

Docket Number: 2075-P
*Consolidated with Docket No. 2240

MARIAN MANOR, INC.

John DeLorenzo, Esquire
~~Louis J. Capezzi, Jr., Esquire~~

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Jeffrey P. Schmoyer, Assistant Counsel

February 23, 1996

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$150,000.00+.

March 4, 1996

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

March 8, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 5, 1996.

CLOSED

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

April 16, 1996

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

April 24, 1996

Letter forwarded to parties directing them to proceed with discovery.

September 18, 1996

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

***October 25, 1996**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 25th day of October, 1996, it is **ORDERED** and **DECREED** that above-captioned matters be consolidated for trial." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 4, 1996

Acceptance of Service of Opinion and Order dated October 25, 1996 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 30, 1996.

November 12, 1996

Acceptance of Service of Opinion and Order dated October 25, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 30, 1996.

May 2, 1997

Letter forwarded to parties requesting a status report.
Status report due 6/2/97

June 2, 1997

Letter forwarded to parties requesting a status report.
Status report due 7/3/97

July 3, 1997

Letter received from attorney for Plaintiff advising that they are currently conducting additional discovery. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 20, 1998

Status letter forwarded to the parties.
Response due 2/20/98.

February 18, 1998

Letter received from attorney for Plaintiff requesting the case be scheduled for hearing.

March 30, 1998

Panel Hearing scheduled for May 21 and 22, 1998, in the Board's Court Room No. 2, 6th Floor, Fulton Building, 200 North Third Street, Harrisburg, Pennsylvania, commencing at 9:30 a.m.

May 19, 1998

Per phone call from attorney for Plaintiff, Panel Hearing scheduled for May 21 and 22, 1998, in the Board's Court Room No. 2, 6th Floor, Fulton Building, 200 Third Street, Harrisburg, Pennsylvania, commencing at 9:30 a.m., has been settled.

August 28, 1998

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 28th day of August, 1998, a Rule to Show Cause is directed to the parties to advise the Board as to whether or not the settlement agreements were executed and carried out. The Rule is returnable within thirty (30) days of the exit date of this Order. It is further **ORDERED** and **DECREED** that should counsel for the parties fail to respond to this Rule, the case shall be dismissed with prejudice."

Copies forwarded to attorney for Plaintiff and attorney for Defendant.

September 4, 1998

Acceptance of service of Opinion and Order dated August 28, 1998, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff of September 4, 1998.

CLOSED

Letter received from attorney for Plaintiff advising that the claims are still pending in the Board of Hearings and Appeals and also requesting a hearing be scheduled if an approval of the Stipulation of Settlement is not received from the BHA.

November 19, 1998

Praeipce to Withdraw, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 7, 1998

The Board made the following Order: "**AND NOW**, this 7th day of December, 1998, upon receipt of Praeipce to Withdraw, Discontinue and End, filed on November 19, 1998, by John DeLorenzo, Esquire, counsel for Plaintiff, Marian Manor, Inc., it is **ORDERED** and **DIRECTED** that these cases be marked 'withdrawn, discontinued and ended with prejudice.'" Copies forwarded to attorney for Plaintiff and attorney for Defendant.

December 14, 1998

Acceptance of Service of Order dated December 7, 1998, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 10, 1998.