

Docket Number: 2440

CLAUDE BASS

~~Athena M. Dooley, Esquire,~~  
Claude Bass, Pro Se

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

~~John J. Robinson, Jr., Chief Claims Attorney~~  
Gerald Schultz, Assistant Counsel

**June 12, 1996**

AND NOW, this 12 day of June, 1996, it is hereby ORDERED and DECREED that defendants' Preliminary Objections to plaintiff's Complaint are granted in part; Counts I, II, III, IV and VII of the Complaint are DISMISSED WITH PREJUDICE. It is further ORDERED and DECREED that Counts V and VI of plaintiff's Complaint shall be transferred to the Board of Claims which shall hear plaintiff's claim if it determines that said claim is not barred by the period of limitations set forth in 72 P.S. §4651-6.

THE FOLLOWING FILED IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY:

**CLOSED**

Assessment of Damages      Assessment of Damages Hearing Required.  
**March 1, 1996**

Filing Text.    Filing Atty-000007 Pro Se Prothy \$184.00    Amount at Issue Less Than \$50,000.00  
**March 1, 1996**

Filing Text.    Praecipe to Issue Writ Filed.    Writ of Summons Issued. Arbitration Hearing Requested.  
**March 5, 1996**

Filing Text.    Affidavit of Service of Writ of Summon Upon Defendant(s) Frank Graff Department of Transportation by Personal Service Filed.  
**March 27, 1996**

Complaint/Summons Filed.    Complaint with Notice to Defend, within twenty (20) days after service, in accordance with Rule 1018.1 filed.  
**March 28, 1996**

Entry of Appearance Filed.    Appearance of Kate J. Norton Esq.    For Defendant Department of Transportation of Commonwealth of for Defendant Frank Graff Fee Paid \$90.00

**March 28, 1996**

Rule to File Complaint. Praecipe and Rule filed upon Plaintiff to file a Complaint within twenty (20) days or suffer Judgment on Non Pros. Filed by -- Commonwealth Parties - Defts.

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**April 15, 1996**

Entry of Appearance filed. Appearance if Susan M. Rabii Esq. for Defendant Department of Transportation of Commonwealth of for Defendant Frank Graff Fee Paid \$90.00 Preliminary Objections to Plaintiff's Complaint of above-named Defendant(s) filed.

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**June 18, 1996**

Order Entered 236 Notice Given. Ordered that Deft.'s Preliminary Objections to Pltff.'s Complaint are granted in part; Counts I, II, III, IV, and V of Complaint are dismissed with Prejudice. Further Ordered that Counts V and VI of Pltff.'s Complaint shall be transferred to the Board of Claims, which shall hear Pltff.'s claim if it determines the said claim is not barred by the period of limitation set forth in 72 P.S. 4651-6 Papalini, J. 6-12-96

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**February 3, 1997**

Arb Hrng Closed (Expired)

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**February 27, 1997**

Arbitration Case Closed.

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**BEFORE THE BOARD OF CLAIMS:**

**June 18, 1996**

Record Transferred from Court of Common Pleas of Philadelphia County.

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**April 18, 1997**

File received from Court of Common Pleas of Philadelphia County.  
Amount of Claim: Not in excess of \$50,000.00

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**May 5, 1997**

Letter forwarded to Plaintiff requesting filing fee.

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**May 19, 1997**

Filing fee received from Plaintiff.

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**May 23, 1997**

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **Response due from Defendant June 23, 1997.**

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**May 30, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 27, 1997.

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**June 2, 1997**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 27, 1997.

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**July 18, 1997**

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

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**August 7, 1997**

Plaintiff's Answer to Preliminary Objections and Memorandum of Law in Opposition to Preliminary Objections to Plaintiff's Complaint filed by Plaintiff. Copy forwarded to attorney for Defendant by Plaintiff.

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**November 7, 1997**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 7th day of November, 1997, the Complaint of the Plaintiff, Claude Bass, is hereby **DISMISSED** due to lack of subject matter jurisdiction before the Board of Claims." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 18, 1997**

Acceptance of Service of Opinion and Order dated November 7, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 12, 1997.

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