

Docket Number: 1880

HIGHLAND VIEW HEALTH CARE

Steven M. Montresor, Esquire

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

Jason W. Manne, Assistant Counsel

January 12, 1995

Complaint and filing fee filed by attorney for Plaintiff.
Amount of Claim: \$17,418.00.

January 30, 1995

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

February 16, 1995

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

February 23, 1995

Acceptance of Service of Claim received from attorney for
Defendant. Receipt of same acknowledged by attorney for
Defendant February 1, 1995.

February 23, 1995

Acceptance of Service of Claim received from Chief Deputy
Attorney General. Receipt of same acknowledged by Chief Deputy
Attorney General February 1, 1995.

March 7, 1995

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

March 22, 1995

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

April 21, 1995

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

May 16, 1995

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

May 16, 1995

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

May 22, 1995

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

May 22, 1995

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

May 30, 1995

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

June 8, 1995

The Board rendered an Opinion and made the following Order: **AND** NOW, this 8th day of June, 1995, the Plaintiff, Highland View Health Care Center, is directed to file an Amended Claim consistent with this Order. The Defendant, Commonwealth of Pennsylvania, Department of Public Welfare's Preliminary Objection to the Plaintiff's request for attorney's fees is DENIED. The Plaintiff is given thirty (30) days from the exit date of this Order to file an Amended Claim.

June 12, 1995

Acceptance of Service of Opinion and Order dated June 8, 1999, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 9, 1995.

June 23, 1995

Pre-Trial Conference scheduled for July 26, 1995, in the Judge's Chambers, Fulton Building, 200 North Third Street, Suite 700, Harrisburg, Pennsylvania commencing at 9:30 a.m.

June 30, 1995

Brief in Support of Motion to Compel Discovery and Motion for Protective Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 7, 1995

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

July 18, 1995

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

July 18, 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.

July 18, 1995

DPW's Answers to Claimant's First Set of Interrogatories and DPW's Answers to Claimant's First Request for Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 18, 1995

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

August 8, 1995

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

August 25, 1995

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

April 3, 1996

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 3rd day of April, 1996, the motions of the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, in the nature of Protective Order and a Motion to Compel filed upon the Claimant, Highland View Health Care, are held in suspension.

The parties are **DIRECTED** to proceed with Discovery in accordance with prior opinions of this Board and the spirit evidenced by all parties during the Pretrial Conference as it related to discovery matters as evidenced not only in this litigation, but in prior litigations wherein the Board has issued numerous opinions.@ Copies forwarded to attorney for Plaintiff and attorney for Defendant.

April 17, 1996

Acceptance of Service of Opinion and Order received from Plaintiff. Receipt of same acknowledged by Plaintiff April 4, 1996.

August 11, 1997

Status letter forwarded to parties. **RESPONSE DUE 9/11/97.**

June 23, 1998

Re-Entry of Appearance and Correction of Counsel Latsha Davis & Yohe, P.C. as counsel for Plaintiff and Withdrawal of Appearance of Capozzi and Associates as counsel for Plaintiff.

July 7, 1998

Re-Entry of Appearance and Correction of Counsel (Latsha Davis & Yohe) as counsel for Plaintiff and Withdrawal of Appearance of (Capozzi & Associates) as counsel for Plaintiff.

September 13, 1999

Letter received from attorney for Defendant requesting (180) days in order to complete their discovery, should Plaintiff proceed with this case.

September 16, 1999

Letter forwarded to attorney for Defendant granting their 180 day extension of time to complete discovery.

September 16, 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 14, 1999.

September 29, 2000

Letter received from attorney for Plaintiff advising that Latsha, Davis & Yohe, P.C. continues to present the above-referenced Claimant.

May 22, 2000

Letter forwarded to parties requesting a status report. DUE 6/22/00.

June 2, 2000

Letter received from attorney for Plaintiff advising that discovery is ongoing. Plaintiff requests a stay of discovery until Commonwealth Court renders a decision on a matter which may affect the above-referenced case.

June 27, 2000

The Board rendered an Opinion and made the following Order: **AND NOW**, this 27th day of June, 2000, it is **ORDERED** and **DECREED** that all further discovery in this matter be **STAYED** pending the decision of the Commonwealth Court.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 30, 2000

Acceptance of Service of Opinion and Order dated June 27, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 29, 2000.

September 18, 2002

Letter forwarded to parties requesting a status report. Response due 10/16/02.

October 3, 2002

Letter received from attorney for Plaintiff advising that they are in the process of preparing a detailed settlement offer in the form of a position paper which will be forwarded to Defendant for its consideration. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 15, 2005

Board issued an Opinion and Order. Order as follows: **AND NOW**, this 15th day of August, 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.

August 30, 2005

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