

Docket Number: 2019-P
Consolidated with Nos. 2016-P; 2017-P; 2018-P; 2036-P; & 2037-P

BEVERLY ENTERPRISES - PA, INC. d/b/a FAYETTE HEALTH CARE CENTER

Louis J. Capozzi, Jr., Esquire
Jeffrey W. Bechtel, Esquire

CLOSED VS.
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC RELATIONS

~~John A. Kane, Chief Counsel~~
Cynthia White Williams, Assistant Counsel

October 30, 1995

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

November 6, 1995

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

November 9, 1995

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 7, 1995.

CLOSED

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

January 10, 1996

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

June 26, 1996

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 26th day of June, 1996, it is **ORDERED** and **DECREED** that all parties herein shall complete discovery within sixty (60) days from the exit date of this Opinion and Order. It is further **ORDERED** and **DECREED** that the above-referenced cases be consolidated for a hearing before one of the Board's Panels. It is further **ORDERED** and **DECREED** that upon completion of discovery, either party may request hearing dates for the above-consolidated cases." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 26, 1996

Notice of Deposition of Mark A. Linam filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 1, 1996

Acceptance of Service of Opinion and Order dated June 26, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 28, 1996.

July 9, 1996

Acceptance of Service of Opinion and Order dated June 26, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 28, 1996.

July 19, 1996

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

August 3, 1996

Copy of Notice of Deposition of Patricia Hall filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 23, 1996

Copy of Notice of Deposition and Subpoena of Paul Small filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 6, 1996

Hearing scheduled for November 4, 5 and 6, 1996, in Board's Courtroom No. 1, 6th Floor, Fulton Building, Harrisburg, PA, commencing at 9:30 a.m.

September 10, 1996

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

October 24, 1996

Petition for Leave to Amend Answer filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 24, 1996

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

October 31, 1996

The Board rendered an Opinion and made the following Order: **AND NOW**, this 31st day of October, 1996 upon due consideration the Petition for Leave to Amend its Answer and New Matter filed by the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is hereby **DENIED**. The parties herein, will prepare themselves to proceed to hearing on the designated date.

February 21, 1997

Letter forwarded to attorney for Defendant granting Defendant's Request for an Extension of Time until March 19, 1997 to file Defendant's Response to Plaintiff's claim. Response due March 19, 1997.

April 7, 1997

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

April 11, 1997

The Board made the following Order: "**AND NOW**, this 11th day of April, 1997, upon receipt of a Praecipe to Withdraw, Discontinue and End, requesting the Board to 'Please mark the above-captioned Claims Withdrawn, Discontinued, and Ended', executed by Louis J. Capozzi, Jr., Esquire, on behalf of the Plaintiffs, Beverly Enterprises, et al., same of which is docketed with this Board under date of April 7, 1997, it is **ORDERED** and **DIRECTED** that said case be marked 'withdrawn, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 17, 1997

Acceptance of Service of Order dated April 11, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 14, 1997.

April 21, 1997

Acceptance of Service of Order dated April 11, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 17, 1997.

CLOSED