

Sporo T. Leppas, Esquire
Arthur T. McDermott, Esquire

ARTHUR T. McDERMOTT
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH

CLOSED

Allen C. Wzshaw
XX
Michael Suton, Deputy Attorney General

Docket No. 890

ALLIANCE OF COURTESY

FORM 305fr

June 8, 1983 New Claim and filing fee received. Amount of Claim: \$64,000.00

July 1, 1983 Copies of claim forwarded to defendant and Deputy Attorney General.

August 2, 1983 Answer filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 2, 1983 Motion for Judgment on the Pleadings filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

August 19, 1983 Motion to List for Argument filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

September 6, 1983 Brief in Support of Motion for Judgment on the Pleadings filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

September 26, 1983 Brief in Opposition to Motion for Judgment on the Pleadings filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 13, 1984 The Board rendered an opinion and made the following order: "AND NOW, this 13th day of February, 1984, upon consideration of the pleadings filed and Briefs of counsel, the Motion for Judgment on the Pleadings filed by Defendant is DENIED. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 21, 1984 Praecipe to list for hearing filed by attorney for plaintiff. Copy forwarded to attorney for defendant.

February 28, 1984 Response to Praecipe as well as Notice of Deposition of Arthur T. McDermott filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

-OVER-

ARTHUR T. McDERMOTT

AS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH

Spero T. Lappas, Esquire
~~Arthur T. McDermott, Esquire~~
~~Allen C. Warshaw~~ -continued-
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Michael Suttan, Deputy Attorney General

Docket No 890

closed.

March 29, 1984 Notice of Deposition of Arthur T. McDermott filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 30, 1984 hearing scheduled for June 20, 21 and if necessary, June 22, 1984, before Eastern District, to be held in Board's Conference Room, Harrisburg, Pennsylvania, commencing at 11 a.m.

April 6, 1984 Defendants' First Request For Production Of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 8, 1984 notice of Oral Deposition of Penna. Department of Health by: Secretary Arnold Muller filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 8, 1984 Praecipe for appearance of Spero T. Lappas filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 11, 1984 Plaintiffs Interrogatories - First Set to William Sautzer, Samuel Scafidi, Allan P. Brown and H. Arnold Muller, M.D. (4 separate documents) filed by attorney for Plaintiff. Copies forwarded to attorney for Defendant by attorney for Plaintiff.

May 17, 1984 Answers to Plaintiffs Interrogatories - First Set to Allan P. Brown filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 18, 1984 Defendant's Hearing Brief filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

June 20, 1984 Hearing held in Board's Conference Room, Harrisburg, Pennsylvania, (Eastern District), commencing at 10 a.m. Case completed.

June 20, 1984 Plaintiff's Trial Brief filed by attorney for plaintiff. Copies given to all parties of record at hearing.

August 13, 1984 Testimony of hearing held June 20, 1984 filed.

8/13/84

ARTHUR T. McDERMOTT
VS.

Spero T. Leppas, Esquire

DOCKET NO. 890

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF HEALTH

Allen G. Wershaw
MICHAEL SUTTON, DEPUTY ATTORNEY GENERAL
Michael Sutton, Deputy Attorney General

CLOSED



MULTI-FLEX COLUMN

August 14, 1984 Copy of testimony of hearing held June 20, 1984 forwarded to attorney for defendant.

October 11, 1984 Depositions of Thomas L. Meglen, H. Arnold Muller, and Allan P. Brown filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

October 11, 1984 Plaintiff's Proposed Findings of Fact, Conclusions of Law and Memorandum in Support Thereof filed by attorney for Plaintiff. COPY forwarded to attorney for Defendant by attorney for Plaintiff.

December 4, 1984 Defendant's Findings of Facts, Conclusions of Law and Memorandum in Support of Law filed by attorney for Defendant. Copies forwarded to attorney for Plaintiff by attorney for Defendant.

December 4, 1984 Proposed Rule, Proposed Order, Defendant's Motion to Amend Answer and Amended Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 7, 1984 The Board made the following Order: "AND NOW, this 7th day of December, 1984, after due consideration of Defendant's Motion for the RULE TO SHOW CAUSE why it should not be allowed to amend its answer is hereby GRANTED. Rule returnable within thirty (30) days of the date of service." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

January 9, 1985 Plaintiff's Answer to Defendant's Motion to Amend Answer and Reply to Rule to Show Cause filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 13, 1985 Panel Report filed.

September 25, 1985 The Board rendered an Opinion and made the following Order: "AND NOW, this 25th day of September, 1985, upon due consideration of the pleadings, testimony and arguments submitted in the instant case, the Board of Claims finds in favor of the Defendant, Commonwealth of Pennsylvania, Department of Health and against the Plaintiff, Arthur T. McDermott. Each party to bear its own costs."

September 27, 1985 Copies of Opinion and Order dated September 25, 1985 forwarded to attorney for Plaintiff and attorney for Defendant.

- OVER -

ARTHUR T. McDERMOTT

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CLOSED

November 8, 1985 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Plaintiff.

November 12, 1985 Petitioner's Amendment to Petition for Review filed by attorney for Plaintiff.

November 12, 1985 Petition for Review received from Commonwealth Court. (No. 3004 C.D. 1985).

December 20, 1985 File transmitted to Commonwealth Court.

~~January 9, 1986 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "NOW, January 7, 1986, upon consideration of respondent's motion to quash and petitioner's motion in opposition thereto, and following oral argument thereon, respondent's motion to quash is denied."~~

January 12, 1987 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "NOW, January 9, 1987, the order of the Board of Claims, Docket No. 890, dated September 25, 1985, is affirmed."

March 15, 1987 Copy of Order received from Commonwealth Court. Order as follows: "NOW, February 11, 1986, upon consideration of respondent's application for reargument and petitioner's response thereto, said application is denied."

March 16, 1987 File returned from Commonwealth Court.