

Docket Number: 1862

~~SILENT RADIO, INC.~~
*CYBERNETIC SERVICES, INC.

William W. Warren, Jr., Esquire
Kurt Ehresman, Esquire

CLOSED
S.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

~~Michael J. Daley, Chief Counsel~~
Peter M. Good, Assistant Counsel

November 22, 1994

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$115,700.00+.

December 5, 1994

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

December 9, 1994

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 8, 1994.

CLOSED

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

January 31, 1995

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

February 24, 1995

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

June 8, 1995

First Set of Requests for Production by Claimant Silent Radio Directed to Respondent filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 29, 1995

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

June 29, 1995

Interrogatories and Request for Production of Documents of Respondent, Commonwealth of Pennsylvania, Department of General Services to Claimant filed by attorney for Defendant. Copy forwarded to attorneys for Plaintiff by attorney for Defendant.

September 7, 1995

Claimant's Answers to Interrogatories and Request for Production of Documents filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

November 13, 1995

Notice of Deposition of James F. Doyle filed by attorney for Defendant.

July 18, 1996

Plaintiff's Request for Admissions Addressed to Defendant filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 19, 1996

Respondent's Answers to Claimant's Request for Admissions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 12, 1997

Letter received from attorney for Plaintiff requesting the case be held in abeyance.

May 7, 1997

Hearing scheduled for August 11, 12, 13, 14 & 15, 1997, if necessary, in Board's Courtroom No. 1, 6th Floor, Fulton Bank Building, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

July 24, 1997

Joint Stipulation of Fact executed by the parties, filed by attorney for Plaintiff.

July 28, 1997

Hearing scheduled for August 11, 12, 13, 14 & 15, 1997, settled.

August 14, 1997

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 14th day of August, 1997, it is **ORDERED** and **DECREED** that the Plaintiff, Silent Radio, Inc., shall file its Proposed Findings of Fact, Conclusions of Law and Brief in Support thereof within thirty (30) days of the exit date of this Order. Thereafter, it is **ORDERED** and **DECREED** that the Defendant, Commonwealth of Pennsylvania, Department of General Services, shall file its Proposed Findings of Fact, Conclusions of Law in Support and Brief in Support thereof within thirty (30) days of the filing of Plaintiff's documents." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 18, 1997

Acceptance of Service of Opinion and Order dated August 14, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff of August 15, 1997.

August 25, 1997

Acceptance of Service of Opinion and Order dated August 14, 1997, received from attorney for Defendant. Receipt of same acknowledged attorney for Defendant August 15, 1997.

September 11, 1997

Claimant's Motion for Extension of Time filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 30, 1997

Claimant's Motion for Extension of Time filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 14, 1997

Claimant's Motion for Extension of Time filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 17, 1997

Petition to Correct the Name of Claimant filed by attorneys for Plaintiff. Copy forwarded to attorney for Defendant by attorneys for Plaintiff.

October 30, 1997

Claimant's Motion for Extension of Time filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

***November 6, 1997**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 6th day of November, 1997, it is **ORDERED** and **DECREED** that Plaintiff's Motion for an Extension of Time in which to file Plaintiff's Proposed Findings of Fact, Conclusions of Law and Brief in Support Thereof, is hereby **GRANTED**. Counsel for the Plaintiff, Silent Radio, Inc. (hereinafter referred to as "Cybernetic Services, Inc."), is hereby **DIRECTED** to file said documents on or before November 24, 1997. It is further **ORDERED** and **DECREED** that Plaintiff's Motion to correct the Name of Plaintiff is hereby **GRANTED**. Plaintiff's name shall be known as Cybernetic Services, Inc. The caption hereinafter shall be as follows: "Cybernetic Services, Inc. vs. Commonwealth of Pennsylvania, Department of General Services" Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 14, 1997

Acceptance of Service of Opinion and Order dated November 6, 1997, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 10, 1997.

