

**Docket Number: 1876-P**

**ALPINE HERSHEY**

~~John N. Kennedy, Esquire~~  
Louis J. Capozzi, Jr., Esquire  
Michael A. Hynum, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

Cynthia White Williams, Assistant Counsel

**January 11, 1995**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$481,833.00+.

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**January 24, 1995**

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

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**February 2, 1995**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 26, 1995.

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**February 9, 1995**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 30, 1995.

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**March 3, 1995**

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

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**March 31, 1995**

Defendant's Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 10, 1995**

Alpines Brief in Opposition to DPW's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 14, 1995**

The Board rendered an Opinion and made the following Order: **AND** NOW, this 14th day of June, 1995, the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, are DENIED. The Defendant is given thirty (30) days from the exit date of this Opinion to file responsive pleadings.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**June 19, 1995**

Acceptance of Service of Opinion and Order dated June 14, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 15, 1995.

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**June 26, 1995**

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

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**June 27, 1995**

Acceptance of Service of Opinion and Order dated June 14, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 15, 1995.

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**July 14, 1995**

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

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**July 26, 1995**

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

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**August 2, 1995**

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

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**March 28, 1996**

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

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**March 28, 1996**

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

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**August 12, 1997**

Letter forwarded to attorney for Defendant. Response due from

parties May 1, 1997.

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**April 23, 1997**

Status letter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 16, 1997**

Status letter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 24, 1997**

Entry of Appearance of Louis J. Capozzi, Jr., Esquire filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 9, 1997**

Withdrawal of Appearance of Kimber L. Latsha, Esquire filed on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 13, 1998**

Letter forwarded to parties requesting status. Response due from parties February 15, 1998.

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**February 24, 1998**

Status letter received from attorney for Defendant advising that the parties are in discovery. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 3, 1998**

Status letter received from attorney for Plaintiff advising that the parties are in discovery. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 5, 1998**

Status letter received from attorney for Plaintiff advising that the parties are in discovery. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 14, 1998**

Letter forwarded to parties requesting status. Response due from parties August 14, 1998.

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**August 13, 1998**

Status letter received from attorney for Plaintiff advising that the parties are in discovery.

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**February 24, 1999**

Letter forwarded to parties requesting status. Response due from parties March 24, 1999.

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**April 2, 1999**

Status letter received from attorney for Plaintiff requesting the Board to set a discovery schedule at a Pre-Hearing conference.

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**May 18, 2000**

Letter forwarded to parties requesting status. Response due from parties June 19, 2000.

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**June 24, 2000**

Status letter received from attorney for Plaintiff advising that discovery is ongoing.

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**December 18, 2000**

Letter forwarded to parties requesting status. Response due from parties 1/17/01.

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**January 17, 2001**

Status letter received (via fax) from attorney for Plaintiff advising that the parties are engaged in discovery.

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**January 17, 2001**

Status letter received (via U.S. Mail) from attorney for Plaintiff advising that the parties are engaged in discovery.

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**July 26, 2001**

Letter forwarded to parties requesting status. Response due from parties 8/27/01.

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**August 28, 2001**

Status letter received from attorney for Plaintiff advising that

Plaintiff is preparing and will be sending a settlement offer to  
DPW.

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**February 26, 2002**

Letter forwarded to parties requesting a status. Response due from parties on or before March 28, 2002.

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**April 3, 2002**

Status letter received from attorney for Plaintiff advising that Plaintiff will be sending a settlement offer to DPW.

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**October 7, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before November 6, 2002.

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**November 6, 2002**

Letter received from attorney for Plaintiff advising that Plaintiff will be sending a settlement offer to DPW in an attempt to settle the matter.

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**July 11, 2005**

Board rendered an Order. Order as follows: "**AND NOW**, this 11<sup>th</sup> day of July, 2005, it is **ORDERED** and **DECREED** that pursuant to 42 Pa. C.S.A. §5103(a) and Pa. R.C.P. 213(f), this matter and the record thereof is **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant.

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**July 18, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated July 11, 2005. Receipt of same acknowledged July 14, 2005.

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**July 19, 2005**

Board transferred filed to Department of Public Welfare, Bureau of Hearing and Appeals.

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**July 22, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated July 11, 2005. Receipt of same acknowledged July 16, 2005.

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