

RICHARD D. SMITH  
VS.

WARREN HARPST, t/d/b/a HARPST  
NEWSTAND AND CIGAR STORE,  
COMMONWEALTH OF PENNSYLVANIA,  
DEPARTMENT OF REVENUE.

William J. Kelly, Esquire

James R. Steadman (Harpst Newstand)  
Nicholas J. Lamberti, Esquire  
Delancy W. Davis, Esquire (Attorney General)

Docket No. 929

**CLOSED**

BUREAU OF STATE LOTTERIES

March 15, 1984	Complaint and filing fee filed. Amount of Claim: \$6,000+
March 21, 1984	Copies of Complaint forwarded to Warren Harpst, t/d/b/a Harpst Newstand and Cigar Store and attorney for Defendant (Department of Revenue).
April 11, 1984	Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for defendant.
April 18, 1984	Statement of Preliminary Objections In The Nature Of A Motion To Dismiss For Want of Jurisdiction filed by attorney for Harpst Newstand and Cigar Store. Copies forwarded to attorney for Plaintiff and attorney for Defendant (Department of Revenue) by Harpst Newstand and Cigar Store.
April 23, 1984	Amended Answer filed by attorney for Defendant (Revenue). Copy forwarded to attorney for Plaintiff and attorney for Harpst Newstand.
May 1, 1984	Amended Answer filed by attorney for Defendant (Revenue). Copy forwarded to all parties of record.
May 22, 1984	Brief in Support of Preliminary Objections in the Nature of a Motion to Dismiss for Want of Jurisdiction filed by attorney for Harpst Newstand. Copy forwarded to all parties of record by attorney for Harpst Newstand.
June 6, 1984	Brief in Opposition to Preliminary Objections of Defendant, Warren Harpst filed by attorney for Plaintiff. Copy forwarded to attorney for Harpst Newstand by attorney for Plaintiff.
September 25, 1984	Settlement and Discontinuance of Action filed by Office of Attorney General. Copies forwarded to attorney for plaintiff and attorney for defendant by Office of Attorney General.
September 25, 1984	The Board rendered an Opinion and made the following Order: "AND NOW, this 25th day of September, 1984, the Preliminary Objections in the nature of a Motion to Dismiss for Want of Jurisdiction filed by Defendant is DENIED."
October 3, 1984	Copies of Opinion and Order dated September 25, 1984, forwarded to attorney for Plaintiff and attorneys for Defendants.

\* See reverse side

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DEPARTMENT OF REVENUE, BUREAU OF STATE LOTTERIES

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**CLOSED**

September 28, 1984 The Board made the following Order: "AND NOW, this 28th day of September, 1984, pursuant to Praecipe for Settlement and Discontinuance of Action executed by Delancey W. Davis, Attorney for Defendant, Department of Revenue, James R. Steadman, Attorney for Defendant, Warren Harpst, t/d/b/a Harpst Newstand and Cigar Store and Craig A. Markham, Attorney for Plaintiff, Richard D. Smith, docketed with this Board on September 25, 1984, advising that the above captioned matter has been settled by agreement of the parties and directing that the Board mark the record discontinued and dismissed with prejudice, it is ORDERED and DIRECTED that the case be marked "settled, discontinued and ended with prejudice".

October 5, 1984 copies of Order dated September 28, 1984, forwarded to attorney for plaintiff and attorneys for defendants.