

Docket Number: 1523

THE MEMORIAL HOSPITAL AND MEDICAL CENTER OF CUMBERLAND, INC.

Gerald Gornish, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~  
Jason W. Manne, Assistant Counsel

**March 21, 1991**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$181,826.27+.

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**March 26, 1991**

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

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**March 29, 1991**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 27, 1991.

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**April 2, 1991**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 27, 1991.

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**January 29, 1992**

Answer and New Matter and Affirmative Defenses filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 30, 1992**

Plaintiff's Reply to New Matter and Affirmative Defenses filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**August 5, 1992**

Plaintiff's Motion for Partial Summary Judgment filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 29, 1992**

Brief in Support of Plaintiff's Motion for Partial Summary Judgment filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 1, 1992**

DPW's Response to Motion for Partial Summary Judgment filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**October 16, 1992**

Brief of the Department of Public Welfare in Opposition to Plaintiff's Motion for Summary Judgment filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**November 30, 1992**

Plaintiff's Reply to DPW's Response and Brief in Opposition to Plaintiff's Motion for Summary Judgment filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 23, 1992**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 23rd day of December, 1992, the Plaintiff's Motion for Partial Summary Judgment is **DENIED.** This case will be listed for trial within the near future." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 7, 1993**

Acceptance of Service of Opinion and Order dated December 23, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 31, 1993.

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**August 30, 1993**

Praecipe to Withdraw, with copy of full executed Stipulation of Settlement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 29, 1993**

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 29th day of November, 1993, it is **ORDERED** and **DECREED** that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is indebted unto the Plaintiff, The Memorial Hospital and Medical Center of Cumberland, Inc., in the full and true sum of Three Hundred Twenty-Five Thousand Four Hundred Forty-Six Dollars and Forty-Seven Cents (\$325,446.47). Upon receipt of payment of said award, Plaintiff shall forthwith file with the Board a Praecipe that the case be marked 'settled, discontinued and ended with prejudice'. Each party to bear its own costs and attorney fees."

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**December 14, 1993**

Acceptance of Service of Opinion and Order dated November 29, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 3, 1993.

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**January 6, 1994**

Praecipe requesting the case be marked settled, discontinued and ended with prejudice filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 8, 1994**

The Board made the following Order: "**AND NOW**, this 28th day of February, 1994, upon receipt of Praecipe requesting the case be marked settled, discontinued and ended with prejudice filed by Gerald Gornish, Esquire, on behalf of Plaintiff, The Memorial Hospital and Medical Center of Cumberland, Inc., same of which is docketed with this Board under date of January 6, 1994, it is **ORDERED** and **DECREED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**March 9, 1994**

Acceptance of Service of Order dated February 28, 1994, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 2, 1994.

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