

Docket Number: 1784

DEETER RITCHEY SIPPEL, P.C.

Robert W. Doty, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Michael J. Daley, Chief Counsel~~
~~Elizabeth A. O'Reilly, Assistant Counsel~~
~~Jose E. Morales, Assistant Counsel~~

February 11, 1994

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$1,565,026.83+.

March 2, 1994

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

March 8, 1994

Acceptance of Service of Statement of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 4, 1994.

CLOSED

Subpoena Duces Tecum directed to the Records Custodian of the University of Pittsburgh filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 6, 1994

Answer with Counterclaim filed by attorneys for Defendant. Copy forwarded to attorney for Plaintiff by attorneys for Defendant.

May 6, 1994

Acceptance of Service of Statement of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 7, 1994.

June 10, 1994

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

November 14, 1994

Department's Response to Plaintiff's New Matter to Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

Interrogatories of Respondent, Commonwealth of Pennsylvania, Department of General Services Addressed to Deeter Ritchey Sippel, P.C. filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 8, 1995

Responses to Interrogatories of Commonwealth of Pennsylvania, Department of General Services Addressed to Deeter Ritchey Sippel, P.C. filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 8, 1995

Claimant's First Request for Production of Documents Directed to Respondent as well as Claimant's First Set of Interrogatories Directed to Respondent filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 10, 1995

Claimant's Second Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 20, 1995

Department's Answer to Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 4, 1995

Respondent's Response to Plaintiff's Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 7, 1995

Request for Production of Documents by the Commonwealth of Pennsylvania, Department of General Services, Addressed to Deeter Ritchey Sippel, P.C. First Set filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 11, 1995

Claimant's Second Set of Interrogatories Directed to Respondent filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 12, 1995

Claimant's Motion to Compel Production of Documents and Brief in Support, thereof, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 10, 1995

DGS's Answer to Claimant's Second Set of Interrogatories Directed to Respondent filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 10, 1995

Responses to Requests or Production of Documents of Commonwealth of Pennsylvania, Department of General Services Addressed to Deeter Ritchey Sippel, P.C. filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 11, 1995

Commonwealth's Response to Plaintiff's Motion to Compel Production of Documents and Brief in Support, hereof, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

CLOSED

October 27, 1995

Reply Brief in Support of Claimant's Motion to Compel Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 4, 1995

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of December, 1995, the report of Ms. Ickes with the exclusion of all her impressions, conclusion and opinions removed from the report shall be given to the Plaintiff." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 27, 1996

Acceptance of Service of Opinion and Order dated December 4, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 5, 1995.

February 28, 1996

Claimant's Motion to Compel Production of Unredacted Audit Report and Work Papers filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 21, 1996

Department's Response to Claimant's Motion to Compel Production of Unredacted Audit Report and Work Papers filed by attorney for attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 23, 1996

The Board made the following Order: **"AND NOW**, this 23rd day of April, 1996, in order to consider and respond to Claimant's Motion to Compel Production of Unredacted Audit Report and Work Papers and Respondent's Response to Claimant's Motion, the Board finds that it is necessary to conduct an in camera review of the unredacted audit report and work papers. Accordingly, Respondent is hereby ordered to file with the Board one (1) legible copy of the unredacted audit report and work papers and one (1) legible copy of the redacted audit report and work papers (which were previously produced to Claimant) within 10 days of this Order." Copies forwarded to attorney for Plaintiff and Attorney for Defendant.

May 1, 1996

Acceptance of Service of Order dated April 23, 1996 received from attorney Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 24, 1996.

May 20, 1996

Acceptance of Service of Order dated April 23, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 25, 1996.

July 2, 1996

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 2nd day of July, 1996 the Motion to Compel Production of Unredacted Audit Report and Work Papers ("Motion") filed by Claimant; Deeter, Ritchey, Sippel, P.C., against Respondent, Commonwealth of Pennsylvania, Department of General Services, is hereby **GRANTED IN PART** and **DENIED IN PART** as to Exhibit B to the Motion and **DENIED** as to Exhibit C to the Motion. Each redacted line or line segment in Exhibit B which Respondent is ordered to produce is marked 'Produce' in the Exhibit B attached to this Opinion and Order. The portions of Exhibit B now ordered produced must be produced within fifteen (15) days." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

July 11, 1996

Acceptance of Service of Opinion and Order dated July 2, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 8, 1996.

August 15, 1996

Acceptance of Service of Opinion and Order dated July 2, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 2, 1996.

September 6, 1996

Hearing scheduled for March 24-28, 31, April 1-4, 1997 in Board's Court Room No. 1 commencing at 9:30 a.m.

February 3, 1997

Letter received from attorney for Defendant advising that the parties have reached a settlement.

CLOSED

Letter forwarded to the parties requesting a status report.

October 21, 1997

Letter received from attorney for Plaintiff requesting that a hearing be scheduled due to unresolved issues.

Letter received from attorney for Defendant advising that a hearing should not be scheduled.

October 23, 1997

Letter forwarded to the parties requesting a status report.

Response due 11/24/97

December 16, 1997

Panel Hearing scheduled for February 23, 24 and 25, 1998, in Board's Court Room No. 2, Fulton Building, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

January 16, 1998

Commonwealth of Pennsylvania, Department of General Services' Pre-Trial Statement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 20, 1998

Plaintiff's Pre-Trial Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 23, 1998

Panel Hearing held this date in Court Room No. 2, Fulton Building, 200 North Third Street, 6th Floor, Harrisburg, Pennsylvania, commencing at 9:30 a.m. Case completed.

March 25, 1998

Testimony of Panel Hearing held February 23, 1998, filed.

March 25, 1998

Post-Hearing Brief on Behalf of Claimant, Deeter, Ritchey, Sippel, P.C. ("DRS") filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 31, 1998

Copy of testimony of Panel Hearing held February 23, 1998 forwarded to attorney for Defendant.

April 2, 1998

Acceptance of Service of testimony of hearing held February 23, 1998, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 2, 1998.

April 30, 1998

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

May 29, 1998

Commonwealth of Pennsylvania, Department of General Services' Proposed Findings of Fact, Conclusions of Law and Brief in Support thereof filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 14, 1998

Panel Report filed.

January 8, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 8th day of January, 1999, we find the claim asserted before the Panel at the hearing of February 23, 1998, was previously disposed of through a Settlement Agreement and Release executed by the parties.

To the extent that a claim existed, it is dismissed with prejudice and judgment is entered in favor DGS." Copy forwarded to attorney for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

January 19, 1999

Acceptance of Service of Final Opinion and Order dated January 9, 1999 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 11, 1999.

January 20, 1999

Acceptance of Service of Final Opinion and Order dated January 8, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 11, 1999.

CLOSED