

Docket Number: 4096

THE SHEWARD PARTNERSHIP, LLC

Glen D. Kimball, Esquire
Raymond R. Wittekind, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES**

~~Andrew S. Gordon, Chief Counsel~~
Harry R. Walter, III, Assistant Counsel

December 26, 2013

Plaintiff filed Claim, proof of mailing and filing fee. Amount of Claim: in excess of \$50,000.

December 27, 2013

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

January 3, 2014

Attorney General filed acknowledgment of claim form. Receipt of same acknowledged January 2, 2013(sic).

January 23, 2014

Defendant filed Preliminary Objections as well as Brief in Support.

January 24, 2014

Board forwarded letter to Plaintiff requesting response to Preliminary Objections.

February 20, 2014

Plaintiff filed Response in Opposition to the Preliminary Objections and Memorandum of Law as well as Proposed Order.

February 25, 2014

Defendant transmitted via facsimile a letter requesting permission to respond to Plaintiff's brief in opposition to Defendant's preliminary objections.

February 25, 2014

Board forwarded letter to Defendant, with copy to Plaintiff, granting Defendant permission to file a response to Plaintiff's brief in opposition to Defendant's preliminary objections.

March 3, 2014

Defendant filed Brief in Response to Plaintiff's Brief in Opposition of Preliminary Objections.

March 4, 2014

Plaintiff transmitted via facsimile a letter requesting permission to file a Sur-Reply Brief in Opposition to Preliminary Objections.

March 5, 2014

Board forwarded letter to Plaintiff granting Plaintiff permission to file Sur-Reply Brief.

March 11, 2014

Plaintiff filed Sur-Reply Brief in Support of Plaintiff's Response in Opposition to Preliminary Objections.

March 26, 2014

Board rendered Opinion and Order. Order as follows: "**AND NOW**, this 26th day of March 2014, upon consideration of the verified pleadings, the preliminary objections and supporting briefs filed by Defendant and the responses thereto filed by Plaintiff, **IT IS ORDERED** that Defendant's objection to Board jurisdiction is **SUSTAINED** on the grounds that Plaintiff has not exhausted its administrative remedies and prematurely filed its claim with the Board. Accordingly, the Complaint is **DISMISSED** without prejudice." Copy forwarded to Plaintiff and Defendant.

April 4, 2014

Plaintiff filed Acceptance of Service of Opinion and Order dated March 26, 2014. Receipt of same acknowledged April 1, 2014.

April 10, 2014

Plaintiff filed Amended Statement of Claim/Complaint. Amount of Claim: in excess of \$50,000.00.

April 10, 2014

Board forwarded letter to parties advising that a status conference has been scheduled for April 14, 2014 at 1:00 p.m.

April 14, 2014

Board held status conference.

April 17, 2014

Plaintiff filed Praecipe to Withdraw the Amended Statement of Claim/Complaint.

April 21, 2014

Board rendered Order. Order as follows: "**AND NOW**, this 21st day of April, 2014, upon receipt of a Praecipe executed by Raymond R. Wittekind, Jr., Esquire, on behalf of Plaintiff, The Sheward Partnership, LLC, requesting that the Board kindly withdraw The Sheward Partnership, LLC's Amended Statement of Claim/Complaint, docketed with this Board under date of April 17, 2014, it is **ORDERED** and **DIRECTED** that The Sheward Partnership, LLC's Amended Statement of Claim/Complaint is hereby **WITHDRAWN** and the above-captioned matter is marked discontinued and closed." Copy forwarded to Plaintiff and Defendant.

April 25, 2014

Defendant filed Acceptance of Service of Order dated April 21, 2014. Receipt of same acknowledged April 23, 2014.
