

Docket Number: 3515

INDEPENDENT STATE STORE UNION, Claimant

W. DAVID WANAMAKER, EDWARD CLOONAN, CAROLYN PAYNE, and
LARRY JOHNSON, Representative Claimants

~~Kimber L. Latsha, Esquire~~
~~Steven M. Montresor, Esquire~~
~~Irvin J. Brynn, Esquire~~

CLOSED

COMMONWEALTH OF PENNSYLVANIA
LIQUOR CONTROL BOARD

~~Faith Diehl, Chief Counsel~~
Frank A. Fisher, Jr., Chief Counsel (Office of Administration)
Nora L. Doyle, Senior Counsel (Office of Administration)

*** June 24, 2002**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: in excess of \$300.00 +

July 3, 2002

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT AUGUST 2, 2002.

July 10, 2002

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 10, 2002.

July 10, 2002

Preliminary Objections as well as Brief of Defendant in support of its Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. PLAINTIFF'S RESPONSE/BRIEF DUE AUGUST 29, 2002.

August 13, 2002

Copy of letter directed to counsel for Plaintiff received from attorney for Defendant re-serving a copy of Defendant's July 30, 2002, Preliminary Objections and confirming that Plaintiff has thirty (30) days from the date of re-service to file its response. RESPONSE DUE ON OR BEFORE SEPTEMBER 11, 2002.

August 16, 2002

Letter received from attorney for Plaintiff confirming the parties agreement for the Plaintiff to have an extension of time in which to respond to Defendant's Preliminary Objections, as Plaintiff never received a copy of Defendant's Preliminary Objections for some undetermined reason.

September 11, 2002

Claimant's Answer to Preliminary Objections as well as Brief in Support of Answer to Preliminary Objections to Claimants' Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 23, 2002

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 23rd day of October, 2002, after a review of Respondent's Preliminary Objections and Claimant's and Representative Claimants' Response thereto, it is hereby **ORDERED** and **DECREED** that the Respondent's Preliminary Objections are **DENIED** and Respondent is directed to file an Answer to the Complaint within thirty (30) days from the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 28, 2002

Acceptance of Service of Opinion and Order dated October 23, 2002 received from attorneys for Plaintiffs. Receipt of same acknowledged by attorneys for Plaintiff October 25, 2002.

November 6, 2002

Acceptance of Service of Opinion and Order dated October 23, 2002, received from attorney for Defendant (Boyle). Receipt of same acknowledged by attorney for Defendant November 4, 2002.

November 12, 2002

Motion for Leave of Court to Amend the Class Action Claim, Brief in Support of Claimants' Motion for Leave of Court to Amend the Class Action Claim and Proposed Order filed by attorneys for Plaintiffs. Copy forwarded to attorneys for Defendant by attorneys for Plaintiffs.

December 5, 2002

Withdrawal of Appearance of Kimber Latsha, Esquire as well as Entry of Appearance of Ian J. Blynn, Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorneys for Defendant by attorney for Plaintiff.

December 9, 2002

Letter received from attorney for Defendant advising that Defendant will not be filing any objections to Plaintiff's Motion for Leave of Court to Amend the Class Action Claim in this matter. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 31, 2003

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 31st day of January, 2003, it is **ORDERED** and **DECREED** that Plaintiffs' Motion for Leave of Court to Amend Class Action Claim is **GRANTED**. The Plaintiffs are directed to file the Amendment to the Class Action Claim within thirty (30) days from the exit date of this Order. It is so **ORDERED**." Copy forwarded to attorney for Plaintiff and attorneys for Defendant.

February 10, 2003

Acceptance of Service of Opinion and Order dated January 31, 2003 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 10, 2003.

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

Copies of Amended Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT MARCH 26, 2003.**

March 3, 2003

Acceptance of Service of Amended Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 26, 2003.

March 5, 2003

Acceptance of Service of Amended Complaint received from attorneys for Defendant. Receipt of same acknowledged by attorneys for Defendant February 26, 2003.

March 25, 2003

Letter received from attorney for Defendant requesting a thirty (30) day extension of time in which to respond to Plaintiff's Amended Complaint.

March 28, 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 to respond to Plaintiff's Amended Complaint. **ANSWER DUE FROM DEFENDANT APRIL 25, 2003.**

April 25, 2003

Letter received from attorney for Defendant requesting an extension of time, until May 30, 2003, in which to file its Answer to Plaintiff's Amended Complaint, pending settlement negotiations. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 30, 2003

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant's request for an extension of time, until **May 30, 2003**, in which to file its answer to Plaintiff's Amended Complaint.

July 15, 2003

Plaintiff filed status letter advising that the parties are circulating a Settlement Agreement for signature and upon receipt of the fully executed document, same will be filed with the Board resolving this matter. Copy forwarded to Defendant.

July 25, 2003

Plaintiff filed Settlement Agreement, executed by both Plaintiff and Defendant. Copy forwarded to Defendant.

September 17, 2003

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 17th day of September, 2003, this matter is marked 'Settled, Discontinued and Ended'." Copy forwarded to Plaintiff and Defendant.

September 24, 2003

Plaintiff filed Acceptance of Service of Opinion and Order dated September 17, 2003. Receipt of same acknowledged September 23, 2003.

September 24, 2003

Defendant filed Acceptance of Service of Opinion and Order dated September 17, 2003. Receipt of same acknowledged September 19, 2003.
