

CLOSED

John R. Gailey, Jr., Esquire
Gregory Geider, Deputy Attorney General
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William B. Calder, Assistant Counsel
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Chavin K. Koos, Deputy Attorney General

RICHARD P. BINTER
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF STATE PARKS



March 4, 1982 Complaint and filing fee filed. Amount of Claim: \$50,000.00 +.

March 17, 1982 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

April 16, 1982 Preliminary objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 6, 1982 Motion to Strike Preliminary Objections and Brief in Support of Motion to Strike Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 28, 1982 Memorandum of Law in Support of Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 17, 1982 Responsive Brief in Opposition to Preliminary Objections filed by attorney for plaintiff. Copy forwarded to attorney for defendant.

September 10, 1982 The Board rendered an opinion and made the following Order: "AND NOW, this 10th day of September 1982, the Preliminary Objections of the Defendant, Commonwealth of Pennsylvania, Department of Environmental Resources, Bureau of State Parks in the Nature of a Remurrer is DENIED. The Defendant, Commonwealth of Pennsylvania, Department of Environmental Resources, Bureau of State Parks is given thirty (30) days from the date of this order to file responsive pleading." Copies forwarded to attorney for plaintiff and attorney for defendant.

December 7, 1982 Motion for sanctions filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 20, 1983 Answer, New Matter and Counterclaim filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 25, 1983 Reply to New Matter and Answer to Counterclaim filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

Handwritten signature or initials.

CLOSED

John R. Gailey, Jr., esquire

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~~Gregory R. Neuhauser, Esquire
Arthur M. Peck, Esquire (DEP-Copy)~~

Calvin R. Koons, Deputy Attorney General

William B. Calder, Assistant Counsel (DER)

RICHARD P. BINTER VS. COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF ENVIRONMENTAL RESOURCES BUREAU OF STATE PARKS

April 27, 1983 Motion for Judgment on the Pleadings filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

April 27, 1983 Statement of the Case filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 13, 1983 Answer to Motion for Judgment on the Pleadings and Claimant's Brief in Opposition to Respondent's Motion for Judgment on the Pleadings filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

May 19, 1983 Reply Brief in Support of Respondent's Motion for Partial Judgment on the Pleadings filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 8, 1983 Withdrawal of Appearance of Gregg H. S. Golden, Deputy Attorney General and Entry of Appearance of Gregory R. Neuhauser, Deputy Attorney General filed.

September 22, 1983 The Board rendered an Opinion and made the following order: AND NOW, this 22nd day of September, 1983, the motion for judgment on the Pleadings as filed by the Defendant is hereby DENIED. The parties, in the immediate future, will be advised as to the date where in this matter will be litigated. Copies forwarded to attorney for plaintiff and attorney for defendant.

September 12, 1984 Hearing scheduled for November 13 through November 16, 1984, if necessary in Board's Court Room at 10 a.m.

October 3, 1984 Withdrawal of Appearance of Gregory R. Neuhauser and Entry of Appearance of Calvin R. Koons filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

October 5, 1984 The Board made the following Order: "Filed with this Board under date of October 3, 1984, over the signature of Calvin R. Koons, Deputy Attorney General, is a request that his name be entered as counsel for the Department of Environmental Resources, et al., Respondents herein. Also on the same document over the signature of Gregory R. Neuhauser, Deputy Attorney General, is a request for withdrawal of appearance as said counsel. The record shall so evidence same." Copy forwarded to attorney for plaintiff and attorney for defendant. Additional copy sent to Mr. Feld.

(G.V.C.)

RICHARD P. BINTER
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF STATE PARKS

Jehn R. Gailey, Jr., Esquire
Calvin R. Koons, Deputy Attorney General
~~Arthur H. Field, Esquire (DER-Copy)~~
William B. Calder, Assistant Counsel (DER)

Docket No. 798
- Continued -

CLOSED

ENCLOSURE



FORM 307A

November 13, 1984	Defendants Hearing Memorandum filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
November 13, 1984	Hearing held in Board's Court Room at 10 a.m. Case completed.
December 19, 1984	Testimony of hearing held November 13, 1984 filed.
December 28, 1984	Copy of testimony forwarded to Deputy Attorney General.
January 21, 1985	Claimant's Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.
February 21, 1985	Proposed Findings of Fact, Conclusions of Law and Memorandum in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
December 19, 1985	The Board rendered an Opinion and made the following Order: "AND NOW, this 19th day of December, 1985, an award is hereby made in favor of the Claimant, Richard P. Binter and against the Respondent, Commonwealth of Pennsylvania, Department of Environmental Resources, Bureau of State Parks in the amount of Eight Thousand Eight Hundred Nine Dollars and Twenty-Two (\$8,109.22) Cents together with interest at the legal rate of six (6%) percent per annum beginning from March 4, 1982, the date of the filing of Claimant's action. Each party to bear its own costs."
December 23, 1985	Copies of Opinion and Order dated December 19, 1985 forwarded to attorney for plaintiff, attorney for Defendant and Deputy Attorney General.
March 17, 1986	Praecept signed by attorney for plaintiff and filed by attorney for defendant. Praecept as follows: "Kindly mark the judgment in this matter satisfied". Copy forwarded to attorney for plaintiff by attorney for defendant.

- OVER -

RICHARD P. BINTER
VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF ENVIRONMENTAL RESOURCES,
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Calvin R. Koons, Deputy Attorney General
William B. Calder, Assistant Counsel (DER)

APR 10 1986

The Board rendered the following Order: "AND NOW, this 1rd day of April, 1986, upon receipt of Preceipts to mark the above-captioned case "satisfied", over the signature of John R. Gailey, Jr., Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of March 17, 1986, it is ORDERED and DIRECTED that said case be marked satisfied with prejudice and the case closed". Copies forwarded to attorney for plaintiff, attorney for defendant and Mr. Calder.

April 3, 1986

Acceptance of Service of Order dated April 3, 1986 received from plaintiff. Receipt of same acknowledged by plaintiff April 4, 1986.

April 7, 1986

Acceptance of Service of Order dated April 3, 1986 received from defendant. Receipt of same acknowledged by defendant April 4, 1986.

April 8, 1986

Acceptance of Service of Order dated April 3, 1986, received from Mr. Calder. Receipt of same acknowledged by Mr. Calder April 7, 1986.

April 9, 1986