

Docket Number: 4153

Patrick J. McGinnis

Robert Lakind, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LIQUOR CONTROL BOARD**

~~Rodrigo J. Diaz, Chief Counsel~~
Jason M. Worley, Assistant Counsel
Alina L. Andreoli, Assistant Counsel

October 18, 2016

Plaintiff filed Complaint, proof of mailing and filing fee. Amount of Claim: UNSPECIFIED.

October 19, 2016

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

October 25, 2016

Attorney General filed Acknowledgment of Complaint form. Receipt of same acknowledged October 24, 2016.

November 7, 2016

Defendant filed Preliminary Objections and Motion to Strike and Brief in Support as well as proposed order and notice to plead.

November 7, 2016

Board forwarded letter to Plaintiff, with copy to Defendant, requesting response to preliminary objections and motion to strike.

November 22, 2016

Board forwarded letter to parties requesting clarification as to if Defendant received payment.

December 2, 2016

Plaintiff filed response to preliminary objections and motion to strike, brief in opposition and proposed order.

December 8, 2016

Plaintiff filed a letter with attachments correcting a typographical error in its brief filed December 2, 2016 and responding to Board's letter of November 22, 2016.

December 12, 2016

Defendant filed letter, in response to Board's letter of November 22, 2016, advising that Defendant never received and is not currently in possession of or retaining any payment or monies submitted by Plaintiff relative to his orders.

December 12, 2016

Defendant filed reply brief to Plaintiff's brief in opposition to Defendant's preliminary objections and motion to strike.

December 19, 2016

Plaintiff filed letter requesting that the Board not consider Defendant's reply brief to Plaintiff's brief in opposition to Defendant's preliminary objections and motion to strike.

December 29, 2016

Board rendered an Opinion and Order. Order as follows: **"AND NOW, this 29th day of December, 2016, upon consideration of the preliminary objections and motion to strike filed by the Defendant and the opposition thereto filed by the Plaintiff, it is ORDERED and DECREED that the preliminary objection for lack of subject matter jurisdiction is SUSTAINED. The complaint is DISMISSED WITH PREJUDICE."** Copy forwarded to Plaintiff and Defendant.

January 13, 2017

Defendant filed Acceptance of Service of Opinion and Order dated December 29, 2016. Receipt of same acknowledged January 6, 2017.
