

Docket Number: 2109-P

**HIGHLAND VIEW HEALTH CENTER**

~~Jeffrey W. Bechtel, Esquire~~  
~~Louis J. Capozzi, Jr., Esquire~~  
Steven M. Montresor, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~  
Jason W. Manne, Assistant Counsel

**May 17, 1996**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$124,308.00+.

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**May 29, 1996**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 6/28/96.

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**June 3, 1996**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 30, 1996.

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**June 7, 1996**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 30, 1996.

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**June 28, 1996**

DPW=s Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 28, 1996**

Interrogatories to Claimant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**June 28, 1996**

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

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**August 2, 1996**

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

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**June 23, 1998**

Status letter received from attorney for Plaintiff advising that parties are involved in the discovery process.

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**July 7, 1998**

Re-Entry of Appearance and Correction of Counsel filed by attorney for Plaintiff. Entry Latsha David & Yohe, Withdraw Capozzi & Associates. (LATSHA, DAVIS & YOHE, P.C.) -- Steven M. Montresor

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**July 28, 1999**

Letter received from attorney for Defendant advising that Plaintiff has not responded to outstanding discovery. The case is not ready for trial.

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**September 2, 1999**

Letter received from attorney for Plaintiff advising that the parties are engaged in discovery. Upon completion of discovery, Plaintiff will forward a settlement offer to the Defendant. If the parties cannot amicably resolve this matter, a hearing will be requested.

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**March 17, 2000**

Letter forwarded to parties requesting a status report. NOW DUE 4/17/00.

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**June 2, 2000**

Letter received from attorney for Plaintiff advising that discovery is ongoing. Plaintiff requests a stay of discovery until Commonwealth court renders a decision on a matter which may affect the above-referenced case.

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**June 27, 2000**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 27th day of June, 2000, it is **ORDERED** and **DECREED** that all further discovery in this matter be **STAYED** pending the decision of the Commonwealth Court.® Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**June 30, 2000**

Acceptance of Service of Opinion and Order dated June 28, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 29, 2000.

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**January 31, 2001**

Letter forwarded to parties requesting a status. Due 3/1/01.

**February 26, 2001**

Letter received from attorney for Plaintiff advising that the Commonwealth Court is considering a matter which may affect the claims at issue in the above-referenced matter. A position paper will be prepared for Defendant's review pending the Baldwin decision.

**October 30, 2001**

Letter forwarded to parties requesting a status. Due 11/30/01.

**November 29, 2001**

Letter received from attorney for Plaintiff advising that they are in the process of preparing a settlement offer for Defendant's review.

**June 11, 2002**

Letter forwarded to parties requesting a status report.  
**Response due 7/11/02.**

**June 19, 2002**

Letter received from attorney for Plaintiff advising that they are in the process of preparing a settlement offer for Defendant in the form of a position paper. Upon completion of the position paper the same will be forwarded to the Defendant for review.

**October 28, 2002**

Letter forwarded to parties requesting a status report.  
Response due November 28, 2002.

**November 8, 2002**

Letter received from attorney for Plaintiff advising that they are in the process of preparing a settlement offer in the form of a position paper.

**October 4, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 4<sup>th</sup> 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.

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**October 12, 2005**

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

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**November 16, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated October 4, 2005. Receipt of same acknowledged November 15, 2005.

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