

Docket Number: 1962-P

Overlook Nursing Associates d/b/a Silver Oaks Nursing Center

Richard J. King, Jr., Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
Department of Public Welfare

John A. Kane, Chief Counsel, Esquire  
Cynthia A. Fillman, Assistant Counsel

**August 2, 1995**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim:\$300.00.

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**August 4, 1995**

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

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**August 22, 1995**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 8, 1995.

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**CLOSED**

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

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**September 27, 1995**

Preliminary Objections and Motions to Strike Respondent's Answer, New Matter and Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 12, 1995**

Respondent's Uncontested Motion for Enlargement of Time filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**November 17, 1995**

The Board rendered an Opinion and made the following Order: "AND NOW, this 17th day of November, 1995, it is ORDERED and DECREED that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is GRANTED an enlargement of time in which to file responsive pleadings. The Defendant shall have sixty (60) days from the exit date hereof in which to file its response to Preliminary Objections and Motions to Strike Respondent's Answer, New Matter and Counterclaim." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**November 27, 1995**

Acceptance of Service of Opinion and Order dated November 17, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 20, 1995.

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**January 11, 1996**

Respondent's Motion for Enlargement of Time filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 2, 1996**

The Board rendered an Opinion and made the following Order: "AND NOW, this 2nd day of February, 1996, it is ORDERED and DECREED that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is GRANTED an enlargement of time in which to file responsive pleadings. The Defendant shall, within thirty (30) days of the entry date hereof file its response to preliminary Objections and Motions to Strike Respondent's Answer, New Matter and Counterclaim. No further enlargements will be granted Defendant." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**February 13, 1996**

Acceptance of Service of Opinion and Order dated February 2, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 8, 1996.

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**February 20, 1996**

Acceptance of Service of Opinion and Order dated February 2, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 15, 1996.

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**February 27, 1996**

Respondent's Response to Claimant's Preliminary Objections and Motions to Strike Respondent's Answer, New Matter and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 6, 1996**

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

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**May 20, 1996**

The Board rendered an Opinion and made the following Order: "AND NOW, this 20th day of May, 1996, it is ORDERED and DECREED that Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is indebted unto the Plaintiff, Overlook Nursing Center Associates, in the full and true sum of Twenty-Two Thousand Eight Hundred Forty-Eight Dollars and Eighty-Six Cents (\$22,848.86). Upon receipt of said award, Plaintiff shall forthwith file with the Board of Claims a Praeceptum to mark the case 'settled, discontinued and ended with prejudice.' Each party to bear its own costs and attorneys' fees." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 23, 1996**

Acceptance of Service of Opinion and Order dated May 20, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 22, 1996.

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**May 21, 1996**

Acceptance of Service of Opinion and Order dated May 20, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 21, 1996.

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**July 29, 1996**

The Board rendered an Opinion and made the following Order: "AND NOW, this 29th day of July, 1996, a Rule to Show Cause is issued upon Plaintiff, Overlook Nursing Center, Inc., wherein it is DIRECTED that Plaintiff advise the Board within thirty (30) days of this Order whether or not Plaintiff has received the sum of money awarded or other justifiable response. This Rule shall become absolute and the case shall be marked 'closed and settled with prejudice' in the event the Board does not receive a response to said Rule." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 2, 1996**

Acceptance of Service of Opinion and Order dated July 29, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 2, 1996.

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**August 30, 1996**

Praeceptum to Withdraw, Discontinue and End filed by attorney for

Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**August 28, 1996**

Letter/Praecipe filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 23, 1996**

The Board rendered the following Order: "AND NOW, this 23rd day of September, 1996, upon receipt of a Praecipe to Withdraw, Discontinue and End over the signature of Louis J. Capozzi, Jr., Esquire on behalf of Plaintiff, Overlook Nursing Center Associates, which states: "Please mark the above-captioned appeal withdrawn, discontinued, and ended." same of which is docketed with this Board under date of August 7, 1996, it is ORDERED and DIRECTED that said case be marked "settled, discontinued and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**CLOSED**  
September 26, 1996  
Acceptance of Service of Opinion and Order dated September 23, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 25, 1996.

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**October 1, 1996**

Acceptance of Service of Opinion and Order dated September 23, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 25, 1996.

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**CLOSED**