

Docket Number: 4111

**SOPHENG PRAK,
LUCKY BEER DISTRIBUTOR, INC.**

Thomas D. Kenny, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LOTTERY COMMISSION**

~~Gretchen S. Wischart, Chief Counsel (Revenue)~~
P. Bowman Root, IV, Esquire

January 15, 2015

Plaintiff filed Claim and proof of mailing. Amount of Claim: UNKNOWN. Board issued deficiency notice to Plaintiff. Claim lacks 3 copies and filing fee.

January 22, 2015

Plaintiff filed filing fee and additional copies of claim.

January 30, 2015

Attorney General filed acknowledgment of claim form. Receipt of same acknowledged January 23, 2015.

February 12, 2015

Defendant filed Answer and New Matter.

February 17, 2015

Board forwarded letter to Plaintiff requesting response to new matter with a copy to Defendant.

March 4, 2015

Plaintiff transmitted via facsimile a Reply to New Matter.

March 9, 2015

Plaintiff filed Reply to New Matter.

March 9, 2015

Board forwarded letter to parties directing them to proceed with discovery.

October 13, 2015

Plaintiff transmitted via facsimile a letter requesting that a trial be scheduled.

October 13, 2015

Board forwarded letter to parties requesting scheduling information.

October 15, 2015

Plaintiff filed via U.S. Mail a letter requesting that a trial be scheduled.

November 2, 2015

Defendant filed letter requesting that a hearing be scheduled when convenient for the Board and advises that the Defendant's portion will not take more than 30 minutes.

November 13, 2015

Plaintiff transmitted via facsimile a letter advising that a 30 minute hearing would be acceptable and that a January disposition of the court date would be appreciated.

November 16, 2015

Board rendered Scheduling Order. Order as follows: "**AND NOW**, this 16th day of November, 2015, upon receipt of the parties responses to the Board's request for case status and scheduling preferences it is hereby **ORDERED** and **DECREED** as follows: 1. There will be no expert testimony offered; 2. All discovery shall be considered complete at this time; 3. There will be no pre-trial motions; 4. Pre-trial statements of both parties shall be filed with the Board and served upon one another no later than January 6, 2016 (Please note BOC R.P. 501(b) and (c)(3)); 5. This matter is set for hearing Wednesday, January 20, 2016, and will run thereafter as necessary. Said hearing shall be held at 200 North Third Street, Fulton Building, 6th Floor, Harrisburg, PA 17101. Unless otherwise noted, the first day of all hearings begins at 9:30 a.m., and subsequent hearing days begin at 9:00 a.m." Copy forwarded to Plaintiff and Defendant.

November 16, 2015

Plaintiff filed via U.S. Mail a letter advising that a 30 minute hearing would be acceptable and that a January disposition of the court date would be appreciated.

November 20, 2015

Defendant filed Acceptance of Service of Scheduling Order dated November 16, 2015. Receipt of same acknowledged November 19, 2015.

December 21, 2015

Plaintiff filed Acceptance of Service of Scheduling Order dated November 16, 2015. Receipt of same acknowledged December 17, 2015.

January 5, 2016

Defendant filed Pre-Trial Statement.

January 6, 2016

Plaintiff filed Pre-Trial Statement.

January 20, 2016

Hearing canceled. Parties advised of settlement.

March 22, 2016

Board forwarded letter to parties requesting a praecipe to discontinue and/or status report.

May 4, 2016

Defendant filed a stipulated agreement and proposed order.

May 6, 2016

Board rendered an Order. Order as follows: **"AND NOW**, this 6th day of May, 2016, it is hereby **ORDERED** and **DECREED** that the attached Stipulated Agreement between Sopheng Prak and Lucky Beer Distributor, Inc. and the Pennsylvania Lottery Commission filed with this Board on May 4, 2016 is approved and entered as a FINAL ORDER OF THE PENNSYLVANIA BOARD OF CLAIMS." Copy forwarded to Plaintiff and Defendant.