November 24, 1997

Claimant's Motion for Extension of Time (in which to file its Findings of Fact, etc.) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 4, 1997

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 4th day of December, 1997, it is **ORDERED** and **DECREED** that the Plaintiff herein, Cybernetic Services, Inc., is hereby given until December 10, 1997, in which to file its Findings of Fact, Conclusions of Law and Brief in Support thereof." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

December 10, 1997

Claimant's Motion for Extension of Time (to file Findings of Fact, etc.) until December 17, 1997, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 10, 1997

Acceptance of Service of Order dated December 4, 1997 received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff December 6, 1997.

December 16, 1997

The Board made the following Order: "AND NOW, this 16th day of December, 1997, upon receipt of Claimant's Motion for Extension of Time, in which to file its Findings of Fact, Conclusions of Law and Brief, docketed with this Board on December 10, 1997, it is **ORDERED** and **DECREED** that the Motion for Extension of Time is **GRANTED** and Plaintiff herein, Cybernetic Services, Inc., is hereby given until December 17, 1997, in which to file its Findings of Fact, Conclusions of Law and Brief in Support thereof. Copies forwarded to attorney for Plaintiff and attorney for Defendant.

December 17, 1997

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

December 19, 1997

Acceptance of Service of Order dated December 16, 1997 received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff December 17, 1997.

December 29, 1997

Acceptance of Service of Opinion and Order dated December 4, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 5, 1997.

December 29, 1997

Acceptance of Service of Opinion and Order dated November 6, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 7, 1997.

January 14, 1998

Acceptance of Service of Order dated December 16, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 17, 1997.

January 16, 1998

Respondent's 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.

February 11, 1998

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

April 6, 1998

The Board rendered an Opinion and made the following Order: "AND NOW this 6th day of April, 1998, on the basis of the submissions of the parties and the findings of fact, it is **ORDERED** and **DECREED** that judgment is entered in favor of the Respondent, Commonwealth of Pennsylvania, Department of General Services, and against the Claimant, Cybernetik Services, Inc., on Plaintiff's Complaint and claim for damages. It is further **ORDERED** and **DECREED** that any action on Respondent's Counterclaim is stayed pursuant to Section 362(a) of the Federal Bankruptcy Act. Each party to bear its own costs and attorney's fees." Copies forwarded to attorneys for Plaintiff, attorney for Defendant and Chief Deputy Attorney General.

April 14, 1998

Acceptance of Service of Opinion and Order dated April 6, 1998 received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff April 9, 1998.

April 22, 1998

Acceptance of Service of Opinion and Order dated April 6, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 7, 1998.

May 6, 1998

Copy of Petition for Review (In the Nature of an Appeal), as filed by Plaintiff in Commonwealth Court, received from attorney for Plaintiff. {No. 1265 C.D. 1998}

May 14, 1998

Petition for Review, as filed in Commonwealth Court by Plaintiff, received from Commonwealth Court. {No. 1265 C.D. 1998}.

May 15, 1998

Filed transmitted to Commonwealth Court.

May 26, 1998

Courtesy copy of Designation of Record Pursuant to Rule 2154(A) as filed in Commonwealth Court by Plaintiff, received from attorney for Plaintiff.

July 15, 1998

Courtesy copy of Reproduced Record and Brief for Petitioner, as filed in Commonwealth Court, received from attorney for Plaintiff.

September 17, 1998

Acceptance of service of Final Opinion and Order dated April 6, 1998 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 7, 1998.

June 4, 1999

Opinion and Order received from Commonwealth Court. Order as follows: "**NOW**, January 29, 1999, the order of the Board of Claims in the above-captioned matter is hereby affirmed."

September 15, 1999

Petition for Allowance of Appeal denied by Supreme Court {No. 0207 M.D. Allocatur Docket 1999}. Order as follows: "AND NOW, this 18th day of August, 1999, the Petition for Allowance of Appeal is hereby DENIED."

September 15, 1999

File returned from Commonwealth Court.
