

**Docket Number: 4273**

**PENNMARK HARRISBURG HOLDINGS, LLC**

~~Nicholas G. Daller, Esquire~~  
James Tupitza, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF GENERAL SERVICES**

Shawn E. Smith, Chief Counsel  
Gerard N. Mangieri, Assistant Counsel

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**March 19, 2025**

Plaintiff filed Statement of Claim, proof of mailing and filing fee. Amount of Claim: \$2,500,000.00.

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**March 20, 2025**

Board issued Acknowledgment letter requesting response from Defendant and forwarding a copy of the Claim to Attorney General.

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**April 11, 2025**

Defendant filed preliminary objections and brief in support.

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**April 15, 2025**

Board forwarded letter to Plaintiff requesting a response to Defendant's preliminary objections.

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**April 23, 2025**

Plaintiff transmitted via facsimile a letter requesting an extension of time to file its response to preliminary objections.

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**April 24, 2025**

Board forwarded letter via Facsimile and U.S. Mail to Plaintiff, with copy to Defendant, granting extension of time.

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**May 1, 2025**

Plaintiff filed Praecipe for Entry of Appearance of James Tupitza, Esquire and Praecipe for Withdraw of Appearance of Nicholas Daller, Esquire on behalf of Plaintiff.

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**August 28, 2025**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 28<sup>th</sup> day of August, 2025, upon consideration of the preliminary objection and brief in support filed by Commonwealth of Pennsylvania, Department of General Services on April 11, 2025, and receiving no response from Pennmark Harrisburg Holdings, LLC, it is hereby **ORDERED** that the preliminary objection to Count I of the statement of claim pursuant to Pa. R.C.P. 1028(a)(1) is **SUSTAINED** and Count I is **DISMISSED**. Commonwealth of Pennsylvania, Department of General Services is directed to file an answer to the statement of claim within thirty (30) days of service of this Order." Copy forwarded to Plaintiff and Defendant.

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**September 29, 2025**

Defendant filed Answer and New Matter.

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**October 1, 2025**

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

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