Docket Number: 2944

CHARLES E. ALSIPPI

Leonard E. Sweeney, Esquire Angelo E. Quaranta, Esquire



John Robinson, Chief Claims Attorney Jeffrey W. Davis, Esquire

February 10, 1999

By Order of the Westmoreland County Court, case filed, Order as follows: "AND NOW, this 3rd day of May, 1999, after consideration of the prelimary objections filed in support thereof and in opposition thereto; It appearing to the Court that each Count of the complaint in Civil Action alleges as a basis for said action a breach of a certain provision of a contract between the Commonwealth of Pennsylvania and Council 13, American Federation of State, County, and Municipal Employees, AFL-CIO; and It further appearing that the Board jur bm aims gge ant ovisions with ies up n 6f ct he Commo realth ٥f а nt: the Co insylvania asserti lonwealth claims (Keenh Г gai Commonwe lth Pennsy ania, Penn ecurit of rivan Ĺа mission, 5 6 A.2d 11 (Pa. 72 S. §4561-89 It s); and and D reco he wi hé by ORDERE (R) tha in hir actio ïs the Claims and is transperred to the as if Board pe originally filed with the Board of Claims on the date filed with the Court of Common Pleas of Westmoreland County." THE FOLLOWING FILED IN WESTMORELAND COUNTY COURT

December 4, 1998

Complaint filed by Plaintiff.

January 19, 1999

Affidavit of Service of Complaint filed by Acting Sheriff. February 12, 1999

Preliminary Objections and Brief in Support filed by Defendant. March 3, 1999

Brief in Opposition to Preliminary Objections filed by Plaintiff. BEFORE THE BOARD OF CLAIMS

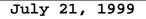
May 28, 1999

Record transferred from Westmoreland County Court.

June 8, 1999

Docket No. 2944

Letter forwarded to Plaintiff requesting additional copies of claim and filing fee. Response due July 8, 1999.



The Board rendered an Opinion and made the following Order: "AND NOW, this 21st day of July, 1999, a Rule to Show Cause is issued upon Plaintiff, Charles E. Alsippi, wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue the above-captioned matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked "closed, discontinued and ended with prejudice." <u>Copy</u> forwarded to attorney for <u>Plaintiff</u> and attorney Defen fo ant 199 July litional co ling] d. les of C im and fil

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant August 30, 1999.

1999

July,

August 6, 1999

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General August 4, 1999.

August 30, 1999

Preliminary Objections as well as Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff October 1, 1999.

September 30, 1999

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

November 30, 1999

The Board rendered an Opinion and made the following Order: "AND

Docket No. 2944

NOW, this 30th day of November, 1999, upon consideration of the preliminary objections filed by defendant and plaintiff's opposition thereto, IT IS ORDERED, ADJUDGED, AND DECREED that the preliminary objection based upon the Board's lack of subject matter jurisdiction is SUSTAINED, the preliminary objection based upon the statute of limitations is OVERRULED, and the preliminary objection in the nature of a demurrer is OVERRULED. FURTHER, the action is hereby TRANSFERRED back to the Court of Common Pleas of Westmoreland County." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 1, 1999

File Transferred to Westmoreland County Court.

CLOSED