

Docket Number: 1947

WORDSWORTH HUMAN SERVICES

Guy Vilim, Esquire

VS.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Barry N. Kramer, Senior Assistant Counsel

VS.

MUSTARD SEED, INC.

~~Stephen J. Springer, Esquire~~
Mark H. Gallant, Esquire
Adam G. Silverstein, Esquire

June 19, 1995

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$640,000.00.

June 23, 1995

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

June 28, 1995

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 27, 1995.

CLOSED

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 7, 1995.

August 7, 1995

Additional Defendant, Mustard Seed, Inc.'s Preliminary Objections to Plaintiff's Claim filed by attorney for Additional Defendant. Copy forwarded to attorney for Plaintiff and attorney for Defendant by attorney for Additional Defendant.

August 28, 1995

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

August 28, 1995

Plaintiff's Memorandum of Law in Support of Removal and Consolidation of Arbitration Proceedings or, in the Alternative, Stay and/or Suspension of Arbitration filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant and attorney for Additional Defendant by attorney for Plaintiff.

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, Mustard Seed, Inc., are dismissed as being **MOOT**. Additional Defendant's, Mustard Seed, Inc. and the Commonwealth of Pennsylvania, Department of Public Welfare, are directed to file their response to the Plaintiff's Amended Claim within thirty (30) days from the exit date of this Order." Copy forwarded to attorney for Plaintiff, attorney for Defendant and attorney for Additional Defendant.

September 7, 1995

Acceptance of Service of Amended Claim dated August 28, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 1, 1995.

September 7, 1995

Acceptance of Service of Amended Claim dated August 28, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 5, 1995.

September 13, 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 September 11, 1995.

September 13, 1995

Acceptance of Service of Opinion and Order dated September 7, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 8, 1995.

September 29, 1995

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 29th day of September, 1995, it is **ORDERED** and **DECREED** that all matters pending before the Board of Claims pertaining to this case be **STAYED** pending the resolution of the issues between Wordsworth Human Service and Mustard Seed, Inc. by the American Arbitration Association. Within fifteen (15) days of the resolution by the American Association counsel for all parties are directed to file a status report to the Board of Claims." Copy forwarded to attorney for Plaintiff, attorney for Defendant and attorney for Additional Defendant.

October 6, 1995

Acceptance of Service of Opinion and Order dated September 29, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 3, 1995.

October 26, 1995

Acceptance of Service of Opinion and Order dated September 29, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 5, 1995.

May 12, 1997

Letter forwarded to parties requesting status of case. Response due from parties June 7, 1997.

June 1, 1997

2nd letter forwarded to parties requesting status of case. Response due from parties July 14, 1997.

June 19, 1997

Status letter filed by attorney for Plaintiff requesting a hearing be set. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 24, 1997

Status letter filed via facimile by attorney for Defendant advising they do not feel this case is in a position for hearing. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 27, 1997

Status letter received from attorney for Defendant advising Defendant does not feel this case is in a position for trial.

August 1, 1997

Status letter received from attorney for Defendant advising Defendant does not feel this case is in a position for trial.

September 2, 1997

Notification of dissolution of previous law firm and Entry of Appearance of Mark Gallant, Esquire and Adam G. Silverstein, Esquire filed on behalf of Additional Defendant Mustard Seed. Copy forwarded to attorney for Plaintiff and Defendant by attorneys for Additional Defendant.

CLOSED

September 8, 1997

Withdrawal of Appearance of Stephen L. Brinker, Esquire, former attorney for Additional Defendant, Mustard Seed, Inc.

December 8, 1997

Letter forwarded to parties requesting status. Response due from parties January 8, 1998.

January 9, 1998

Status letter received from attorney for Additional Defendant, Mustard Seed, Inc., advising that the MSI does not feel it is a proper party-defendant to the proceedings before the Board of Claims and further advising that Additional Defendant feels this case should remain in suspense pending presentation of a settlement offer.

April 9, 1998

Panel hearing scheduled for June 24, 25 and 26, 1998, in Board's Court Room No. 2, 200 North Third Street, Suite 600, Harrisburg, PA commencing at 9:30 a.m.

April 20, 1998

Preliminary Objections filed by attorney for Additional Defendant, Mustard Seed, Inc. Copy forwarded to attorney for Plaintiff and attorney for Defendant by attorney for Additional Defendant.

April 24, 1998

Defendant's Motion to Compel Wordsworth to Answer Interrogatories and Requests for Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff and attorney for Additional Defendant by attorney for Defendant.

April 30, 1998

The Board rendered the following Order: "AND NOW, this 30th day of April, 1998, DPW's Motion to Compel Wordsworth to answer interrogatories and requests for documents is hereby GRANTED. It is hereby ORDERED and DECREED that Plaintiff, Wordsworth Academy, Inc., shall answer fully and completely DPW's interrogatories and requests for documents within five (5) days hereof. Violation of this Order shall result in such sanctions as the Board may deem appropriate." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED

May 1998

Defendant's Motion to Compel Mustard Seed to Answer Interrogatories and Requests for Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff and attorney for Additional Defendant by attorney for Defendant.

May 11, 1998

Acceptance of Service of Order dated April 30, 1998 received attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 6, 1998.

May 7, 1998

Acceptance of Service of Order dated April 30, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 3, 1998.

May 11, 1998

Brief in Support of Preliminary Objections filed by attorney for Additional Defendant, Mustard Seed, Inc. Copy forwarded to attorney for Plaintiff and attorney for Defendant by attorney for Additional Defendant.

May 22, 1998

The Board rendered the following Order: "AND NOW, this 22nd day of May, 1998, DPW's Motion to Compel Mustard Seed Incorporated, to answer interrogatories and requests for documents is hereby GRANTED.

It is hereby ORDERED and DECREED that Additional Defendant, Mustard Seed Incorporated, shall answer fully and completely DPW's interrogatories and requests for documents within five (5) days hereof. Violation of this Order shall result in such sanctions as the Board may deem appropriate." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 29, 1998

Acceptance of Service of Order dated May 22, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 28, 1998.

CLOSED

May 29, 1998

Acceptance of Service of Order dated May 22, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 28, 1998.

June 1, 1998

Letter received from attorney for Plaintiff advising that this case has settled and can be removed from the hearing schedule.

June 4, 1998

Hearing cancelled as scheduled for June 24, 25 and 26, 1998, in Board's Court Room No. 2, 200 North Third Street, Suite 600, Harrisburg, PA commencing at 9:30 a.m. Case Settled.

July 21, 1998

Letter forwarded to parties requesting status. Response due from parties August 21, 1998.

October 1, 1998

Letter forwarded to parties requesting status. If no response, Rule to Show Cause to be issued. Response due from parties November 1, 1998.

October 5, 1998

Stipulation of Settlement executed by all parties of record filed by attorney for Plaintiff **via fax.**

October 6, 1998

Stipulation of Settlement executed by all parties of record filed by attorney for Plaintiff.

November 18, 1998

The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day of November, 1998, it is ORDERED and DECREED that this case be marked "settled, discontinued and ended with prejudice.

It is further ORDERED and DECREED that the outstanding Preliminary Objection be DISMISSED as being MOOT." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 2, 1998

Acceptance of Service of Opinion and Order dated November 18, 1998 received from attorney for Additional Defendant. Receipt of same acknowledged by attorney for Additional Defendant November 23, 1998.

CLOSED