

CORRESPONDENCE/MEMORANDUM

DATE: July 1, 2009

TO: Aaron Olver, Zach Brandon, Joseph Thomas, Berni Mattsson,
Oscar Herrera, Dennis Legler, Eric Scott, Laura Varriale,
Louie Cornelius, Tarna Gahan-Hunter

FROM: Laura Pleasants

SUBJECT: *Monthly Report of PECFA Appeals for June 2009*

Executive Summary

Seven (7) appeals were received and two (2) dismissals were issued in June.

The total amount on appeal at the end of June was \$56,663.06

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
New Appeals received during Month	5	3	2	4	0	7						
Total Closures during Month	6	8	2	5	4	2						
Mean Days Receipt to Close	143	91	33	61	116	564						
Pending End of Month	14	9	10*	9	5	10						
Change from Prior Month	(1)	(5)	1*	(1)	(4)	5						
Closures												
Settlements	5	4	2	3	3	2						
Mean Days Receipt to Settled	83	111	33	51	147	564						
Withdrawals	0	3	0	2	1	0						
Mean Days Receipt to Withdrawal	n/a	73	n/a	77	20	n/a						
Dismissed On Motion (Untimely, Standing)	0	1	0	0	0	0						
Mean Days Receipt to Dismissal	n/a	67	n/a	n/a	n/a	n/a						
Hearings												
Hearings Held in Month	0	0	0	0	1**	1						
Mean Days Receipt to Hearing	n/a	n/a	n/a	n/a	343	197						
Scheduled in Future Periods	0	2	2	2	1	0						
Mean Days Receipt to Scheduled	n/a	242	237	263	197	n/a						
Decisions												
Decisions Rendered by ALJ (Proposed)	0	0	0	0	0	0						
Decisions Rendered by Secretary (Final)	1	0	0	0	0	0						
Decisions Rendered by Circuit Court	0	0	0	0	0	0						
Decisions Rendered by Court of Appeals	0	0	0	0	0	0						
Awaiting Decision												
Awaiting <u>Proposed</u> Decision	0	0	0	0	0	1						
Mean Days since Hearing	n/a	n/a	n/a	n/a	n/a	7						
Awaiting <u>Final</u> Decision by Secretary	0	0	0	0	0	0						
Mean Days since Proposed Decision	n/a	n/a	n/a	n/a	n/a	n/a						
Awaiting Decision by Circuit Court	0	0	0	0	0	0						
Awaiting Decision by Court of Appeals	0	0	0	0	0	0						

* One appeal was reopened by the Secretary's Office after a dismissal order was issued and appealed. (See Shafi v Commerce, Hrg # 08-57)

** The case (Bellin Farm, Hearing # 08-27) settled after hearing. A formal decision will not be issued.

New Appeals Received in June 2008

The department received seven (7) new appeals in June in the amount of \$46,265.16. There were 10 appeals pending at the end of the month.

New Appeals						
Appellant	Expr10	UCID	Issue(s)	Amount	DecDate	RecDate
Leonard A. Bukowski	53172-1943-00	09-16	SI	\$1,460.88	5/13/2009	6/11/2009
Mary Ann Bush, POA	53029-8512-95	09-20	work before DNR notification	\$4,715.99	6/10/2009	6/24/2009
John A. Jantsch	54405-9501-71	09-19	over SI cap, duplicate charges	\$703.19	5/27/2009	6/22/2009
Brian A. Johnson	54208-7765-96	09-17	no docs	\$31.20	6/10/2009	6/22/2009
Sharif Malik	53223-4709-09	09-18	not bid, over cap	\$9,336.55	5/19/2009	6/18/2009
Brad McKendry	53172-1148-10	09-15	U&C, claim prep	\$12,045.66	5/6/2009	6/1/2009
Edward J. Sokolowski	53121-1965-11B	09-21	U&C, loan fees, interest	\$17,971.69	5/27/2009	6/26/2009

Appeals Closed in June 2008

The following two (2) appeals were closed in June. The average number of days from receipt of the appeal to decision was 564 days for all appeals closed. The total amount appealed in the closed cases was \$97,525.99. The total amount paid was \$18,632.84 (net of interest) or 19% of the total appealed.

Closed Appeals							
Appellant	Hrg #	Issue(s)	Appeal Amt	Days2Dec	AmountPaid	DecisionSum	FinalDecDate
Gurcharan Kapoor	08-53	no supporting docs	\$27,298.62	198	\$4,512.95	settled	6/11/2009
S. Michael Logan	06-41	eligibility, ineligible release	\$70,227.37	930	\$14,119.89	settled	6/23/2009

Hearings Held In Month

There was one hearing held in June.

Hearings Held in Month					
Expr1	Hrg #	Issue(s)	On_Appeal	ALJID	HrgDate
Mohammad Shafi	08-57	eligibility	197	WICKS	6/23/2009

Appeals Set for Hearing

There are no appeals scheduled for hearing in the upcoming months, however two scheduling conferences will be held in July.

Appeals Heard but not Decided

There is one case currently awaiting proposed decision following hearing.

Awaiting Proposed Decision					
Appellant	Commerce #	Hrg #	RecDate	HrgDate	Since Hearing
Mohammad Shafi	53205-1153-19	08-57	12/8/2008	6/23/2009	7

Proposed Decisions Issued

There are no proposed decisions awaiting final decision by the Secretary's Office.

Final Decisions Issued

There were no final decisions issued by the Secretary's Office in June.

Decisions Appealed to Circuit Court

There are no final decisions currently appealed in Circuit Court.

Final Decisions Issued after Judicial Review

There were no decisions issued by the Circuit Court following review of a Final Decision.

Final Decision Issued by the Court of Appeals

There are no appeals awaiting decisions in the court of appeals.