

VALLEY CARE NURSING HOME, INC.

Louis J. Capozzi, Jr., Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

October 14, 1994

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$75,961.00.

November 2, 1994

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

November 10, 1994

Acceptance of service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 7, 1994.

CLOSED

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

December 14, 1994

Plaintiff's Preliminary Objections to Paragraph 39 of Defendant's New Matter and Brief in Support thereof filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 19, 1995

Brief in Opposition to Preliminary Objection to Paragraph 30 of New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 20, 1995

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

July 20, 1995

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

July 27, 1995

Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 21, 1995

Plaintiff's Response to Defendant's Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 11, 1995

DPW's Brief in Support of Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 2, 1995

Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 30, 1995

Answer of Valley Care Nursing Home to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 1, 1995

Plaintiff's Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 4, 1995

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 4th day of December, 1995, the Motions as filed by the Plaintiff, Valley Care Nursing Home, Inc., and Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, in this matter will be **CONTINUED** and the parties are directed to proceed as outlined by the Board in the Presbyterian Medical Center and Regency Hall Nursing Home cases. Copies forwarded to attorney for Plaintiff and attorney for Defendant.

December 7, 1995

Acceptance of Service of Opinion and Order dated December 4, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 5, 1995.

December 11, 1995

Acceptance of Service of Opinion and Order dated December 4, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 5, 1995.

February 8, 1996

Response to Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 6, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 6th day of September, 1996, the various requests of discovery of both Plaintiff, Valley Care Nursing Home, and Defendant, Commonwealth of Pennsylvania, Department of Public Welfare are **DENIED**. The parties are **DIRECTED** to proceed in accordance with the guidelines established by the Board at the time of the Pre-trial Conference and in the multitude of Opinions that have emanated from the Board after the Pre-trial Conference." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 12, 1996

Acceptance of Service of Opinion and Order received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 10, 1996.

August 25, 1997

Entry of Appearance of Louis J. Capozzi, Jr., Esquire filed on behalf of the Plaintiff.

March 10, 1998

Status letter forwarded to parties. **Response due February 23, 1998.**

July 2, 1998

Motion to Amend New Matter, Proposed Order, DPW's Amended Answer and New Matter and Brief in Support of Motion to Amend New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 15, 1998

Letter forwarded to parties directing a response from Plaintiff to Defendant's Motion to Amend New Matter and Brief in Support.

July 31, 1998

Claimant's Response to Respondent's Motion to Amend New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 31, 1998

Claimant's Brief in Support of Claimant's Response to Respondent's Motion to Amend New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 6, 1998

Plaintiff's Reply Brief in Support of Motion to Amend New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 7, 1998

Motion to Amend Claims filed by attorney for Plaintiff.

August 7, 1998

Claimant's Brief in Support of Claimant's Motion to Amend Claim filed by attorney for Plaintiff.

August 7, 1998

Amended Statement of Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 7, 1998

Eastern Panel Hearing scheduled for September 16, 17 and 18, 1998 in Board's Courtroom No. 2, 6th Floor, Fulton Bank Building, Harrisburg, PA commencing at 9:30 a.m.

August 10, 1998

Notice of Service of Claimant's Response to Interrogatories and Document Requests filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 18, 1998

Claimant's Pre-Hearing Statement filed by attorney for Plaintiff.
Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 19, 1998

DPW's First Motion in Limine - Exclusion of Expert Testimony filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 19, 1998

DPW's Brief in Support of Its First Motion in Limine Exclusion of Expert Testimony filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 19, 1998

The Board rendered an Opinion and made the following Order: **AND NOW**, This 19th day of August, 1998, the Motion as filed by both counsel are **GRANTED**. It is further **ORDERED** and **DECIDED** that counsel for the Plaintiff shall respond to the Motions to Amend New Matter within ten(10) days of the exit date of this Order. Counsel for the Defendant is further **ORDERED** to respond to Plaintiff's Amended Claims within ten (10) days of the exit date of this Order. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

August 20, 1999

Defendant's Pretrial Statement filed by attorney for Defendant.

August 21, 1998

Letter received from attorney for Plaintiff requesting an extension of time until September 8, 1998 in which to file Claimant's Answer to Amended New Matter.

August 24, 1998

DPW's Second Motion in Limine - Exclusion of Patient Day Evidence filed by attorney for Defendant.

August 24, 1998

DPW's Brief in Opposition to Claimant's Motion to Amend Claims filed by attorney for Defendant.

August 24, 1998

DPW's Brief in Support of its Second Motion in Limine Exclusion of Patient Day Evidence filed by attorney for Defendant.

August 26, 1998

Letter forwarded to Plaintiff granting their request for an extension of time in which to file their Answer to the Amended New Matter.

August 31, 1998

Stipulation of Settlement filed.

September 17, 1998

Hearing Settled.

September 23, 1998

The Board rendered an Opinion and made the following Order. **AND NOW**, that 29th day of September, 1998, it is **ORDERED** and **DECREED** that the above docketed cases are closed, settled and terminated with prejudice. Copy forwarded to attorney for Plaintiff and Defendant.

October 8, 1998

Acceptance of Service of Opinion and Order dated September 29, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 1, 1998.
