

Docket Number: 1570
Consolidated with Docket 1665

ELM TERRACE GARDENS

Frances B. McGinley, Esquire

CLOSED

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

John A. Kane, Chief Counsel

September 25, 1991

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:\$8,795.07+.

September 30, 1991

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

October 3, 1991

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 1, 1991.

CLOSED

Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 12, 1991

Memorandum of Law in Support of Defendant's Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 15, 1991

Plaintiff's Reply to Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 21, 1991

Plaintiff's Memorandum of Law in Opposition to Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 18, 1991

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 18th day of December, 1991, the Preliminary Objections of the Defendant are hereby **DENIED**. The prayer of the Plaintiff for counsel fee is **STRICKEN** from the Complaint and the Defendant is given thirty (30) days from the date of this Order to file appropriate pleadings." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 3, 1992

Acceptance of Service of Opinion and Order dated December 18, 1991 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 26, 1991.

CLOSED

January 3, 1992

Acceptance of Service of Opinion and Order dated December 18, 1991 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 26, 1991.

January 17, 1992

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

February 12, 1992

Reply to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

***October 15, 1992**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of October, 1992, Plaintiff's Motion for Consolidation is hereby **GRANTED**. As of this date, the two (2) cases at Docket Nos. 1570 and 1665 will advance forward as a consolidated case. All pleadings, depositions, and other documents will contain both docket numbers and all discovery will be considered interchangeable between each case. At the time of trial, the cases will be tried simultaneously." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 21, 1992

Acceptance of Service of Opinion and Order dated October 15, 1992 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 15, 1992.

October 22, 1992

Acceptance of Service of Opinion and Order dated October 15, 1992 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 19, 1992.

January 22, 1993

Praecipe to withdraw Complaint, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 9, 1993

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

July 20, 1993

CLOSED

The Board rendered an opinion and made the following Order: "On July 20, this 20th day of July, 1993, upon due consideration of the Stipulation of Settlement and other submissions, including the Praecipe filed on January 22, 1993, it is ORDERED that the Board of Claims accepts and approves the Stipulation of Settlement of the parties. It is further ORDERED that the Praecipe filed by counsel for the Plaintiff on January 22, 1993, are hereby accepted as Praecipe to Discontinue and End the instant cases. The cases docketed Nos. 1570 and 1665 shall be marked 'settled, discontinued and ended with prejudice.' Each party to bear its own costs and attorney fees."

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 6, 1993

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