

Docket Number: 2062-P

GREENLEAF NURSING HOME & CONVALESCENT CENTER

~~Jeffrey W. Bechtel, Esquire~~  
~~John N. Kennedy~~  
Daniel Natirboff, Esquire  
Donald R. Reavey, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~  
~~Catherine Stewart, Assistant Counsel~~  
Edward Cherry, Assistant Counsel

**CLOSED**

**January 30, 1996**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$30,096.00+.

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**February 6, 1996**

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

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**February 12, 1996**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 7, 1996.

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**February 12, 1996**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 8, 1996.

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**April 15, 1996**

Answer to Complaint with New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Reply to New Matter due from Pltf. May 16, 1996.**

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**May 8, 1996**

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

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**May 27, 1997**

Letter/Status Report received from attorney for Plaintiff advising that Plaintiff is preparing a position paper for Defendant in an attempt to settle these appeals.

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**August 25, 1997**

Entry of Appearance of Louis J. Capozzi, Esquire, filed on behalf of Plaintiff.

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**September 3, 1997**

Withdrawal of Appearance of Kimber L. Latsha, Esquire filed on behalf of Plaintiff.

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**December 9, 1997**

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE **JANUARY 8, 1998.**

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**January 13, 1998**

Second letter forwarded to parties requesting a Status Report. **STATUS REPORT DUE ON OR BEFORE FEBRUARY 12, 1998, or Rule to Show Cause will be issued.**

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**January 15, 1998**

Letter/Status Report received from attorney for Plaintiff advising that they will submit a position paper and a settlement proposal to Defendant in the near future and if there is no further development of the case, they will contact the Board to schedule same for hearing. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 19, 1998**

Letter forwarded to parties requesting a status report. Status Report due on or before **June 18, 1998.**

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**June 18, 1998**

Letter/Status Report received from Plaintiff advising that the parties are still in settlement negotiations and in the event the parties can not reach said agreement, they will petition this Board for a hearing date within the next few months.

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**December 8, 1998**

Letter forwarded to parties requesting a Status Report. Status Report due on or before January 7, 1999.

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**January 7, 1999**

Letter/Status Report received from attorney for Plaintiff advising that the parties are still engaged in discovery and negotiations in the hope that an amicable settlement will be reached. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**August 11, 1999**

Letter forwarded to parties requesting a status report. Status Report due on or before **September 10, 1999.**

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**August 17, 1999**

Status letter received from attorney for Plaintiff advising that Plaintiff is pursuing settlement negotiations with Defendant and the parties are attempting a global settlement of issues concerning Accord Health Systems. At the conclusion of same, Plaintiff will summarily request a hearing date before the Board.

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**June 12, 2000**

Notice of Service of Claimant's Response to Defendant's Request for Production of Documents filed by attorney for Plaintiff.

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**September 5, 2000**

Withdrawal of Appearance of Catherine Stewart, Assistant Counsel, and Entry of Appearance of Edward Cherry, Assistant Counsel, on behalf of Defendant, filed by attorney for Defendant.

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**March 19, 2001**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 18, 2001**.

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**April 17, 2001**

Letter received from attorney for Plaintiff advising that the parties are engaged in discovery and that this matter has common issues with those settled in the 6/30/95 Claim and Claimant anticipates forwarding a settlement offer to Defendant at the conclusion of discovery.

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**October 22, 2001**

Letter forwarded to parties requesting a Status Report. Status Report due on or before November 21, 2001.

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**November 30, 2001**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 30th day of November, 2001, a Rule to Show Cause is issued upon Plaintiff, Greenleaf Nursing Home and Convalescent Center, wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue the above-captioned matter. In the event the Board does not receive a response to

this Rule, said Rule to Show Cause shall become absolute and the case shall be marked >closed, discontinued and ended with prejudice=.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**December 6, 2001**

Acceptance of Service of Opinion and Order dated November 30, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 3, 2001.

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**December 13, 2001**

Acceptance of Service of Opinion and Order dated November 30, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 11, 2001.

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**December 28, 2001**

Response to Rule to Show Cause filed by attorney for Plaintiff advising the parties are still engaged in discovery.

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**July 11, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **August 12, 2002**.

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**July 22, 2002**

Letter/Status Report filed by attorney for Plaintiff advising that the parties are in discovery.

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**August 12, 2002**

Notice of Service of First Set of Interrogatories of Plaintiff Propounded Upon the Defendant filed by attorney for Plaintiff.

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**August 12, 2002**

Notice of Service of Request for Production of Documents of Plaintiff propounded upon the Defendant filed by attorney for Plaintiff.

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**October 7, 2004**

Plaintiff filed a Praecipe to Settle, Discontinue and End. Copy forwarded to Defendant.

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**October 15, 2004**

Board rendered an Order. Order as follows: "**AND NOW**, this 15<sup>th</sup> day of October, 2004, upon receipt of a Praecipe to Settle, Discontinue and End, requesting the Board to "Kindly discontinue, close and end the above captioned matter with prejudice.", executed by Daniel K. Natirboff, Esquire, attorney for Plaintiff, and docketed with this Board under date of October 7, 2004, it is **ORDERED** and **DIRECTED** that said case be marked "settled, discontinued and ended with prejudice." Copy forwarded to Plaintiff and Defendant.

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**October 18, 2004**

Defendant filed Acceptance of Service of Order dated October 15, 2004. Receipt of same acknowledged October 18, 2004.

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**October 21, 2004**

Plaintiff filed Acceptance of Service of Order dated October 15, 2004. Receipt of same acknowledged October 19, 2004.

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