

**Docket Number: 2072-P**

**ELM TERRACE GARDENS**

John N. Kennedy, Esquire  
David C. Marshall, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

Carol Ulichney, Esquire

**February 20, 1996**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$300.00+.

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**February 21, 1996**

Motion to Amend Claim and Amended Claim filed by attorney for Plaintiff. Amount of Claim \$34,571.00+.

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**March 1, 1996**

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

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**March 5, 1996**

Order rendered by Board. Order as follows: "This 5<sup>th</sup> day of March, 1996, this amendment is **ALLOWED**."

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**March 8, 1996**

Copies of Amended Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant April 8, 1996.

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**March 14, 1996**

Acceptance of Service of Claim and Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 12, 1996.

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**March 15, 1996**

Acceptance of Service of Claim and Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 12, 1996.

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**April 8, 1996**

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

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**May 17, 1996**

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

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**January 26, 1998**

Status letter received from Plaintiff advising that settlement negotiations are in the works.

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**June 4, 1997**

Status letter forwarded to parties. RESPONSE DUE 7/4/97.

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**July 9, 1997**

Status letter received from Plaintiff.

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**January 26, 1998**

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

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**August 18, 1998**

Status letter forwarded to parties. RESPONSE due 9/18/98.

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**September 18, 1998**

Letter received from attorney for Plaintiff advising that they are finalizing a position paper to be submitted to Defendant to settle claims. If unable to settle a hearing will be requested.

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**April 16, 1999**

Letter received from attorney for Plaintiff advising that settlement negotiations are ongoing.

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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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**February 3, 2000**

Letter/Status received from Plaintiff advising that they will prepare a consolidated settlement offer in the form of a position paper for Defendant's review. If the parties are unable to resolve this matter Plaintiff will request a hearing.

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**November 28, 2000**

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

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**January 9, 2001**

Letter received from attorney for Plaintiff advising that they will prepare a consolidated settlement offer in the form of a position paper for the Defendant's review.

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**July 31, 2001**

Letter forwarded to parties requesting a status report. Due 8/31/01.

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**August 6, 2001**

Letter forwarded to parties requesting a status report. Due 9/6/01.

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**August 23, 2001**

Letter received from attorney for Plaintiff advising that they are currently finalizing as position paper for the Defendant in an attempt to settle the Claims for fiscal periods 6/30/93 - 6/30/95, which may result in an amicable settlement of this matter.

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**March 1, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 1, 2002.**

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**March 22, 2002**

Status letter received from attorney for Plaintiff advising that Plaintiff is currently finalizing a Position Paper to be submitted to the Defendant in an attempt to settle this matter.

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**October 7, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **November 6, 2002.**

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**October 15, 2002**

Letter/Status Report received from attorney for Plaintiff, advising that they are currently finalizing a Position Paper for Defendant in an attempt to settle the Claims for fiscal periods 6/30/93-6/30/95, which may result in an amicable settlement of this matter. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 13, 2005**

Board rendered an Order. Order as follows: "**AND NOW**, this 13<sup>th</sup> day of July, 2005, it is **ORDERED** and **DECREEED** 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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**July 19, 2005**

Board transferred filed to Department of Public Welfare, Bureau of Hearing and Appeals.

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**July 21, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated July 13, 2005. Receipt of same acknowledged July 20, 2005.

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