

Docket Number: 1818

LUTHERAN WELFARE CONCORDIA HOME

~~Louis J. Capezzi, Jr., Esquire~~

John N. Kennedy, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~

Jason W. Manne, Assistant Counsel

May 5, 1994

Complaint and filing fee filed by attorney for Plaintiff. Amount of Claim: \$69,391.62.

May 11, 1994

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

May 17, 1994

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 12, 1994.

May 17, 1994

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 16, 1994.

May 31, 1994

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

June 27, 1994

Answer of Lutheran Welfare Concordia to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 16, 1996

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

May 16, 1996

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

September 8, 1997

Letter forwarded to the parties requesting a status report. **Response due 10/8/97.**

October 8, 1997

Letter received from attorney for Plaintiff, via Fax, advising that the parties are involved in discovery.

October 10, 1997

Letter received from attorney for Plaintiff, via mail, advising that the parties are involved in discovery.

April 15, 1998

Letter forwarded to the parties requesting a status report.
Response due 5/15/98.

May 18, 1998

Letter received from attorney for Plaintiff advising that Plaintiff is attempting to settle the case.

October 26, 1998

Letter forwarded to the parties requesting a status report.
Response due 11/30/98.

August 31, 1999

The Board made the following Order: **AND NOW**, this 31st day of August, 1999, a Rule to Show Cause is issued upon Plaintiff, Lutheran Welfare Concordia 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 the above-captioned matter. 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". Copy forwarded to attorney for Plaintiff and Defendant.

September 17, 1999

Acceptance of Service of Opinion and Order dated August 31, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 2, 1999.

September 21, 1999

Letter received from attorney for Plaintiff advising that the hearings on these matters were held before the Department of Public Welfare's Bureau of Hearings and Appeals in September and October 1993. Plaintiff has not received the Bureau of Hearings and Appeals' decision.

May 22, 2000

Letter forwarded to parties requesting a status. Status Due 6/22/00.

June 12, 2000

Letter received from attorney for Plaintiff advising that they are involved in settlement negotiations. Plaintiff is currently awaiting a response from Defendant on the rate information that was forwarded to them April 2000. If the parties are unable to settle a hearing will be requested.

January 31, 2001

Letter received from attorney for Plaintiff advising that they are involved in settlement negotiations.

April 13, 2001

Praeipie to Withdraw with Prejudice filed by attorney for Plaintiff.
Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 20, 2001

The Board had the following Order: **AND NOW**, this 20th day of April 2001, upon receipt of a Praeipie to Withdraw With Prejudice to... "Kindly mark the above-captioned appeal as withdrawn with prejudice as the parties have agreed to and signed a Stipulation of Settlement resolving these matters, executed by David C. Marshall Esquire on behalf of Plaintiff herein and docketed with this Board under date of April 13, 2001, it is **ORDERED** and **DIRECTED** that the case, be marked, "closed, ended and discontinued with prejudice". Copy forwarded to attorney for Plaintiff and Defendant.

April 27, 2001

Acceptance of Service of Order dated April 20, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 25, 2001.
