

**Docket Number: 2043-P**

**LAUREL NURSING & REHABILITATION CENTER**

~~John DeLorenzo, Esquire~~  
~~John Kennedy, Esquire~~  
Stephen A. Miller, Esquire  
Michael A. Hynum, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~  
Catherine Stewart, Assistant Counsel  
Leonard W. Crumb, Assistant Counsel

**December 11, 1995**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$500,000.00+.

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**December 14, 1995**

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

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**December 31, 1995**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 15, 1995.

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**January 29, 1996**

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

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**March 1, 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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**March 27, 1996**

Plaintiff=s Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**August 28, 1996**

Plaintiff=s Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 14, 1996**

Letter forwarded to attorney for Defendant requesting a Response to Plaintiff=s Motion to Compel Discovery.

**Response due from Defendant 12/4/96.**

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**April 8, 1997**

Letter forwarded to attorney for Defendant requesting status of Response to Plaintiff= Motion.

**Response due from Defendant 5/8/97.**

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**May 8, 1997**

Letter received from attorney for Defendant requesting a 30-day extension of time to file a response to Plaintiff's Motion.

**Same granted 5/14/97.**

**Response to Plaintiff's to Motion to Compel Discovery due 6/9/97.**

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**May 27, 1997**

Letter received from attorney for Plaintiff advising that the parties are involved in settlement discussions. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 14, 1998**

Status letter forwarded to the parties.

**Response due 2/16/98.**

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**March 6, 1998**

Entry of Appearance of Louis J. Capozzi, Jr., Esquire, attorney for Plaintiff, filed.

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**March 6, 1998**

Letter received from attorney for Plaintiff advising that a response has not been received from Defendant to Plaintiff's settlement offer.

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**May 21, 1998**

Letter forwarded to the parties requesting a status report.

**Response due 6/22/98.**

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**June 2, 1998**

Letter received from attorney for Plaintiff advising that they are attempting to settle this case and other related matters.

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**November 17, 1998**

Letter forwarded to the parties requesting a status report.

**Response due 12/17/98.**

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**November 18, 1998**

Letter received from attorney for Plaintiff advising that they have forwarded a proposed settlement to Defendant.

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**August 12, 1999**

Letter forwarded to parties requesting a status. Response due 9/13/99.

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**August 18, 1999**

Letter received from attorney for Plaintiff advising that they have forwarded a settlement proposal to Defendant for review and are currently negotiating details concerning this and related matters.

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**November 3, 1999**

Letter forwarded to parties requesting a status report. Status report due on or before December 3, 1999.

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**December 3, 1999**

Letter received from attorney for Plaintiff advising that in August a settlement proposal was forwarded to Defendant. To date there has been no response.

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**June 21, 2000**

Letter forwarded to parties requesting a status report. Due 7/21/00.

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**July 25, 2000**

Letter received from attorney for Plaintiff advising that the parties are involved in negotiations to resolve this matter.

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**November 28, 2000**

Letter forwarded to parties requesting a status. Due 12/29/00.

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**December 20, 2000**

Letter received from attorney for Plaintiff advising that discovery is ongoing.

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**June 29, 2001**

Letter forwarded to parties requesting a status report. Due 7/30/01.

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**July 25, 2001**

Letter received from attorney for Plaintiff advising that they request the Board to schedule a pre-hearing conference with the

parties to discuss the possibility of settlement.

**November 19, 2002**

Unopposed Motion to Sever and Consolidate Claims filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 15, 2003**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 15th day of January, 2003, upon the Unopposed Motion to Sever and Consolidate Claims filed by the Claimants, finding that the relief requested is consistent with principles of judicial economy and a party's right to control the litigation of its own claims, and is without prejudice to Respondent or the other Claimants, it is hereby **ORDERED** that the Motion is **GRANTED**. The claims of Hopkins House are severed from the matters at Docket Nos. 1894 and 2110-P and are consolidated with the related pending claims of Hopkins House at Docket Nos. 1975-P and 2063-P, while the claims of Laurel Nursing & Rehabilitation (Laurel) are severed from the matter at Docket No. 2110-P and are consolidated with the related pending claims of Laurel at Docket No. 2043-P. The claims of Quakertown Manor in Docket Nos. 1894 and 2110-P shall be consolidated for hearing on such dates as may hereafter be scheduled by the Board of Claims with the related claims of Quakertown Manor at Docket Nos. 1974, 2065-P and 2677. A copy of this Order shall be entered onto the docket for each of the docket matters involved: Docket Nos. 1894, 1974, 1975-P, 2043-P, 2063-P, 2065-P, 2110-P and 2677. Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 22, 2003**

Acceptance of Service of Opinion and Order dated January 15, 2003, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 20, 2003.

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**May 12, 2003**

Plaintiff filed letter requesting that the consolidated matters of Docket Nos. 1975, 2063, 2043, 1974, 2065 & 2677 be scheduled for hearing at the Board's earliest dates. Copy forwarded to Defendant.

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**May 16, 2003**

Defendant filed letter, via facsimile, in response to Plaintiff's letter of May 12, 2003, advising that Plaintiff has not provided Defendant with requested discovery and further advises that Defendant intends to file a Motion to Dismiss Plaintiff's claims based on a recent Commonwealth Court decision (dated May 15, 2003) in Presbyterian Medical Center of Oakmont v. DPW. Copy forwarded to Plaintiff.

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**October 26, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 26<sup>th</sup> day of October, 2005, it is **ORDERED** and **DECREED** that pursuant to 42 Pa. C.S.A. §5103(a) and Pa. R.C.P. 213(f), this matter and the record thereof is **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant."

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**October 31, 2005**

Board transferred file to Department of Public Welfare, Bureau of Hearings and Appeals.

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**November 1, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated October 26, 2005. Receipt of same acknowledged October 28, 2005.

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**November 22, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated October 26, 2005. Receipt of same acknowledged November 21, 2005.

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