

WILFORD M. SMOUSE
VS.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

Ralph A. Germak, Esquire

Jason W. Manne, Assistant Counsel

~~Jonathan Wood, III, Esquire~~ James S. Marshall, Esquire

Docket No. 872

CLOSED



March 1, 1983 Complaint and filing fee filed. Amount of Claim: \$20,000.00+.

March 9, 1983 Copies of Complaint forwarded to attorney for Defendant and Deputy Attorney General.

April 7, 1983 Preliminary Objections and Brief filed by attorney for Plaintiff. Copies forwarded to attorney for Plaintiff by attorney for Defendant.

May 11, 1983 Memorandum of Law filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 25, 1983 Answer to Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 26, 1983 The Board rendered an Opinion and made the following Order: "AND NOW, this 26th day of September 1983, upon due consideration of the Preliminary Objections as filed by the Defendant and the Briefs of the respective parties, it is the opinion of this Board that the Preliminary Objections of the Defendant are not well founded, and therefore, DENIED. The Defendant is given thirty (30) days from the date of this Order to file a responsive pleading in accordance with this Order." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

October 20, 1983 Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 21, 1985 Answer and New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 11, 1985 Hearing scheduled for June 12, 13 and if necessary June 14, 1985, before Eastern District, to be held in Board's Conference Room commencing at 10 a.m.

May 29, 1985 Notice to Take Deposition of Wilford M. Smouse and Entry of Appearance of Jason W. Manne filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff by attorney for Defendant.

WILFORD M. SMOUSE
VS.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

Ralph A. Germaik, Esquire
Jason W. Manne, Assistant Counsel
James S. Marshall, Esquire

Docket No. 872

CLOSED

June 15, 1985 Hearing held in Board's Court Room commencing at 10 a.m. Case completed.

August 20, 1985 Testimony of hearing held June 12, 1985 filed.

August 22, 1985 Copy of testimony of hearing held June 12, 1985 forwarded to attorney for Defendant.

October 23, 1985 Proposed Findings of Fact, Conclusions of Law and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 25, 1985 Proposed Findings of Fact, Conclusions of Law and Brief filed by Defendant. Copies forwarded to attorney for Plaintiff by attorney for Defendant.

February 5, 1986 Eastern Panel Hearing Report filed.

April 25, 1986 The Board rendered an Opinion and made the following Order: "AND NOW, this 25th day of April, 1986, upon due consideration of the record and submissions of counsel in this matter, the Board of Claims finds in favor of the Plaintiff, Wilford M. Smouse and against the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, Selingsgrove Center and enters an award of damages in the amount of \$2,855.88, together with interest at the legal rate of six (6%) percent per annum beginning March 1, 1983. Each party to bear its own costs."

April 29, 1986 Copies of Opinion and Order dated April 25, 1986 forwarded to attorney for Plaintiff and attorney for Defendant.

May 2, 1986 Acceptance of Service of Opinion and Order of April 25, 1986 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 30, 1986.

May 20, 1986 Copy of Petition For Review as filed in Commonwealth Court filed by attorney for Defendant.

May 28, 1986 Petition for Review received from Commonwealth Court. (No. 1504 C. D. 1986)

-- OVER --

WILFORD M. SMOJSE
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

Ralph A. Gemak, Esquire

Jason W. Maune, Assistant Counsel
James S. Marshall, Esquire

DOCKET NO. 872

CLOSED

MULTIPLE SIGNATURE

FORM NO. 30-FR

July 3, 1986

File transmitted to Commonwealth Court.

September 21, 1987

Copy of Opinion and Order received from Commonwealth Court. Order as follows: "NOW, September 18, 1987, the order of the Board of Claims in the above-captioned matter is hereby reversed."

March 20, 1989

File returned from Commonwealth Court. Title of Petition for Allowance of Appeal from Commonwealth Court discontinued 2/2/89. (Supreme Court's Docket No. 224 M.D. Allo. Dk., 1987).

SMS 3-20-89