

CONSOLIDATED CASE DOCKET NO: 3970

\*(CONSOLIDATED WITH DOCKET NO. 3971)

GREGORY MOORE, t/a JACK RABBIT  
AUTO TAGS & LICENSE SERVICE

Barbara A. Darkes, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION

Andrew S. Gordon, Chief Counsel  
Jody L. King, Assistant Counsel

**July 30, 2009**

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: \$2,808,000.00

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**August 3, 2009**

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

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**August 5, 2009**

Plaintiff filed verification. ACCEPTED FOR FURTHER PROCESSING.

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**August 6, 2009**

Board issued acknowledgment letter and forwarded copy of claim to Attorney General.

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**August 12, 2009**

Attorney General filed Acknowledgement of Claim dated August 6, 2009. Receipt of same acknowledged on August 10, 2009.

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**August 31, 2009**

Defendant filed Preliminary Objections to Claim and Brief in Support. [07A101409D]

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**September 1, 2009**

Board forwarded letter to Plaintiff requesting response and Brief.

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**September 4, 2009**

Plaintiff filed Uncontested Motion to Consolidate and Proposed Order.

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**September 8, 2009**

Board issued Order. Order as follows: **"AND NOW**, this 8<sup>th</sup> day of September, 2009, on receipt of the uncontested motion to consolidate filed with the Board by Claimant, Jack Rabbit, it is hereby **ORDERED** that these two cases be consolidated into one for all intents and purposes at Docket Number 3970. The parties shall proceed accordingly." Copy forwarded to Plaintiff and Defendant.

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**September 14, 2009**

Defendant filed Acceptance of Service of Order dated September 8, 2009. Receipt of same acknowledged on September 9, 2009.

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**September 16, 2009**

Plaintiff filed Acceptance of Service of Order dated September 8, 2009. Receipt of same acknowledged on September 10, 2009.

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**September 24, 2009**

Plaintiff filed Proposed Order and Uncontested Motion for Extension of Time to File Answer and Brief.

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**September 25, 2009**

Board issued Order. Order as follows **"AND NOW**, this 25<sup>th</sup> day of September, 2009, pursuant to the Uncontested Motion for Extension of Time to File Answer and Brief dated September 24, 2009 of Plaintiff, Gregory Moore, t/a Jack Rabbit Auto Tags & License Service, requesting an extension of time until October 9, 2009, in which to file its Answer and Brief, it is hereby **ORDERED** and **DECREED** that said response is due in this case on October 9, 2009. Copy forwarded to Plaintiff and Defendant.

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**October 3, 2009**

Defendant filed Acceptance of Service of Order dated September 25, 2009. Receipt of same acknowledged by Defendant September 28, 2009.

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**October 3, 2009**

Plaintiff filed Acceptance of Service of Order dated September 25, 2009. Receipt of same acknowledged by Plaintiff September 29, 2009.

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**October 9, 2009**

Plaintiff filed Answer to Preliminary Objections and Brief in Opposition.

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**October 19, 2009**

Defendant filed Reply Brief in further support of Respondent's Preliminary Objections to Claim.

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**November 2, 2009**

Plaintiff filed Sur-Reply Brief in further opposition to Respondent's Preliminary Objections.

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**December 15, 2009**

Board issued an Opinion and Order. Order as follows: **AND NOW**, this 15th day of December, 2009, it is **ORDERED** and **DECREED** that the preliminary objection of the Defendant, Commonwealth of Pennsylvania, Department of Transportation, to the Board's jurisdiction is **SUSTAINED**. Pursuant to 42 Pa.C.S. § 5103(a) and Pa.R.C.P. 213(f), this consolidated matter and the record thereof is hereby **TRANSFERRED** to the Commonwealth Court. Copy forwarded to Plaintiff and Defendant.

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**December 16, 2009**

Board forwarded file to Commonwealth Court.

**December 28, 2009**

Plaintiff filed Acceptance of Service of Opinion and Order dated December 15, 2009. Receipt of same acknowledged on December 18, 2009.

**December 28, 2009**

Defendant filed Acceptance of Service of Opinion and Order dated December 15, 2009. Receipt of same acknowledged December 18, 2009.

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**February 23, 2010**

Commonwealth Court filed an Order: **NOW**, February 19, 2010, it appearing this case has been discontinued, argument on the preliminary objections previously scheduled for March 2, 2010, at 10:00 a.m., by telephone conference call, is cancelled. The Chief Clerk shall mark the docket in this matter as discontinued and ended.