Docket Number: 3487

CORRECTIONAL CABLE TV

~~Jan Colongne, General Manager~~
~~Joshua D. Lock, Esquire~~
Thomas J. Weber, Esquire
Heather L. Paterno, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

~~Sarah B. Vandenbraak, Chief Counsel~~
Timothy I. Mark, Assistant Counsel

CLOSED

*** April 5, 2002**

Letter-type claim and filing fee filed by attorney for Plaintiff. Awaiting Additional information (More Detailed Statement of Claim, Supporting Documentation, Verification, and Additional Copies).

April 11, 2002

Additional information received (More detailed Statement of Claim, Supporting Documentation, and an Un-Notarized Verification. Awaiting Additional information (Notarized Verification and 3 additional copies).

April 26, 2002

Notarized Verification and additional copies of Claim received from Plaintiff. Amount of Claim: $3,351,000.

April 30, 2002

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT MAY 30, 2002.

April 30, 2002

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 2, 2002.

May 30, 2002

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 30, 2002.

May 30, 2002

Defendant=s Preliminary Objections to Claim as well as Brief of Defendant in Support of Preliminary Objections to Claim filed by attorney for Defendant. Copy forwarded to Plaintiff by attorney for Defendant. **Plaintiff=s Response/Brief due on or before July 1, 2002**.

June 28, 2002

Claimant=s Response to Defendant=s Preliminary Objections to Claim as well as Brief of Claimant in Opposition to Defendant=s

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

November 25, 2002

The Board rendered an Opinion and made the following Order: A**AND NOW**, this 25th day of November, 2002, upon consideration of the preliminary objections of the Respondent, Commonwealth of Pennsylvania, Department of Corrections, to the claim of Claimant, Correctional Cable TV, it is **ORDERED** and **DECREED** that: (1) the preliminary objection on the ground of lack of specificity is **SUSTAINED** and Claimant is granted leave to amend to aver with greater specificity the facts supporting its claim and the basis for the allegations of damages incurred as a result of the alleged breach of contract by Respondent; and (2) all other preliminary objections are **DISMISSED**. An Amended Complaint conforming to this Order shall be filed within thirty (30) days from the exit date of this Order.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 2, 2002

Acceptance of Service of Opinion and Order dated November 25, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 26, 2002.

December 16, 2002

Acceptance of Service of Opinion and Order dated November 25, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 27, 2002.

*** December 23, 2002**

Amended Complaint filed by attorney for Plaintiff. Amount of Claim Unchanged.

January 7, 2003

Copy of Amended Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General. RESPONSE DUE FROM DEFENDANT FEBRUARY 6, 2003.

January 16, 2003

Acceptance of Service of Amended Complaint received from Office of Attorney General. Receipt of same acknowledged by Office of Attorney General January 8, 2003.

January 22, 2003

Acceptance of Service of Amended Complaint received from

attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 8, 2003.

January 23, 2003

Letter received from attorney for Defendant requesting a thirty (30) day extension of time in which to file its responsive pleading to Plaintiff=s Amended Complaint. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 24, 2003

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant=s request for a thirty (30) day extension of time in which to file its responsive pleading to Plaintiff=s Amended Complaint. **Defendant=s Responsive pleading now due on or before March 8, 2003**.

March 7, 2003

Letter received from attorney for Defendant requesting an additional extension of time, until April 7, 2003, in which to file its responsive pleading to Plaintiff=s Amended Complaint. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 10, 2003

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant=s request for an extension of time until April 7, 2003 in which to file its responsive pleading to Plaintiff=s Amended Complaint. **Defendant=s Responsive pleading now due on or before April 7, 2003**.

April 7, 2003

Answer to Amended Complaint with New Matter Set-Off and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Plaintiff=s Reply to New Matter Set-Off and Counterclaim on or before April 27, 2003**.

April 24, 2003

Letter received from attorney for Plaintiff requesting an extension of time, until May 28, 2003, in which to file its

Answer to Defendant=s New Matter Set-Off and Counterclaim. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 29, 2003

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff=s request for an extension of time, until **May 28, 2003**, in which to file its Answer to Defendant=s New Matter Set-Off and Counterclaim.

