

Docket Number: 1764

EVE TENSER

Rebecca A. DeSimone, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
STATE SYSTEM OF HIGHER EDUCATION, DUNBORO UNIVERSITY OF PENNSYLVANIA  
and LINDA WEISDORF, in her capacity as Nursing Instructor

~~Jack E. Solomon, Esquire~~

Wayne M. Richardson, Chief Legal Counsel

**August 23, 1993**

By Order of Commonwealth Court, case filed, ORDER as follows: "AND NOW, this 23rd day of August, 1993, the above matter is transferred to the Board of Claims. The Chief Clerk shall certify a photocopy of the docket entries of the above-matter and the record to the Chairman of the Board of Claims."

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**THE FOLLOWING FILED IN COMMONWEALTH COURT**

**November 23, 1992**

Petition for Review/Notice of Appeal File - Transferred from the Court of Common Pleas of Erie County.

December 8, 1992

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**CLOSED**

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Memorandum and Order - This matter is transferred to the Board of Claims. Craig, P.J.

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December 11, 1992

Application for Stay - And reconsideration, filed by defendant Edinboro University of Pennsylvania.

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**January 8, 1993**

Order Filed - Respondent's motion for stay and reconsideration is granted. This Court's Order of December 8, 1992 is vacated. The parties shall file briefs (5 copies) by Feb. 1993 on the question: of Commonwealth - Court's jurisdiction to hear this petition for review. Craig, P.J.

**EVENT RESULT:** Order vacated.

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**February 8, 1993**

Respondent/Appellee's Brief Filed. - On Jurisdiction.

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**February 22, 1993**

Order Filed. - Respondent's shall file an answer or otherwise plead to this matter within 30 days of the date of this Order. Friedman, J.

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**March 17, 1993**

Preliminary Objections - Filed by respondents.

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**March 22, 1993**

Argument Scheduled - Argument on the Preliminary Objections in this matter will be heard during the week of June 14, 1993. A specific date will be set at a later time. Briefs in support of the Preliminary Objections - (15 Copies) shall be filed by April 22, 1993. Briefs in opposition thereto shall be filed within thirty (30) days of service of briefs in support thereof. Hostutler, C.R. Deputy Prothonotary/Chief Clerk, Exit.

**April 21, 1993**

Respondent/Appellee's Brief Filed. - In Support of Preliminary Objections.

**CLOSED**

May 4, 1993

Argument Scheduled. - Monday, June 14, 1993, Pittsburgh

May 1993

Filed-Other - Respondent's stipulate agreement to extend petitioner's time to file brief in opposition to respondent's preliminary objections.

**May 6, 1993**

Order Filed - Petitioner's brief in opposition to respondent's preliminary objections shall be filed by June 7, 1993. Colins, J. May 7, 1993 Order exit.

**EVENT RESULT:** Pet. Ext. Granted.

**May 20, 1993**

Petitioner/Appellant's Brief Filed - In Opposition to Preliminary Objections.

**June 18, 1993**

Filed-Other - Respondent's post-argument memorandum.

**August 23, 1993**

Memorandum Opinion Filed - This matter is transferred to the Board of Claims. McGinley, J.

**September 7, 1993**

Application for Reargument - En Banc, filed by defendant, Edinboro University.

**September 20, 1993**

Order Filed - Defendant Edinboro University's motion for reargument is denied. Craig, P.J.

**EVENT RESULT:** App. for Rearg. Den.

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**October 12, 1993**

Filed-Other - Transferred to the Board of Claims.

**BEFORE THE BOARD OF CLAIMS:**

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**August 23, 1993**

Record transferred from Commonwealth Court.

File received from Commonwealth Court. Amount of Claim: \$0,000.00.

November 5, 1993

Letter forwarded to Plaintiff requesting additional copies of Complaint and filing fee.

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**November 12, 1993**

Additional copies of Claim and filing fee filed by attorney for Plaintiff.

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**November 23, 1993**

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

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**November 30, 1993**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 24, 1993.

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**\*December 6, 1993**

Entry of Appearance filed by Jack E. Solomon, Deputy Chief Legal Counsel, attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendants.

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**December 6, 1993**

Acceptance of Service of Claim received from attorney for Defendant.  
Receipt of same acknowledged by attorney for Defendant December 1, 1993.

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**December 20, 1993**

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

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**December 21, 1993**

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

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**January 31, 1994**

Brief of Respondents in support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 9, 1994**

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

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**April 6, 1994**

The Board rendered an Opinion and made the following Order: "AND NOW, this 6th day of April, 1994, the Board finds that a contract does not exist between the Plaintiff and Defendant and accordingly, the Board does not have the jurisdiction to entertain the request of the Plaintiff. The Complaint of the Plaintiff is hereby DISMISSED."

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**April 13, 1994**

Acceptance of Service of Opinion and Order dated April 6, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 11, 1994.