

Paul C. Vangrossi, Esquire
Bruce G. Baron, Esquire

DR. ALLEN SOFFER, O.D.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

CLOSED

FORM 30-FA

July 12, 1982 Complaint and filing fee filed. Amount of claim: \$13,973.00.

July 15, 1982 Copies of complaint forwarded to attorney for defendant and Deputy Attorney General.

July 20, 1982 Preliminary Objections and Memorandum in support filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

September 1, 1982 Answer to Preliminary Objections and Claimant's Memorandum of Law in Opposition to Preliminary Objections filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

November 7, 1983 The Board rendered an Opinion and made the following Order: "AND NOW, this 7th day of November, 1983, upon careful consideration of the Preliminary Objections filed by the Respondent and response by the Claimant, the Board of Claims hereby denies the said Preliminary Objections, and the Respondent is DIRECTED to file a response within thirty (30) days hereof." Copies forwarded to attorney for plaintiff and attorney for defendant.

November 15, 1983 Petition for Reconsideration filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 21, 1983 Memorandum of Law Contra Petition for Reconsideration filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

December 7, 1983 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

December 13, 1983 The Board rendered an Opinion and made the following Order: "AND NOW, this 13th day of December 1983, this matter shall be ordered for hearing and determination on the merits of the entire case and at that time, all allegations and arguments pertaining to the Petition presently before us will be heard by the Board and disposed of at the rendering of the final decision." Copies forwarded to attorney for plaintiff and attorney for defendant.

December 15, 1983 Response to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

1218

CLOSED

December 16, 1983

Motion For Summary Judgment and Brief filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

December 22, 1983

Answer to Motion for Summary Judgment and Memorandum of Law filed by attorney for Plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

January 5, 1984

The Board rendered an Opinion and made the following Order: "AND NOW, this 5th day of January, 1984, the Motion for Summary Judgment is DENIED. Final disposition will be made following a hearing on the merits." Copies forwarded to attorney for plaintiff and attorney for defendant.

January 20, 1984

Respondent's Interrogatories (1st Set) filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 13, 1984

Answer to Respondent's Interrogatories (1st Set) filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

June 13, 1984

Notice of Depositions of Barbara Schulte, John Beachum and Allen Soffer, O.D. filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 23, 1984

Stipulation by Counsel filed by attorney for Plaintiff and attorney for Defendant.

August 31, 1984

The Board rendered an Opinion and made the following Order: "AND NOW, this 31st day of August, 1984, the Complaint in the above entitled matter is Amended so read: WHEREFORE, claimant, Dr. Allen Soffer, O.D., prays that the Court enter judgment in favor of the claimant and against the Department of Public Welfare, Commonwealth of Pennsylvania, in the amount of Thirteen Thousand Nine Hundred Seventy-three Dollars (\$13,973.00), plus interest on delayed payment." Copies forwarded to attorney for Plaintiff and attorney for defendant.

November 13, 1985

Hearing scheduled for January 15, 1986, in Board's Court Room at 10:00 a.m.

December 31, 1985

Letter forwarded to attorney for Plaintiff and attorney for Defendant cancelling the hearing scheduled for January 15, 1986. Hearing to be rescheduled as soon as possible.

Only

ALLEN SOPPER, O.D.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

Paul C. Vangrussi, Esquire
Bruce G. Baroi, Esquire

Docket No. 819-P

CLOSED

FILE FILE COLUMN

FORM
NO. 39 FR

January 23, 1986 Hearing scheduled for March 11, 1986, in Board's Court Room at 10:00 a.m.

March 11, 1986 Hearing held in Board's Court Room at 10 a.m. Case completed.

March 24, 1986 Testimony of hearing held March 11, 1986 filed. Copy forwarded to attorney for Defendant.

April 23, 1986 Claimant's Brief, Proposed Findings of Fact and Proposed Conclusions of Law filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 27, 1986 Proposed Findings of Fact and Conclusions of Law and Respondent's Brief filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

May 7, 1987 The Board rendered an Opinion and made the following Order: "AND NOW, this 7th day of May, 1987, upon consideration of the pleadings and submissions filed in this matter, it is hereby ORDERED and DECREED that an award be and hereby is made in favor of the Claimant, Allen Soffer, D.D., and against the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, in the amount of Thirteen Thousand Six Hundred Fifty-One (\$13,651.00) Dollars plus interest at the rate of Six (6%) percent per annum from the time the Claim was filed on July 17, 1982. Each party to bear its own costs other than the filing fee included in the award." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

May 15, 1987 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Defendant.

May 20, 1987 Petition for Review received from Commonwealth Court. (No. 1046 C.D. 1987)

May 22, 1987 File transmitted to Commonwealth Court.

May 15, 1987 Acceptance of Service of Opinion and Order dated May 7, 1987 received from Plaintiff.
Receipt of same acknowledged by Plaintiff May 11, 1987.

ALLEN SOFFER, O.D.
VS
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

Paul C. Vangrossi Esquire
Bruce C. Baron, Esquire

Docket No. 819-P

CLOSED

May 22, 1987 Acceptance of Service of Opinion and Order dated May 7, 1987 received from Defendant.
Receipt of same acknowledged by Defendant May 8, 1987.

July 28, 1988 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "The order of the Board of Claims in the above-captioned matter is vacated and remanded for further proceedings consistent with the foregoing opinion. Jurisdiction relinquished."

August 30, 1988 The Board rendered an Amended Opinion and made the following Order: "AND NOW, this 30th day of August, 1988, in accordance with the Order of the Pennsylvania Commonwealth Court dated July 27, 1988, and docketed to No. 1046 C.D. 1987, the Board of Claims has made the findings and determinations required by the said Court and hereby AFFIRMS the Order of the Board dated May 7, 1987." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 2, 1988 Acceptance of Service of Amended Opinion and Order dated August 30, 1988 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 31, 1988.

September 6, 1988 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Defendant.

September 8, 1988 Petition for Review received from Commonwealth Court. (No. 2130 C.P. 1988)

September 9, 1988 Acceptance of Service of Amended Opinion and Order dated August 30, 1988 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 6, 1988.

September 22, 1988 File received from Commonwealth Court.

September 28, 1988 File transmitted to Commonwealth Court.

June 15, 1989 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "AND NOW, this 14th day of June, 1989, the Order of the Board of Claims, dated May 7, 1987, is affirmed."

CVEB

ALLEN SOFFER, O.L.
VS.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

Paul C. Vangrossi, Esquire

Bruce G. Baron, Esquire

DOCKET NO. 819-I

CLOSED

FILED
APR 19 1990
CLERK OF COURT

August 9, 1989 Copy of Petition for Allowance of Appeal from Commonwealth Court received from attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 19, 1990 Petition for Allowance of Appeal from Supreme Court denied March 14, 1990. [No. 643 E.D. Allocatur Docket 1989]

April 19, 1990 File returned from Commonwealth Court.