

Docket Number: 2071-P

MANOR HEALTH CARE CORPORATION

Charles O. Barto, Jr., Esquire
Richard J. King, Jr., Esquire

VS.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Barry N. Kramer, Senior Assistant Counsel

February 16, 1996

Claim and filing fee filed by attorneys for Plaintiff. Amount of Claim: Not Stated.

March 1, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 4/1/96.

March 8, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 1, 1996.

March 8, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 6, 1996.

April 8, 1996

Preliminary Objections filed by attorney for Defendant. Copy of same forwarded to attorney for Plaintiff by attorney for Defendant.

April 16, 1996

Proposed Order as well as Claimant's Answer to Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 7, 1996

The Board rendered an Opinion and made the following Order: **"AND NOW,** this 7th day of May, 1996, the Preliminary Objections as filed by the Respondent, Commonwealth of Pennsylvania, Department of Public Welfare, are hereby **DENIED.** The Defendant is given thirty (30) days from the exit date of this Order to file responsive pleadings." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 17, 1996

Acceptance of Service of Opinion and Order dated May 7, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant 5/14/96.

May 23, 1996

Acceptance of Service of Opinion and Order dated May 7, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 17, 1996.

June 7, 1996

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

June 25, 1996

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

July 26, 1996

Proposed Order, Motion for Judgment on the Pleadings, and Memorandum of Law in Support of DEF's Motion for Judgment on the Pleadings to Dismiss Count II of the Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 29, 1996

Defendant's First Set of Requests for Production of Documents to Plaintiff filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 29, 1996

Defendant's First Set of Interrogatories to Plaintiff filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 8, 1996

Letter received from attorney for Plaintiff requesting the case be stayed until 9/1/96.

August 29, 1996

Letter forwarded to attorney for Plaintiff granting stay of case. Case stayed until 9/1/96.

September 9, 1996

Letter received from attorney for Plaintiff advising that its previous letter requesting a stay of the case was intended to stay the case so that Pltff. may file its response to Def.'s Motion 20 days from 9/1/96 as well as file its response to Def.'s discovery requests 30 days from 9/1/96.

September 20, 1996

Claimant's Response to Motion for Judgment on the Pleadings filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 26, 1996

THE Board rendered an Opinion and made the following Order: "AND NOW, this 26th day of September 1996, it is ORDERED and DECREED that Claimant shall respond to Respondent's discovery requests on or before September 30, 1996. Copies forwarded to attorney for Plaintiff and attorney for Defendant."

November 1, 1996

Reply Memorandum of Law in Support of DPW's Motion for Judgment on the Pleadings filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 4, 1996

Defendant's Motion to Compel Answers to Interrogatories and Requests for Production of Documents and Memorandum of Law in Support thereof filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 10, 1996

Plaintiff's Answer in Opposition to Defendant's Motion to Compel and in Support of Stay of Discovery and Memorandum in Support thereof filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 2, 1997

Stipulation requesting the case be staying pending the outcome in the Board of Hearings and Appeals executed and filed by the parties.

February 6, 1997

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 6th day of February, 1997 it is **ORDERED** and **DECREED** that all proceedings before the Board of Claims are hereby **STAYED**. It is further **ORDERED** and **DECREED** that the Defendant's Motion for Judgment on the Pleadings and Motion to Compel Answers to Interrogatories and Requests for Production of Documents shall be held in abeyance until these cases are reactivated by one or both counsel." Copies forwarded to attorneys for Plaintiff and attorney for Defendant.

February 13, 1997

Acceptance of service of Opinion and Order rendered February 6, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 13, 1997.

February 19, 1997

Acceptance of service of Opinion and Order rendered February 6, 1997 received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff February 19, 1997.

August 19, 1997

Letter forwarded to parties requesting a status report.
Response due from the parties 9/18/97.

September 23, 1997

Letter forwarded to the parties requesting a status report.
Response due 10/23/97.

October 3, 1997

Letter received from attorney for Plaintiff requesting the case be stayed until 11/15/97 due to settlement negotiations. Same granted 10/10/97.

Response due from Defendant 11/15/97.

November 21, 1997

Letter forwarded to the parties requesting a status report.
Response due 12/22/97.

November 21, 1997

Letter received from attorney for Plaintiff requesting that the case continue to be stayed.

May 5, 1998

Praecipe for Withdrawal filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 12, 1998

The Board made the following Order: "**AND NOW**, this 12th day of June, 1998, upon receipt of Praecipe of Withdrawal filed on May 5, 1998, by Charles O. Barto, Jr., Esquire, counsel for Plaintiff, Manor Health Care Corporation, it is **ORDERED** and **DIRECTED** that this case be marked 'settled, discontinued and ended with prejudice.'" Copies forwarded to attorney for Plaintiff and attorney for Defendant.

June 19, 1998

Acceptance of Service of Order dated June 12, 1998, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 17, 1998.

June 22, 1998

Acceptance of Service of Order dated June 12, 1998, received from attorneys for Plaintiff. Receipt of same acknowledged by attorneys for Plaintiff June 18, 1998.

CLOSED