

Docket Number: 1682-P

GRACECARE ACQUISITION CO. d/b/a
PENNSBURG MANOR NURSING HOME, INC.

Richard E. Reilly, Esquire

VS.
CLOSED

~~COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
DEPARTMENT OF AUDITOR GENERAL~~

~~John A. Kane, Chief Counsel
Paul M. Yatron, Chief Counsel~~
Sallie A. Rodgers, Assistant Counsel

* **November 9, 1992

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$319,370.00+.

November 13, 1992

Copy of Claim forwarded to attorneys for Defendants and Chief Deputy Attorney General.

November 19, 1992

Acceptance of Service of Claim received from attorney for Defendant (DPW). Receipt of same acknowledged by attorney for Defendant (DPW) November 16, 1992.

CLOSED

Amendment to statement of Claim (corrected cover page) filed by attorney for Plaintiff

November 21, 1992

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 18, 1992.

December 3, 1992

Copies of Amendment to Statement of Claim (corrected cover page) forwarded to attorney for Defendant and Chief Deputy Attorney General.

December 9, 1992

Acceptance of Service of Amendment to Statement of Claim (corrected cover page) received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 4, 1992.

December 11, 1992

Acceptance of Service of Amendment to Statement of Claim (corrected cover page) received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 8, 1992.

December 15, 1992

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

****December 31, 1992**

Amended Statement to the Claim filed by attorney for Plaintiff. Amount of Claim: Unchanged.

January 7, 1993

Copies of Amended Statement of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

January 13, 1993

Acceptance of Service of Amended Statement of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 13, 1993.

CLOSED

January 20, 1993

Acceptance of Service of Amended Statement of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 14, 1993.

January 21, 1993

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 21st day of January, 1993 upon consideration of the above-mentioned, the Preliminary Objections as filed by the Defendant are hereby rendered MOOT. The Defendant, Department of Public Welfare, is now directed to answer the Plaintiff's Amended Statement to the Claim within thirty (30) days from the date of this Order". Copies forwarded to attorney for Plaintiff and attorney for Defendant.

January 26, 1993

Acceptance of Service of Opinion and Order dated January 21, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 25, 1993.

January 27, 1993

Acceptance of Service of Opinion and Order dated January 21, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 22, 1993.

February 22, 1993

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

March 10, 1993

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

CLOSED

October 27, 1994

Withdrawal of appearance of Mary Frances Gubowski, Senior Assistant Counsel, on behalf of Defendant as well as Entry of Appearance of Jeffrey Bechtel, Assistant Counsel, on behalf of Defendant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 28, 1996

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of June, 1996, a Rule to Show Cause is issued upon Plaintiff, Gracecare Acquisition Co., d/b/a Pennsburg Manor Nursing Home, wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue this case. In the event the Board does not receive a response to thus Rule, said Rule to Show Cause shall become absolute and the case shall be marked 'closed, discontinued and ended with prejudice'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

July 2, 1996

Acceptance of Service of Opinion and Order dated June 28, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 1, 1996.

July 9, 1996

Acceptance of Service of Opinion and Order dated June 28, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 1, 1996.

August 5, 1996

Letter received from attorney for Plaintiff advising that Plaintiff intends to pursue the issues raised in this matter before the Office of Hearings and Appeals and accordingly, will not be pursuing this matter before the Board.

September 5, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 5th day of September, 1996 it is ORDERED and DECREED that the above-mentioned case is hereby DISCONTINUED and CLOSED with prejudice." Copies forwarded to attorney for Plaintiff by attorney for Defendant

Acceptance of Service of Opinion and Order dated September 5, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 9, 1996.