

Docket Number: 2687

DR. R. SQUIER BALL

Brett J. Riegel, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
STATE SYSTEM OF HIGHER EDUCATION,
EAST STRANDBURG UNIVERSITY OF PA

~~Robert A. Mullen, Chief Legal Counsel~~
Jacqueline Conforti Barnett, University Legal Counsel

June 5, 1998

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$504.00+

June 17, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT JULY 17, 1998

June 24, 1998

Acceptance of Service of Claim received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General June 21, 1998.

July 2, 1998

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 2, 1998.

July 16, 1998

Answer to Plaintiff's Petition for Review filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 30, 1999

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 1, 1999**.

May 14, 1999

The Board made the following Order: "**AND NOW**, this 14th day of May, 1999, it **ORDERED** and **DECREED** that this matter be set to be heard by a Panel, consisting of Frederick D. Giles, Esquire, and Charles A. Kline, P.E., beginning on September 8, 1999 in Courtroom No. 2. The hearing shall thereafter continue on September 9 and 10, 1999, if necessary. It is further **ORDERED** and **DECREED** that all discovery herein shall be completed no later than forty-five (45) days prior to September 8, 1999." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

*** May 14, 1999**

Panel Hearing (Giles and Kline) scheduled for September 8, 9 and 10, 1999 in Board's Courtroom No. 2, 6th Floor, Fulton Building, Harrisburg, PA, commencing at 9:30 a.m.

May 18, 1999

Letter received from attorney for Defendant advising that the parties both agree that the hearing in this matter will take no longer than one day and requesting the release of the hearing dates of September 9 and 10, 1999.

May 20, 1999

Acceptance of Service of Order dated May 14, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 17, 1999.

May 21, 1999

Acceptance of Service of Order dated May 14, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 17, 1999.

*** June 2, 1999**

Panel Hearing Date and Time schedule is changed. The dates of September 9 and 10, 1999 have been canceled and the hearing is scheduled for one day only - **September 8, 1999** in Board's Courtroom No. 2, 6th Floor, Fulton Building, Harrisburg, PA, commencing at 9:30 a.m.

August 25, 1999

Respondent's Pre-Trial Statement filed by attorney for Defendant, via facsimile.

August 26, 1999

Respondent's Pre-Trial Statement filed by attorney for Defendant, via U.S. Mail. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 30, 1999

Claimant's Pre-Trial Statement filed by attorney for Plaintiff, via facsimile.

August 31, 1999

Claimant's Pre-Trial Statement filed by attorney for Plaintiff, via U.S. Mail. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 1, 1999

Respondent's Amended Pre-Trial Statement filed by attorney for

Defendant, via facsimile.

September 2, 1999

Respondent's Amended Pre-Trial Statement filed by attorney for Defendant, via U.S. Mail. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

****September 7, 1999**

Panel Hearing (Giles and Kline) scheduled for September 8, 1999, **canceled** per telephone request from counsel for Defendant. Case to be rescheduled for trial in the near future.

****September 21, 1999**

Panel Hearing (Giles and Kline) rescheduled for November 9, 1999 as well as November 19, 1999 in Board's Courtroom No. 2, 4th Floor, Fulton Building, Harrisburg, PA commencing at 9:30 a.m.

November 3, 1999

Letter received from attorney for Defendant, via facsimile, advising that the parties have agreed to several stipulations which will no longer necessitate a hearing and requests this matter be submitted on briefs.

November 4, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of November, 1999, it is **ORDERED** and **DECREED** that the Panel hearing scheduled for November 9 and 19, 1999 is hereby **CANCELED**. It is further **ORDERED** and **DECREED** that Plaintiff shall submit its Proposed Findings of Fact, Conclusions of Law and supporting Brief on or before December 10, 1999. Thereafter, Defendant shall submit its Proposed Findings of Fact, Conclusions of Law and supporting Brief on or before January 10, 2000." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 8, 1999

Stipulation of Facts, executed by parties, filed by attorney for Defendant.

November 10, 1999

Acceptance of Service of Opinion and Order dated November 4, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 8, 1999.

November 10, 1999

Acceptance of Service of Opinion and Order dated November 4, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 8, 1999.

December 9, 1999

Letter received from attorney for Plaintiff requesting the Board grant a continuance of the Plaintiff's Brief due date, to a mailing date of December 17, 1999, and advised that Defendant concurred with said request. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 10, 1999

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request that the Plaintiff's Brief is now due to be mailed on or before December 17, 1999.

December 21, 1999

Brief of Claimant filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. **Defendant's Brief due January 18, 2000.**

January 18, 2000

Letter received from Litigation Assistant for Defendant requesting an extension of time of one week, until January 25, 2000, in which to file Defendant's Brief.

January 19, 2000

Letter forwarded to Litigation Assistant for Defendant, with copy to attorney for Plaintiff, granting request for an extension of time of one week in which to file Defendant's Brief. **Defendant's Brief now due on or before January 25, 2000.**

January 26, 2000

Brief of Defendant, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 2, 2000

The Board rendered an Opinion and made the following Order: **AND NOW**, this 2nd day of May, 2000, it is hereby **ORDERED** and **DECREED** that judgment is entered in favor of Defendant, Commonwealth of Pennsylvania, State System of Higher Education, East Stroudsburg University of PA. Both parties are to bear their own costs." Copy forwarded to attorney for Plaintiff, attorney for Defendant, and Chief Deputy Attorney General.

May 4, 2000

Acceptance of Service of Final Opinion and Order dated May 2, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 3, 2000.

May 4, 2000

Acceptance of Service of Final Opinion and Order dated May 2, 2000 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 2, 2000.

June 1, 2000

Petition for Review Pursuant to Pa.R.A.P. 1513, as filed in Commonwealth Court, received from attorney for Plaintiff.

June 12, 2000

Petition for Review received from Commonwealth Court. {No. 1281 C.D. 2000}.

June 14, 2000

File transmitted to Commonwealth Court.

June 14, 2000

Copy of Docketing Statement/Petition for Review, as filed in Commonwealth Court, received from attorney for Plaintiff.

June 27, 2001

Copy of Order received from Commonwealth Court. Order as follows:
"AND NOW, this 2nd day of March, 2001, the order of the Pennsylvania Board of Claims dated May 2, 2000, which denied Dr. R. Squier Ball's breach of contract claim and entered judgement in favor of East Stroudsburg University, is hereby affirmed."

October 17, 2001

Copy of Order received from Supreme Court. Order as follows: "AND NOW, this 25th day of September, 2001, the Petition for Allowance of Appeal is hereby DENIED."

October 30, 2001

File returned from Commonwealth Court.

CLOSED