

Docket Number: 1033-P

ARNOLD BENJAMIN, R. PH.

Gilbert B. Abramson, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
~~Andrew A. Coates, Esquire~~

December 2, 1985

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:

December 10, 1985

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

January 10, 1986

Withdrawal of Appearance filed by Gilbert B. Abramson, Esquire on behalf of attorney for Plaintiff.

March 7, 1988

Letter of March 7, 1988 from attorney for Defendant advises that Robert A. Rover is not attorney for Plaintiff.

March 11, 1988

Stipulation of Parties filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 3, 1989

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 3rd day of August, 1989, it is hereby **ORDERED** and **DECREED**:

1. The Stipulations of the parties are accepted by the Board of Claims and are binding upon the parties thereto. 2. The Plaintiff, Arnold Benjamin, R.P.H., shall withdraw its suit Docketed to No. 1033-P before the Board of Claims. 3. The Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, shall reduce the time which it had set for preclusion of Plaintiff from the provider program to January 31, 1988, rather than May 31, 1989. 4. The Stipulations and Agreements are entered into without a determination of fault or culpability and in the interest of avoiding litigation. 5. The Plaintiff shall file with the Board of Claims, a Praecipe, requesting that the case be marked 'settled, discontinued and ended with prejudice'. Each party to bear its own costs." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

July 27, 1990

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 27th day of July, 1990, a Rule to Show Cause is issued upon Plaintiff, Arnold Benjamin, R. P.H., wherein it is directed that Plaintiff file a Praecipe requesting that the case be marked settled, discontinued and ended with prejudice within thirty (30)

July 27, 1990 (cont'd)

days of this Order or other justifiable response. This Rule shall become absolute and the case shall be marked closed and settled with prejudice in the event the Board does not receive a response to said Rule." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

August 3, 1990

Acceptance of Service of Opinion and Order dated July 27, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 31, 1990.

December 12, 1990

The Board rendered an Opinion and made the following Order: **AND NOW**, this 12th day of December, 1990, this Order is issued as a result of the failure of Plaintiff, Arnold Benjamin, PH, to advise the Board of Claims within thirty (30) days of August 3, 1990, whether or not Plaintiff received the notices directed be paid to said Plaintiff. This is therefore **DIRECTED** that the Rule of August 3, 1990 be made **ABSOLUTE** and the record be marked closed and settled with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 28, 1990

Acceptance of Service of Opinion and Order dated December 12, 1990 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 20, 1990.
