

Docket Number: 3850

PROCHEMTECH INTERNATIONAL, INC.

Timothy Keister, Chief Chemist

VS.

COMMONWEALTH OF PENNSYLVANIA  
STATE SYSTEM OF HIGHER EDUCATION,  
INDIANA UNIVERSITY OF PENNSYLVANIA

Jeffrey Cooper, Chief Counsel  
Wayne S. Melnick, University Legal Counsel

**August 18, 2006**

Plaintiff filed Claim and filing fee. Amount of Claim: \$40,000.00.

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**August 21, 2006**

Board called Plaintiff advising of filing deficiency: proof of mailing and verification. Faxed notice of deficiency to Plaintiff.

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**August 24, 2006**

Plaintiff filed (via facsimile) verification and proof of mailing Claim to Defendant. ACCEPTED FOR FURTHER PROCESSING.

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**August 25, 2006**

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

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**August 28, 2006**

Plaintiff filed (via U.S. Mail) verification and proof of mailing Claim to Defendant.

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**August 31, 2006**

Attorney General filed Acknowledgement of Claim dated August 25, 2006. Receipt of same acknowledged on August 29, 2006.

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**September 29, 2006**

Defendant filed Answer to Plaintiff's Claim with New Matter and Counterclaim.

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**October 12, 2006**

Plaintiff filed Answer to Defendant's New Matter and Counterclaim.

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**October 25, 2006**

Plaintiff filed Notice of Service of Plaintiff's Request for

Discovery.

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**November 20, 2006**

Plaintiff filed Motion to Squash.

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**November 20, 2006**

Plaintiff filed Motion to Amend.

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**November 21, 2006**

Board forwarded letter to Plaintiff, with copy to Defendant, requesting a brief in support of Plaintiff's Motion to Squash and Motion to Amend.

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**December 22, 2006**

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 22<sup>nd</sup> day of December, 2006, it is **ORDERED** and **DECREED** that Plaintiff's motion to amend and motion to squash are hereby **DISMISSED** for Plaintiff's failure to file supporting briefs in contravention of the Board's letter of November 21, 2006, and BOC Rule 301(a)." Copy forwarded to Plaintiff and Defendant.

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**January 8, 2007**

Plaintiff filed Acceptance of Service of Opinion and Order dated December 22, 2006. Receipt of same acknowledged January 2, 2007.

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**January 8, 2007**

Plaintiff filed Motion to Squash and Supporting Brief. [06A020907D]

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**January 10, 2007**

Defendant filed Acceptance of Service of Opinion and Order dated December 22, 2006. Receipt of same acknowledged December 27, 2006.

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**February 9, 2007**

Defendant filed Response to Plaintiff's Motion to Squash and Brief in Response.

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**February 13, 2007**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 13<sup>th</sup> day of February, 2007, it is **ORDERED** and **DECREED** that the motion to squash which has been filed by ProChemTech International, Inc. is **DENIED**. The parties shall continue with discovery in this matter." Copy forwarded to Plaintiff and Defendant.

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**February 16, 2007**

Defendant filed Acceptance of Service of Opinion and Order dated February 13, 2007. Receipt of same acknowledged February 15, 2007.

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**June 4, 2007**

Plaintiff filed Motion to Amend and Brief in Support. [06A070607D]

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**June 6, 2007**

Plaintiff filed Motion for Summary Judgment and Supporting Brief. [06A070607D]

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**July 5, 2007**

Defendant filed Response to Motion for Summary Judgment.

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**July 5, 2007**

Defendant filed Response to Motion to Amend.

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**July 23, 2007**

Plaintiff filed its Rebuttal to Defendant's Response to Motion

to Amend and Supporting Brief.

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**July 23, 2007**

Plaintiff filed its Rebuttal to Defendant's Response to Motion for Summary Judgment and Supporting Brief.

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**July 30, 2007**

Defendant filed Notice of Service of documents responsive to Plaintiff's October 20, 2006 discovery request.

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**August 3, 2007**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 3<sup>rd</sup> day of August, 2007, it is **ORDERED** and **DECREED** that Plaintiff's motion to amend is **DENIED**. It is further **ORDERED** and **DECREED** that Plaintiff's motion for summary judgment is also **DENIED**. The Defendant, Commonwealth of Pennsylvania, State System of Higher Education, Indiana University of Pennsylvania, shall have 30 days from the exit date of this Order to comply with the discovery request which has been served upon it by Plaintiff." Copy forwarded to Plaintiff and Defendant.

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**August 8, 2007**

Defendant filed Acceptance of Service of Opinion and Order dated August 3, 2007. Receipt of same acknowledged August 6, 2007.

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**January 16, 2008**

Plaintiff filed Motion for Summary Judgment and Brief in Support.

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**January 22, 2008**

Board forwarded letter to Defendant requesting a response and brief in support of Plaintiff's Motion for Summary Judgment.

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**February 19, 2008**

Defendant filed Response and Brief to Plaintiff's Motion for

Summary Judgment.

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**February 21, 2008**

Defendant transmitted letter via fax advising that the parties have reached a verbal agreement to settle all issues in this case. The parties will execute a written resolution.

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**February 25, 2008**

Defendant filed letter U.S. mail advising that the parties have reached a verbal agreement to settle all issues in this case. The parties will execute a written resolution.

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**April 24, 2008**

Board forwarded letter to parties requesting a status of the settlement.

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**May 2, 2008**

Defendant filed praecipe to discontinue action signed by both parties.

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**May 5, 2008**

Board rendered an Order. Order as follows: **"AND NOW**, this 5<sup>th</sup> day of May, 2008, upon receipt of a Praecipe executed by Timothy T. Keister, Chief Chemist/President, on behalf of Plaintiff, ProChemTech International, Inc., and Susanna Sink, Vice President, on behalf of Defendant, Commonwealth of Pennsylvania, State System of Higher Education, Indiana University of Pennsylvania, requesting that the Board discontinue the above-captioned action with prejudice, docketed with this Board under date of May 2, 2008, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

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**May 5, 2008**

Plaintiff filed letter advising that a signed agreement with full payment was completed between the parties.

**May 12, 2008**

Plaintiff filed Acceptance of Service of Order dated May 5, 2008. Receipt of same acknowledged May 8, 2008.

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**May 23, 2008**

Defendant filed Acceptance of Service of Order dated May 5, 2008. Receipt of same acknowledged May 20, 2008.

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