

Docket Number: 1352

LOGAN SQUARE EAST

Reed Hamilton, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

John A. Kane, Chief Counsel

March 3, 1989

Complaint and filing fee filed. Amount of Claim: \$166,242.00+.

March 8, 1989

Copies of Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General.

March 14, 1989

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 9, 1989.

March 16, 1989

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 14, 1989.

July 17, 1989

Praecipe to Discontinue filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 28, 1989

Stipulation of Settlement filed by parties.

August 15, 1989

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 15th day of August, 1989, after due consideration of the submissions of the parties in the present case, it is **ORDERED** and **DECREED** that the Stipulation of Settlement is approved and that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is **DIRECTED** to make gross adjustments in Medical Assistance reimbursement in the amount of One Hundred Six Thousand Two Hundred Thirty-Nine Dollars and Fifty-Two Cents (\$106,239.52). It is further **ORDERED** that upon the execution of the adjustments, the Plaintiff shall forthwith file with the Board a Praecipe requesting that the case be marked, 'settled, discontinued and ended with prejudice.' The demand for interest is merged into the award. Each party to bear its own costs." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 17, 1989

Motion to Reform Order of August 15, 1989 filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 24, 1989

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 24th day of August, 1989, after due consideration of the Motion to Reform Order of August 15, 1989, it is **ORDERED** and **DECREED** that the said Motion to Reform is hereby **DENIED**." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 1, 1989

Acceptance of Service of Opinion and Order dated August 15, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff of August 29, 1989.

August 31, 1989

Acceptance of Service of Opinion and Order dated August 24, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 28, 1989.

September 1, 1989

Acceptance of Service of Opinion and Order dated August 24, 1989, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 29, 1989.

September 26, 1989

Copy of Petition for Review as filed in Commonwealth Court filed by attorney for Defendant.

October 12, 1989

Motion to Quash DPW's Petition for Review and Memorandum of Law in Support of Motion to quash filed by Board of Claims in Commonwealth Court. Copies forwarded to attorney for Petitioner and courtesy copy to attorney for Logan Square East.

October 23, 1989

Petitioner's Answer to Respondent's motion to Quash filed by attorney for Petitioner. Copy forwarded to attorney for Respondent by attorney for Petitioner.

October 30, 1989

Board of Claims' Answer to DPW's New Matter filed by Board of Claims in Commonwealth Court. Copies forwarded to attorney for Petitioner and attorney for Logan Square East.

November 3, 1989

DPW's First Request for Interrogatories filed by attorney for Petitioner. Copy forwarded to attorney for Respondent by attorney for Petitioner.

November 14, 1989

Copy of Order received from Commonwealth Court. Order as follows; "NOW, November 9, 1989 upon consideration of (1) the petition for review addressed to this court's original jurisdiction and respondent's motion to quash, which shall be treated as a preliminary objection in the nature of a demurrer; and (2) the petition for review addressed to this court's appellate jurisdiction appealing respondent's August 4, 1989 order, and its approving that said order only required petitioner to do what it had already agreed to do pursuant to the Stipulation of Settlement approved by the Department of Public Welfare, Office of Hearings and Appeals by order of July 18, 1989, to which petitioner has not appealed, nor could it, See Brown v. Commonwealth, Department of Health, 495 Pa. 456, 434 A.2d 1179 (1981), it is hereby ordered that respondent's preliminary objection in the nature of a demurrer is sustained, and petitioner's petition for review addressed to this court's original jurisdiction is dismissed and it is further ordered that petitioner's petition for review addressed to this court's appellate jurisdiction is dismissed."

July 20, 1993

The Board made the following Order: "**AND NOW**, this 20th day of July 1993, now that the matter has been fully dismissed by the Commonwealth Court it is **ORDERED** and **DIRECTED** that the case be discontinued and marked closed of record." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

July 26, 1993

Acceptance of Service of Opinion and dated July 20, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 21, 1993.

August 18, 1993

Opinion and Order dated July 20, 1993 returned to us because Plaintiff's counsel is now deceased.

August 25, 1993

Copy of Opinion and Order dated July 20, 1993 forwarded to Jack Mumford, Esquire, attorney for Plaintiff because plaintiff's original counsel is deceased.

CLOSED