

STATE ELEVATOR COMPANY

VS.  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF EDUCATION,  
Cheney State College

Mary Beth Kramer, Esquire  
Bruce E. Rodgers, Esquire

~~Wayne M. Richardson, Esquire~~  
Wayne M. Richardson, Esquire

Docket No. 848

**CLOSED**

MULTIPLE COPIES

FORM 30-10

December 1, 1982

Case received from Delaware County Court of Common Pleas by the Office of Judicial Support. Case transferred by Order dated November 10, 1982, as follows: "AND NOW, to wit, this 10th day of November, 1982, after consideration of briefs submitted by respective counsel, it is hereby ORDERED and DECREED that: (1) This Court lacks jurisdiction over the subject matter of the above-captioned case; (2) The above-captioned case be and the same is hereby transferred to the Board of Claims of the Commonwealth of Pennsylvania for hearing and determination; (3) The Office of Judicial Support is hereby directed to transfer this case to the Board of Claims of the Commonwealth of Pennsylvania."

AS RECEIVED FROM COURT OF COMMON PLEAS:

May 17, 1982

Complaint filed.

June 6, 1982

Preliminary Objections and Memorandum of Law of Defendant filed.

July 7, 1982

Memorandum of Law in Reply to Defendant's Preliminary Objections filed.

November 10, 1982

Order transferring case to Board of Claims entered.

December 1, 1982

Complaint and filing fee filed. Amount of Claim: \$0,608.40 plus interest & costs.

December 8, 1982

Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

December 23, 1982

Defendant's Answer to Plaintiff's Complaint filed by attorney for defendant.  
and New Matter  
Copy forwarded to attorney for plaintiff by attorney for defendant.

March 2, 1983

Motion for Entry of Default Judgment filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

OVER

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-continued-

March 1, 1983 The following Rule to Show Cause issued by Board: "AND NOW, this 1st day of March, 1983, a RULE is issued on the Plaintiff, state Elevator Company, to show cause, if any, why judgment should not be entered in favor of the Defendant, Commonwealth of Pennsylvania, Department of Education, Cheney State College, and against the Plaintiff by default for want of a Reply to New Matter, as per Motion for Entry of Default Judgment filed by Wayne M. Richardson, Regional Legal Counsel for the said Defendant. RULE RETURNABLE March 23, 1983, at 3 p.m." Copies forwarded to attorney for plaintiff and attorney for defendant.

March 10, 1983 Reply to Motion for Entry of Default Judgment filed by plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

March 11, 1983 Defendant's Memorandum of Law in Opposition to Plaintiff's Reply to Its Motion for a Default Judgment filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 17, 1983 The Board rendered an Opinion and made the following Order: "AND NOW, this 17th day of March, 1983, Defendant's Motion for a Default Judgment is hereby DENIED." Copy forwarded to attorney for plaintiff and defendant.

April 22, 1983 Reply to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

March 26, 1984 Withdrawal of Appearance of Bruce E. Rodger, Esquire and Entry of Appearance of Mary Beth Kramer, Esquire, filed.

August 9, 1984 Hearing scheduled for September 19, 20 and if necessary, September 21, 1984, before Eastern District, to be held in Board's Conference Room, Harrisburg, Pennsylvania, commencing at 11 a.m.

September 19, 1984 Hearing held in Board's Conference Room before Eastern District commencing at 10 a.m. Case settled.

October 10, 1984 Testimony of hearing held September 19, 1984 filed.

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-continued-

**CLOSED**

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October 11, 1984 Copy of testimony of hearing held September 19, 1984 forwarded to attorney for Defendant.

October 11, 1984 Praecipe to Discontinue filed by attorney for defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.

October 11, 1984 Received Settlement Release from attorney for plaintiff and attorney for defendant.

October 17, 1984 The Board made the following Order: "AND NOW, this 17th day of October, 1984, upon receipt of Praecipe to Discontinue executed by Mary Beth Kramer, Esquire, on behalf of Plaintiff, State Elevator Company, and Settlement and Release, attached thereto, executed by Charles W. Armstrong, on behalf of Plaintiff, State Elevator Company and Mildred F. Johnson, Cheyney University of Pennsylvania on behalf of Defendant, Commonwealth of Pennsylvania, Department of Education, same of which is docketed with this Board under date of October 11, 1984 it is ORDERED and DIRECTED that said case be marked "settled, discontinued and ended with prejudice". Copies forwarded to attorney for plaintiff and attorney for defendant.

October 23, 1984 Letter received from attorney for defendant setting forth that a check for full settlement was sent to attorney for plaintiff.