledged by attorney for Defendant March 5, 1991.

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**March 6, 1991**

Acceptance of Service of Amended Complaint received from attorney for Defendant (Department of General Services). Receipt of same acknowledged by attorney for Defendant March 5, 1991.

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**March 11, 1991**

Acceptance of Service of Opinion and Order dated March 4, 1991 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 5, 1991.

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**March 11, 1991**

Acceptance of Service of Opinion and Order dated March 1, 1991 received from attorney for Defendant (Department of Commerce). Receipt of same acknowledged by attorney for Defendant March 7, 1991.

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**March 11, 1991**

Acceptance of Service of Complaint and Amended Complaint received from attorney for Defendant (Department of Commerce). Receipt of same acknowledged by attorney for Defendant March 7, 1991.

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**March 11, 1991**

Acceptance of Service of Complaint and Amended Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 5, 1991.

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**March 12, 1991**

Notice of Appearance of John D. Raup, Chief Counsel, on behalf of the Defendant (Office of the Governor, Office of the Budget) filed by attorney for Defendant (Office of the Governor, Office of the Budget).

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**March 12, 1991**

Response of the Commonwealth of Pennsylvania, Office of the Governor, Office of the Budget, Respondent to Opinion and Order of March 4, 1991 filed by attorney for Defendant (Office of the Governor, Office of the Budget). Copy forwarded to attorneys for all parties by attorney for Defendant (Office of the Governor, Office of the Budget).

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**April 2, 1991**

Answer of the Department of Commerce to Amended Complaint of Brandegge, Inc. and Proposed Order filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff and attorney for Defendant (Office of the Governor, Office of the Budget) by attorney for Defendant (Department of Commerce).

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**July 3, 1991**

Stipulation, Settlement Agreement and Order executed by parties and filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**August 13, 1991**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 13th day of August, 1991, upon due consideration of the proposed Stipulation, Settlement Agreement and Order of the parties and other submissions, it is hereby **ORDERED** that Defendant, Commonwealth of Pennsylvania, Office of the Governor, Office of the Budget and Department of Commerce, shall pay to Plaintiff, Brandegge, Inc., the sum of Sixty-One Thousand Five Hundred and Ninety-One Dollars (\$61,591.00), which amount shall include the Fifty-Dollar (\$50.00) filing fee paid by the Plaintiff to commence this action, in full satisfaction and settlement of the matter. Plaintiff shall withdraw its Complaint and upon payment of the matter be marked settled and discontinued with prejudice. Each party to bear its own costs other than the filing fee included in the award." Copies forwarded to attorney for Plaintiff and attorneys for Defendants.

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**August 15, 1991**

Acceptance of Service of Opinion and Order dated August 13, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 14, 1991.

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**August 15, 1991**

Acceptance of Service of Opinion and Order dated August 13, 1991 received from attorney for Defendant (Department of Commerce).

Receipt of same acknowledged by attorney for defendant August 14, 1991.

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**August 15, 1991**

Letter relative to advising the Board of the incorrect amount of the award to plaintiff in our Order dated August 13, 1991, and requesting a modification of our Order received from attorney for Defendant.

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**August 19, 1991**

Acceptance of Service of Opinion and Order dated August 13, 1991 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General August 14, 1991.

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**CLOSED**

August 30, 1991

The Board rendered an Opinion and made the following Amended Order: **AND NOW**, this 30th day of August, 1991, it is **ORDERED** and **DECLINED** that the Order of August 13, 1991, is amended as follows: It is hereby **ORDERED** and **DECLINED** that Defendant, Commonwealth of Pennsylvania, Office of the Governor, Office of the Budget and Department of Commerce, shall pay unto the Plaintiff, Brandeggee, Inc., the sum of Twenty-One Thousand Dollars (\$21,000.00). Upon receipt of said award, Plaintiff shall forthwith file with the Board a Praecipe to mark the case 'settled and ended with prejudice'. Each party to bear its own costs." Copies forwarded to attorneys for Plaintiff, attorneys for Defendants and Chief Deputy Attorney General.

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**September 9, 1991**

Acceptance of Service of Opinion and Amended Order received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 3, 1991.

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**September 10, 1991**

Acceptance of Service of Opinion and Amended Order dated August 30, 1991 received from attorney for Defendant (Department of Commerce). Receipt of same acknowledged by attorney for Defendant September 9, 1991.

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**September 12, 1991**

Acceptance of Service of Opinion and Amended Order dated August 30, 1991 received from attorney for Defendant (Office of the Governor,

Office of the Budget). Receipt of same acknowledged by attorney for defendant September 9, 1991.

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**December 20, 1991**

The board rendered an Opinion and made the following Order: **"AND NOW,** this 20th day of December, 1991, a Rule to Show Cause is issued upon Plaintiff wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days of this Order whether or not Plaintiff has received the sum of money awarded or justifiable response. This Rule shall become absolute and the case shall be marked closed and settled with prejudice in the event the Board does not received a response to said Rule." Copies forwarded to attorneys for Plaintiff and attorney for Defendant.

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**CLOSED**  
December 30, 1991  
Acceptance of Service of Opinion and Order dated December 20, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 23, 1991.  
December 31, 1991

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Letter/Praecipe acknowledging receipt of award received from attorney for Plaintiff. Copies forwarded to attorneys for Defendants by attorney for Plaintiff.

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**January 6, 1992**

Acceptance of Service of Opinion and Order dated December 20, 1991 received from attorney for Defendant (Department of Commerce). Receipt of same acknowledged by attorney for Defendant (Department of Commerce) January 3, 1992.

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**January 7, 1992**

The Board rendered the following Order: **"AND NOW,** this 7th day of January, 1992, upon receipt of Letter/Praecipe acknowledging receipt of award executed by Joseph U. Metz, Esquire on behalf of Brandegge, Inc., same of which is docketed with this Board under date of December 30, 1991, it is **ORDERED** and **DIRECTED** that said case be marked 'settled and ended with prejudice'." Copies forwarded to attorney for Plaintiff and attorneys for Defendants.

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**January 10, 1992**

Acceptance of Service of Order dated January 7, 1992, received from attorney for Defendant (Department of Commerce). Receipt of same acknowledged by attorney for Defendant (Department of Commerce) January 8, 1992.

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**January 13, 1992**

Acceptance of Service of Order dated January 7, 1992, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 9, 1992.

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**CLOSED**