

Docket Number: 1715

COUNTY OF CRAWFORD

~~Richard J. King, Esquire~~
Charles O. Barto, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
~~Jeffrey P. Schmoyer, Assistant Counsel~~
James C. Conley, Assistant Counsel

April 2, 1993

New Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$524,521.00.

April 23, 1993

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

April 29, 1993

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

April 30, 1993

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 30, 1993.

June 23, 1993

Answer of Commonwealth of Pennsylvania, Department of Public Welfare and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 2, 1993

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

August 2, 1993

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

November 14, 1994

Claimant's First Set of Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 3, 1995

Defendant's Answer and Objections to Plaintiff's 1st Set of Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 8, 1996

The Board rendered an Opinion and made the following Order: **'AND NOW**, this 8th day of July, 1996, a Rule to Show Cause is issued upon Plaintiff, County of Crawford, 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 this 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 16, 1996

Acceptance of Service of Opinion and Order dated July 8, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 9, 1996.

July 16, 1996

Acceptance of Service of Opinion and Order dated July 8, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 10, 1996.

August 7, 1996

Claimant's Second Set of Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 1, 1997

Letter forwarded to parties requesting status report. STATUS REPORT DUE MAY 1, 1997.

April 22, 1997

Letter/Status Report received from Plaintiff advising that the parties are still negotiating settlement and after the review of some papers by Plaintiff, Plaintiff will determine if negotiation should continue or if they will proceed to trial.

September 8, 1997

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE OCTOBER 8, 1997.

September 17, 1997

Letter/Status Report received from attorney for Plaintiff advising that on July 8, 1997 they sent Defendant a settlement offer and they hope to receive a response to same shortly.

January 13, 1998

Letter forwarded to parties requesting a Status Report. **Status Report due on or before February 12, 1998.**

January 27, 1998

Letter/Status Report received from Plaintiff advising that the parties have exchanged information regarding this matter and are currently in conversation about the possibility of settling the matter. Plaintiff request an additional 60 days for settlement discussions.

May 1, 1998

Letter forwarded to parties requesting a status report. Status Report due on or before **June 18, 1998.**

May 28, 1998

Letter received from attorney for Plaintiff advising that the parties are continuing to exchange information regarding this matter and Plaintiff hopes that the parties will find a basis for settling this case in the next 60 days.

August 31, 1998

Notice of Service of Claimant's Request for Admissions and Accompanying Interrogatory filed by attorney for Plaintiff.

November 13, 1998

Notice of Service of Claimant's Request for Admissions and Accompanying Interrogatories to Defendant filed by attorney for Plaintiff.

December 21, 1998

Motion for Extension of Time to Reply to Claimant's Request for Admissions and Brief in Support of DPW's Motion for Extension of Time to Reply to Claimant's Request for Admissions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 24, 1998

The Board made the following Order: "NOW, this 24th day of December, 1998, upon consideration of Respondent's Motion to Extend Time to Reply to Claimant's Request for Admission and Interrogatory it is **ORDERED** and **DECREEED** that Respondent's motion is granted and Respondent is **ORDERED** to Reply to Claimant's Request for Admission and Interrogatory by January 19, 1999.

December 24, 1998

Claimant's Response to Respondent's Motion for Extension of Time to Reply to Claimant's Request for Admissions filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 4, 1999

Acceptance of Service of Order dated December 24, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 29, 1998.

December 30, 1998

Notice of Service of DPW's Answer to Claimant's Request for Admission and Accompany Interrogatory filed by attorney for Defendant.

December 31, 1998

Acceptance of Service of Order dated December 24, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 29, 1998.

January 28, 1999

Praecipe to Certify for Hearing filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 26, 1999

Notice of Service of Defendant's Interrogatories to Claimant and Notice of Service of Defendant's Request for Production of Documents filed by attorney for Defendant.

April 2, 1999

Notice of Service of Claimant's Response to DPW's Interrogatories to Claimant filed by attorney for Plaintiff.

April 2, 1999

Notice of Service of Claimant's Response to DPW's Request for Production of Documents filed by attorney for Plaintiff.

April 2, 1999

Letter received from Plaintiff advising that the parties cannot agree to resolve this matter nor can they agree to dates for trial and requests the Board schedule this matter for trial.

April 12, 1999

Department of Public Welfare's Motion to Compel Answers to DPW's Written Interrogatories and Answers to DPW's Request for Production of Documents as well as Department of Public Welfare's Brief in Support of DPW's Motion to Compel Answers to Written Interrogatories and Answers to DPW's Request for Production of Documents and Proposed Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 29, 1999

Letter received from attorney for Plaintiff advising that based on the Board's deadline for discovery, they will not oppose Defendant's Motion to Compel and requests 30 days in which to provide the information to Defendant. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 10, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of May, 1999, it is **ORDERED** and **DECREED** that Defendant's Motion to Compel is hereby **GRANTED**. It is further **ORDERED** and **DECREED** that Plaintiff shall file its answers to interrogatories and document production within thirty (30) days of the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 14, 1999

Acceptance of Service of Opinion and Order dated May 10, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 11, 1999.

May 14, 1999

Acceptance of Service of Opinion and Order dated May 10, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 12, 1999.

June 21, 1999

Letter received from attorney for Plaintiff advising that the parties have agreed in principle to settle this case and are currently in the process of preparing a Stipulation of Settlement.

July 16, 1999

Notice of Service of Claimant's Answers to DPW's Interrogatories and Answer to DPW's Request for Production of Documents filed by attorney for Plaintiff.

October 29, 1999

Letter forwarded to parties requesting a Status Report. Status Report due on or before November 29, 1999.

December 15, 1999

Letter received from attorney for Plaintiff advising that the parties are currently negotiating probable settlement of this matter.

June 20, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **July 20, 2000**.

June 26, 2000

Praecipe of Withdrawal, requesting the Board to "Please withdraw the above captioned appeal..." filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 30, 2000

The Board rendered the following Order: "**AND NOW**, this 30th day of June, 2000, upon receipt of a Praecipe of Withdrawal, requesting the Board to "Please withdraw the above captioned appeal...This matter is now settled and ended.", executed by Charles O. Barto, Jr., Esquire, on behalf of Plaintiff, County of Crawford, and docketed with this Board under date of June 26, 2000, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 25, 2000

Acceptance of Service of Order dated June 30, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 21, 2000.
