

Docket Number: 2052-P

ORANGEVILLE NURSING CENTER

~~Richard J. King, Jr., Esquire~~
Louis J. Capozzi, Esquire
Donald A. Reavey, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~
Kathleen Grogan, Assistant Counsel

January 3, 1996

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$33,862.00+.

January 12, 1996

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

January 19, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 17, 1996.

January 25, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 17, 1996.

February 12, 1996

Letter received from attorney for Defendant requesting a thirty (30) day extension of time in which to file Defendant's Response to Plaintiff's Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 26, 1996

Letter forwarded to attorney for Defendant granting Defendant a thirty (30) day extension of time to file Defendant's Response to Plaintiff's Claim. Copy forwarded to attorney for Plaintiff. Defendant's Response due March 26, 1996.

February 28, 1996

Provider Agreement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 26, 1996

Entry/Withdrawal of Appearance - Enter the appearance of Kathleen Grogan, Assistant Counsel and withdraw the appearance of Mary Frances Grabowski, Senior Assistant Counsel filed by attorney for Defendant.

March 26, 1996

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

April 5, 1996

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 5th day of April, 1996, it is **ORDERED** and **DECREED** that the Provider Agreements shall constitute an amendment to the original complaint.@ Copies forwarded to attorney for Plaintiff and attorney for Defendant.

April 9, 1996

Acceptance of Service of Opinion and Order dated April 5, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 8, 1996.

May 6, 1996

Letter received from Aden for Plaintiff requesting a 60-day extension of time in order to pursue settlement.

May 17, 1996

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 17th day of May, 1996, Plaintiff=s, Orangeville Nursing Center, letter requesting a 60-day extension of time in which to file Plaintiff=s Response to Defendant=s Answer and New Matter is **GRANTED**.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 23, 1996

Acceptance of Service of Opinion and Order dated May 17, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 21, 1996.

May 23, 1996

Acceptance of Service of Opinion and Order dated May 17, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 21, 1996.

September 5, 1996

Praecipe for Entry of Appearance of Louis Capozzi and Jeffrey

Bechtel, Esquire as co-counsel for Plaintiff. Copy forwarded to
attorney for Defendant by attorney for Plaintiff.

October 15, 1996

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

July 9, 1997

Letter forwarded to parties requesting status. Response due from parties August 9, 1997.

July 21, 1997

Status letter received from attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 8, 1997

Status letter filed by attorney for Plaintiff advising that the parties are negotiating settlement. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 15, 1997

Notice of Withdrawal of Appearance of Charles O. Barto, Jr., Esquire, filed.

November 4, 1997

Letter forwarded to parties requesting status. Response due from parties December 4, 1997.

December 4, 1997

Status letter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 24, 1997

Status letter received from attorney for Defendant advising that the parties have completed discovery and further that if the Plaintiff feels a hearing is necessary, they will request the Board to set same. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 28, 1998

Letter received from attorney for Defendant advising that the Defendant does not feel this case is in a position for trial due to unfinished discovery.

July 14, 1998

Letter forwarded to parties requesting status. Response due from parties August 14, 1998.

July 31, 1998

Status letter filed by attorney for Plaintiff advising that Plaintiff is analyzing the workpapers received from Defendant to determine whether an amendment to this Claim will be filed or what their next course of action will be.

April 3, 2000

Letter forwarded to parties requesting status. Response due from parties May 3, 2000.

April 5, 2000

Status letter received from attorney for Plaintiff advising that the parties are attempting settlement.

October 17, 2000

Letter forwarded to parties requesting status. Response due from parties November 17, 2000.

November 17, 2000

Status letter received from attorney for Plaintiff advising that the parties are in settlement negotiations.

May 23, 2001

Letter forwarded to parties requesting status. Response due from parties June 25, 2001.

May 29, 2001

Status letter received from attorney for Plaintiff advising that the parties are in settlement negotiations.

February 6, 2002

Letter forwarded to parties requesting status. Response due from parties March 6, 2002.

February 7, 2002

Letter forwarded to parties requesting status. Response due

from parties March 7, 2002.

February 25, 2002

Status letter received from attorney for Plaintiff advising that settlement discussions did not prove fruitful and therefore Plaintiff will proceed with discovery as quickly as possible.

May 23, 2002

Notice of Service of Plaintiff's Request for Production of Documents Propounded upon the Respondent filed by attorney for Plaintiff.

September 11, 2002

Letter forwarded to parties requesting status. Response due from parties October 11, 2002.

October 9, 2002

Acceptance of Service of Opinion and Order dated October 1, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 3, 2002.

October 9, 2002

Letter received from attorney for Plaintiff advising that the parties are currently involved in negotiations toward settling this matter.

October 31, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 31st 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."

October 31, 2005

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

November 3, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 28, 2005. Receipt of same acknowledged November 1, 2005.
