

Docket Number: 2030-P

INDIAN CREEK NURSING HOME

~~John N. Kennedy, Esquire~~  
Louis J. Capozzi, Jr., Esquire  
Randy J. Riley, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~  
Jeffrey P. Schmoyer, Assistant Counsel

**November 10, 1995**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$780,611.00+.

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**November 28, 1995**

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

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**December 4, 1995**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 28, 1995.

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**CLOSED**

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Answer of Commonwealth of Pennsylvania, Department of Public Welfare filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**January 23, 1996**

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

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**April 2, 1997**

Letter forwarded to parties requesting status report. STATUS REPORT DUE MAY 2, 1997.

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**May 27, 1997**

Letter/Status Report received from attorney for Plaintiff advising that on February 10, 1997 they forwarded to Defendant their proposed settlement agreement and they are currently awaiting a response. If same can not be settled, they will seek the establishment of a hearing date.

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**August 25, 1997**

Entry of Appearance of Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 3, 1997**

Withdraw of Appearance of Latsha, Davis & Yohe, filed by previous attorney for Plaintiff. Copy forwarded to current attorney for Plaintiff and attorney for Defendant.

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**October 15, 1997**

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE **NOVEMBER 14, 1997.**

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**November 19, 1997**

Letter/Status Report received from attorney for Plaintiff advising that they just received Defendant's response to their settlement proposal and expect settlement of this matter in the near future. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 22, 1998**

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE FEBRUARY 27, 1998.

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**February 26, 1997**

Letter/Status Report received from attorney for Plaintiff advising that they are awaiting a response from Defendant relative to information they provided Defendant, in an attempt to amicably resolve the matter. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 30, 1998**

Letter forwarded to parties requesting a Status Report. *Status Report due on or before July 30, 1998.*

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**August 4, 1998**

Second Letter forwarded to parties requesting a status report. Status Report due on or before September 2, 1998. If no response to said request, a Rule to Show Cause for failure to prosecute will be issued.

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**August 12, 1998**

Letter/Status Report received from attorney for Plaintiff advising that the parties are still engaged in settlement relating to other matters that directly affect settlement of this claim and if the parties fail to resolve those matters within the next few months, Plaintiff will summarily request a hearing.

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**July 1, 1999**

Letter forwarded to parties requesting a status report. Status Report due on or before **August 2, 1999**.

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**July 8, 1999**

Letter/Status Report received from attorney for Plaintiff advising that last year they forwarded to Defendant a signed stipulation of settlement to resolve these matters and have recently been advised that final Department review of same should be completed soon. They do not expect this matter to require a hearing, but shall advise the Board if there is any change of status.

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**January 14, 2000**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **February 14, 2000**.

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**January 26, 2000**

Letter received from Plaintiff advising that they are still engaged in discovery and that they forwarded a settlement offer to Defendant, which Defendant is still reviewing.

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**June 19, 2000**

Letter/Praecipe, advising that "Claimant withdraws, with prejudice, the claims docketed at 2010, 2030 and 2116" filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 22, 2000**

The Board made the following Order: "**AND NOW**, this 22nd day of June, 2000, upon receipt of a Letter/Praecipe, advising that '. . . Claimant withdraws, with prejudice, the claims docketed at 2010, 2030, and 2116', executed by Randy J. Riley, Esquire, on behalf of Plaintiff, Indian Creek Nursing Center, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and withdrawn with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**June 27, 2000**

Acceptance of Service of Order dated June 22, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 26, 2000.

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**June 29, 2000**

Acceptance of Service of Order dated June 22, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 27, 2000

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**CLOSED**