

Docket Number: 2106

JAMES E. GLISPY

Edwin W. Smith, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
STATE SYSTEM OF HIGHER EDUCATION,
EDINBORO UNIVERSITY

~~Robert A. Mulle, Chief Counsel~~
Jack E. Solomon, Deputy Chief Legal Counsel

May 10, 1996

*Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$9,393.20+.

May 15, 1996

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **Response due from Defendant June 14, 1996**

May 20, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 16, 1996.

June 5, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 3, 1996.

June 8, 1996

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

June 14, 1996

Answer to Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 7, 1996

Interrogatories and Request for Production of Documents directed to Defendant and Requests for Admissions filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 13, 1996

*Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 24, 1996

Copy of Amended Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from attorney for Defendant October 24, 1996.

October 2, 1996

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 30, 1996.

October 3, 1996

Acceptance of Service of Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 26, 1996.

October 18, 1996

Preliminary Objections to Plaintiff's Amended Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 24, 1996

Answer to Preliminary Objections to Amended Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 23, 1996

Letter forwarded to parties setting the briefing schedule for Preliminary Objections to Amended Complaint. DEFENDANT'S BRIEF IN SUPPORT DUE 1/13/96.

January 15, 1997

Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. - PLAINTIFF'S RESPONSE & BRIEF IN OPPOSITION DUE 2/5/97.

January 27, 1997

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

April 24, 1997

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 24th day of April, 1997, after due consideration of the Preliminary Objections and other submissions of the parties, it is hereby **ORDERED** that the Defendant's Preliminary Objections are **GRANTED**, in part, and that the allegation of the Amended Complaint claiming disability retirement benefits is **DISMISSED**. In all other respects, the Defendant's Preliminary Objections are **DENIED**. Defendant is directed to file an Answer, or other response, to Plaintiff's Amended Complaint within thirty (30) days of the exit date of this Order." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED
May 2, 1997
Acceptance of Service of Opinion and Order dated April 24, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 28, 1997.
May 5, 1997

Acceptance of Service of Opinion and Order dated April 24, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 1, 1997.

November 12, 1997

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE **DECEMBER 12, 1997**.

November 21, 1997

Letter/Status Report received from Defendant advising that an Answer need not be filed per the Board's Opinion and Order of April 24, 1997, because the Board dismissed the portion of Plaintiff's Claim that went above and beyond the claims that are in the original Complaint which have already been answered by Defendant. He also advised that there is some possibility that the parties will settle after the discovery is complete.

November 24, 1997

Letter/Status Report received from Plaintiff advising that they have forwarded to Defendant discovery which is still outstanding.

December 24, 1997

Motion for Summary Judgment, Brief in Support of Motion for Summary Judgment and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 12, 1998

Answer to Motion for Summary Judgment and Brief in Opposition to Defendant's Motion for Summary Judgment filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 12, 1998

Motion for Protective Order, along with Proposed Order, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 20, 1998

Response to Motion for Protective Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 4, 1998

The Board rendered an Opinion and made the following Order: **AND NOW**, this 4th day of February, 1998, having considered defendant's Motion for Protective Order and plaintiff's Response thereto, this Board **DENIES** the motion as it pertains to the Interrogatories and Request for Production (First Set) served by plaintiff and **ORDERS** defendant to respond within thirty (30) days. **FURTHER**, the Board **GRANTS** the motion to the extent that it pertains to the Requests for Admissions served by plaintiff, allows defendant to withdraw any such admissions already made, and **ORDERS** defendant to respond to the Requests for Admissions within thirty (30) days of the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 5, 1998

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 5th day of February, 1998, after due consideration of Defendant's Motion for Summary Judgment, Plaintiff's Response thereto, the accompanying briefs, and all pleadings filed in this matter, the Motion is hereby **DENIED**." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

February 12, 1998

Acceptance of Service of Opinion and Order dated February 4, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 9, 1998.

February 12, 1998

Acceptance of Service of Opinion and Order dated February 5, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 9, 1998.

March 30, 1998

Letter/Praecipe, advising that the matter should be noted as being "settled and discontinued" filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 7, 1998

The Board made the following Order: "AND NOW, this 7th day of April, 1998, upon receipt of a Letter Praecipe, requesting the Board to mark this matter 'settled and discontinued', executed by Edwin W. Smith, Esquire, on behalf of Plaintiff, James E. Galspy, and docketed with this Board under date of March 30, 1998, it is **ORDERED** and **DIRECTED** that said case be marked settled, discontinued, and ended with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

April 13, 1998

Acceptance of Service of Order dated April 7, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 9, 1998.

April 15, 1998

Acceptance of Service of Order dated April 7, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 9, 1998.
