

Docket Number: 1931-P
(Consolidated with Nos. 2009, 2069 & 2523)

CURWENSVILLE NURSING HOME, INC.

~~Jeffrey W. Beehtel, 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, 1995

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$198,184.00+.

May 11, 1995

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

May 18, 1995

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 12, 1995.

May 18, 1995

Acceptance of service of claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 12, 1995.

June 3, 1995

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

June 22, 1995

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

July 18, 1995

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

August 3, 1995

Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Amount of Claim: \$ UNCHANGED.

August 23, 1995

Copy of Amended Claim forwarded to Chief Deputy Attorney General.

September 7, 1995

The Board rendered an opinion and made the following Order: "**AND NOW**, this 7th day of September, 1995, it is **ORDERED** and **DECREED** that the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare are hereby **DISMISSED** as being **MOOT**." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 8, 1995

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

September 12, 1995

Acceptance of service of opinion and Order dated September 7, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff of September 14, 1995.

September 14, 1995

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

October 17, 1995

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

November 22, 1995

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

August 11, 1997

Letter forwarded to parties requesting a Status Report. **STATUS REPORT DUE ON OR BEFORE SEPTEMBER 10, 1997.**

August 27, 1997

Letter/Status Report received from Plaintiff advising that the Department is unwilling to settle and as soon as discovery is completed to Plaintiff's satisfaction, they will promptly request a hearing. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 11, 1997

Status letter received from attorney for Defendant advising that the parties are conducting settlement negotiations and if same does not materialize, Defendant will notify the Board to schedule same for trial. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 23, 1998

Letter forwarded to parties requesting a status report. Status Report due on or before May 22, 1998.

May 22, 1998

Letter/Status Report filed by Plaintiff advising that per conversations between the parties, he feels they will be able to resolve the matters within a reasonable period of time and if not, they will request a trial date to set.

August 25, 1998

Motion to Consolidate (Docket Nos. 1931, 2009, 2069 & 2523) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 28, 1998

Panel Hearing (Giles and Kambic) scheduled for November 19 and 20, 1998, in Board's Courtroom No. 2, 6th Floor, Fulton Building, Harrisburg, PA commencing at 9:30 a.m.

September 3, 1998

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 3rd day of September, 1998, it is **ORDERED** and **DECREED** that the above docketed cases be consolidated for trial." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 28, 1998

Acceptance of Service of Opinion and Order dated September 3, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 21, 1998.

October 29, 1998

Stipulation of Settlement, wherein it is requested that this matter be marked withdrawn and discontinued with prejudice, executed by parties, filed by attorney for Defendant.

October 29, 1998

Panel Hearing scheduled for November 19 and 20, 1998 **canceled** due to settlement of the parties.

December 8, 1998

Letter forwarded to Plaintiff, with copy to Defendant, directing Plaintiff to file either a Praecipe to Discontinue or a Status Report within thirty (30) days from the date of the letter.

December 30, 1998

Praecipe to Withdraw, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 13, 1999

The Board made the following Order "AND NOW, this 13th day of January, 1999, upon receipt of Praecipe to Withdraw, Discontinue and End, requesting that the Board . . . mark the above captioned claim(s) Withdrawn, Discontinued and Ended', executed by John N. Kennedy, Esquire, on behalf of Plaintiff, Curwensville Nursing Home, and docketed with this Board under date of December 30, 1998, it is **ORDERED** and **DIRECTED** that said cases be marked 'withdrawn, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 20, 1999

Acceptance of Service of Order dated January 13, 1999 received from attorney for Plaintiff. receipt of same acknowledged by attorney for Plaintiff January 15, 1999.
