

Docket Number: 3847

CARRIE LAUGHLIN

Jonathan M. Stewart, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
STATE SYSTEM OF HIGHER EDUCATION, INDIANA UNIVERSITY OF
PENNSYLVANIA, AND JODELL KUZNESKI Individually and as Agent
for INDIANA UNIVERSITY OF PENNSYLVANIA

Jeffrey Cooper, Esquire
Henry J. Salvi, Deputy Attorney General
Warne S. Merrick, Esquire

June 26, 2006

By Order of the Court of Common Pleas of Indiana County, case filed, Order as follows: "AND NOW, this 26th day of June, 2006, it is hereby ORDERED and DECREED that Plaintiff's claim for NEGLIGENCE be STRICKEN from the Plaintiff's Complaint. It is further ORDERED that this matter be TRANSFERRED to the Pennsylvania Board of Claims for resolution pursuant to Pennsylvania Rule of Civil Procedure 213(f).

THE FOLLOWING FILED IN COURT OF COMMON PLEAS OF INDIANA COUNTY, PENNSYLVANIA

April 20, 2006

Plaintiff's Complaint filed.

May 1, 2006

Indiana County Sheriff's Office filed.

May 4, 2006

Praecipe for Appearance filed on behalf of Defendants

May 11, 2006

Preliminary Objections in the Nature of a Demurrer and a Motion to Strike filed on behalf of Defendants.

May 11, 2006

Brief in Support of Preliminary Objections in the Nature of a Demurrer and a Motion to Strike filed on behalf of Defendants.

May 11, 2006

Praecipe for Appearance filed on behalf of Defendants.

BEFORE THE BOARD OF CLAIMS

August 11, 2006

Court of Common Pleas of Indiana County, Pennsylvania transferred record. Amount of Claim: in excess of \$25,000.

August 14, 2006

Board issued letter to Plaintiff requesting restated claim, original plus 3 copies, proof of mailing and filing fee.

September 25, 2006

Plaintiff filed Restated Claim, filing fee and proof of mailing. Amount of Claim: \$25,000+.

September 26, 2006

Board issued Acknowledgement letter and forwarded a copy of Claim to Attorney General.

October 3, 2006

Chief Deputy Attorney General filed Acceptance of Service of Claim. Receipt of same acknowledged October 2, 2006.

November 2, 2006

Defendant filed Preliminary Objections based upon lack of jurisdiction and brief in support. Copy forwarded to Plaintiff 04A120806].

November 6, 2006

Board forwarded letter to Plaintiff requesting response and brief to Preliminary Objections. Copy forwarded to Defendant.

December 4, 2006

Plaintiff filed Brief in Response to Defendant's Preliminary Objections. Copy forwarded to Defendant.

January 22, 2007

Board issued an Opinion and Order: Order as follows: **AND NOW** this 22nd day of January, 2007, it is **ORDERED** and **DECREED** that Defendants' preliminary objections that the Board lacks subject matter jurisdiction under 62 Pa.C.S.A. §1724 are **GRANTED**. Plaintiff's claim against Defendants, Commonwealth of Pennsylvania, State System of Higher Education, Indiana University of Pennsylvania and Jodell Kuzneski are hereby **DISMISSED** with prejudice. Copies forwarded to all parties of record.

January 25, 2007

Defendant filed Acceptance of Service of Opinion and Order dated January 22, 2007. Receipt of same acknowledged by Defendant January 24, 2007.

February 5, 2007

Plaintiff filed Acceptance of Service of Opinion and Order dated January 22, 2007. Receipt of same acknowledged by Plaintiff February 1, 2007.

March 7, 2007

Commonwealth Court of Pennsylvania filed an Order on March 5, 2007, upon consideration of the petition for review. The petition for review is hereby dismissed as untimely filed.