May 30, 2003

Plaintiff filed Response to Defendant=s New Matter and Counterclaim and Claimant=s New Matter to Defendant=s Counterclaim. Copy forwarded to Defendant. **Defendant=s Reply to New Matter due June 19, 2003.**

June 20, 2003

Plaintiff filed Praecipe to attach Verification, as well as the Verification, to its Response to Defendant=s New Matter and Counterclaim. Copy forwarded to Defendant.

June 23, 2003

Defendant filed Defendant=s Preliminary Objections to Claimant=s Response to New Matter and Counterclaim and Claimant=s New Matter to Defendant=s Counterclaim as well as Brief in Support of Preliminary Objections. Copy forwarded to Plaintiff. **Plaintiff=s Response due July 21, 2003**.

July 23, 2003

Plaintiff filed Brief of Claimant in Opposition to Defendant=s Preliminary Objections. Copy forwarded to Defendant.

July 31, 2003

Board issued Opinion and Order. Order as follows: A**AND NOW**, this 31st day of July, 2003, Plaintiff=s Verification to its Response to New Matter and Counterclaim is hereby **ORDERED** attached to its Response to Respondent=s New Matter and Counterclaim.@ Copy forwarded to Plaintiff and Defendant.

August 7, 2003

Defendant filed Acceptance of Service of Opinion and Order dated July 31, 2003. Receipt of same acknowledged by Defendant August 4, 2003.

October 21, 2003

Board issued Opinion and Order. Order as follows: A**AND NOW**, this 21st day of October, 2003, it is **ORDERED** and **DECREED** that Defendant=s Preliminary Objections to Plaintiff=s Response to New Matter and Counterclaim and Plaintiff=s New Matter to Defendant=s Counterclaim are **SUSTAINED** in reference to Paragraphs 56, 60, 61, 91, 97, 109, 110 and 111, and such responses are hereby **STRICKEN.** Plaintiff is granted leave to file amended responses within twenty (20) days from the exit date of this Order.@ Copy forwarded to Plaintiff and Defendant.

November 5, 2003

Plaintiff filed Amended Response to Respondent=s New Matter and Counterclaim as well as Claimant=s New Matter to Respondent=s Counterclaim. Copy forwarded to Defendant.

November 24, 2003

Defendant filed Reply to Plaintiff=s New Matter to Counterclaim. Copy forwarded to Plaintiff.

December 10, 2003

Defendant filed Notice of Service of Interrogatories Directed to Plaintiff - Set I; Expert Interrogatories Directed to Plaintiff; as well as First Request for Production of Documents directed to Plaintiff.

April 15, 2004

Defendant filed Motion for Sanctions Pursuant to Pa.R.C.P. 4019, Brief in Support thereof, as well as Proposed Order. Copy forwarded to Plaintiff.

May 18, 2004

Plaintiff filed Response and Brief to Defendant=s Motion for Sanctions Pursuant to Pa. R.C.P 4019. Copy forwarded to Defendant.

May 21, 2004

Defendant filed Second Motion for Sanctions Pursuant to Pa.R.C.P. 4019, Brief in Support and Proposed Order. Copy forwarded to Plaintiff.

July 8, 2004

Plaintiff filed Stipulation for Dismissal, executed by parties. Copy forwarded to Defendant.

July 14, 2004

Board issued Order. Order as follows: A**AND NOW**, this 14th day of July, 2004, upon receipt of a Stipulation for Dismissal, filed by counsel for Plaintiff, Correctional Cable TV, executed by both parties, advising the Board that ›The parties, through their authorized undersigned counsel, hereby stipulate that it is their desire that the underlying claim and counterclaim be dismissed with prejudice. . . .: and docketed with this Board under date of July 8, 2004, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked ›settled, discontinued and ended with prejudice:.@ Copy forwarded to Plaintiff and Defendant.

July 19, 2004

Plaintiff filed Acceptance of Service of Order dated July 14, 2004. Receipt of same acknowledged by Plaintiff July 16, 2004.

July 20, 2004

Defendant filed Acceptance of Service of Order dated July 14, 2004. Receipt of same acknowledged by Defendant July 16, 2004.