

Docket Number: 1701

LUTHERAN WELFARE CONCORDIA HOME

Louis J. Capozzi, Jr., Esquire

CLOSED VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

January 26, 1993

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$20,000.00+.

February 5, 1993

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

February 12, 1993

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 8, 1993.

February 16, 1993
Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 9, 1993.
February 27, 1993

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

March 17, 1993

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

June 21, 1993

Western Panel Hearing scheduled for August 25, 26 and 27, 1993 to be held at St. Joseph Center, Room No. 101, US Route 30 East, 2900 Seminary Drive, Greensburg, Pennsylvania commencing at 10:00 a.m.

August 25, 1993

Western Panel Hearing held this date in St. Joseph Center, Room No. 101, US Route 30 East, 2900 Seminary Drive, Greensburg, Pennsylvania, commencing at 10:00 a.m. Case completed.

October 27, 1993

Testimony of hearing held August 25, 1993, filed.

November 3, 1993

Copy of testimony of hearing held August 25, 1993, forwarded to attorney for Defendant.

December 14, 1993

Proposed Findings of Fact and Conclusions of Law as well as Brief in Support, thereof, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 18, 1994

DPW's Response to Proposed Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 18, 1994

Brief of the Department of Public Welfare filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 11, 1995

Report of Western Division Hearing Panel filed, via Fax.

January 13, 1995

Report of Western Division Hearing Panel filed, via Mail.

November 22, 1995

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 22nd day of November, 1995, an award is entered in favor of Lutheran Welfare Concordia Home and against the Commonwealth of Pennsylvania, Department of Public Welfare in the amount of Eighteen Thousand Seventy-Five Dollars and Sixteen Cents (\$18,075.16) plus interest at the rate of six percent (6%) per annum from January 26, 1993, the date of filing of the Claim with the Board of Claims. Upon receipt of said award Plaintiff shall forthwith file with the Board of Claims a Praecipe requesting that the matter be marked settled, discontinued and ended with prejudice. Each party to bear its own costs and attorneys' fees." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 30, 1995

Acceptance of Service of Opinion and Order dated November 22, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 29, 1995.

December 21, 1995

Petition for Review received from Commonwealth Court. [No. 3478 C.D. 1995].

January 23, 1996

File transmitted to Commonwealth Court.

July 10, 1996

Copy of Opinion and Order received from Commonwealth Court. Order as follows: "AND NOW, this 9th day of July, 1996, the order of the Commonwealth of Pennsylvania, Department of Public Welfare (DPW) is affirmed in part insofar as it awards Lutheran Welfare Concordia Home (Lutheran) the sum of \$18,075.16 for unpaid invoices and is vacated in part insofar as it awards Lutheran interest on the sum of \$18,075.16."

September 12, 1996

File returned from Commonwealth Court.

CLOSED