

Docket Number: 1641

BOONE NURSING HOME, INC. t/a BOONE NURSING HOME

Robert E. Marsh, Jr., Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

John A. Kane, Chief Counsel

June 9, 1992

Complaint received from attorney for Plaintiff via FAX.

June 10, 1992

Complaint and filing fee received from attorney for Plaintiff via MAIL. Amount of Claim: \$29,092.20+.

June 16, 1992

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

June 22, 1992

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for defendant June 17, 1992.

July 16, 1992

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 13, 1992.

July 24, 1992

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

August 13, 1992

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

January 11, 1993

Plaintiff's Request for Production of Documents to Defendant filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 2, 1993

Stipulation of settlement executed by attorney for Plaintiff and attorney for Defendant, but filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 2, 1993

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

September 15, 1993

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of September, 1993, it is **ORDERED** and **DECREED** that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is indebted unto the Plaintiff, Boone Nursing Home, Inc., t/a Boone Nursing Home, in the full and true sum of Fourteen Thousand Four Hundred Eighteen Dollars and Seventy-Two Cents. (\$14,418.72). Upon receipt of payment of said award, Plaintiff shall forthwith file with the Board a Praecipe that the case be marked 'settled and ended with prejudice'. Each party to bear its own costs and attorney fees."

September 20, 1993

Acceptance of Service of Opinion and Order dated September 15, 1993, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant.

October 15, 1993

Acceptance of Service of Opinion and Order dated September 15, 1993, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff.

November 22, 1993

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 22nd day of November, 1993, a Rule to Show Cause is issued upon Plaintiff, Boone Nursing Home, Inc. t/a Boone Nursing Home, wherein it is **DIRECTED** that Plaintiff advise the Board within thirty (30) days of this Order whether or not plaintiff has received the sum of money awarded 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 t said Rule." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 29, 1993

Acceptance of Service of an Opinion and Order for a Rule to Show Cause dated November 22, 1993, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 23, 1993.

November 30, 1993

Acceptance of Service of Opinion and Order for a Rule to Show Cause

dated November 22, 1993, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 23, 1993.

February 25, 1994

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 25th day of February , 1994, this Order is issued as a result of the failure of Plaintiff, Boone Nursing Home, Inc., t/a Boone Nursing Home, to advise the Board of Claims within thirty (30) days of November 22, 1993, whether or not Plaintiff received the monies directed be paid to said Plaintiff. It is, therefore, **DIRECTED** that the Rule is made **ABSOLUTE** and that the record shall be marked 'closed and settled with prejudice'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

March 7, 1994

Acceptance of service of Opinion and Order dated February 25, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 28, 1994.

March 10, 1994

Acceptance of Service of Opinion and Order dated February 25, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by Plaintiff March 2, 1994.