

Docket Number: 2116-P

INDIAN CREEK NURSING CENTER

~~John Kennedy, Esquire~~
~~Jeffrey W. Bechtel, Esquire~~
Louis J. Capozzi, Esquire
Randy J. Riley, Esquire

VS.
CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

May 28, 1996

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$184,422.00+

June 4, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT JULY 4, 1996

June 11, 1996

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

June 12, 1996

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

July 3, 1996

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **REPLY DUE FROM PLAINTIFF AUGUST 8, 1996**

July 30, 1996

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

May 27, 1997

Letter/Status Report received from attorney for Plaintiff advising that on February 10, 1997 they forwarded to Defendant their proposed settlement agreement and they are currently awaiting a response. If same can not be settled, they will seek the establishment of a hearing date.

August 25, 1997

Entry of Appearance of Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 3, 1997

Withdraw of Appearance of Latsha, Davis & Yohe, filed by previous attorney for Plaintiff. Copy forwarded to current attorney for Plaintiff and attorney for Defendant.

October 15, 1997

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE **NOVEMBER 14, 1997.**

November 19, 1997

Letter/Status Report received from attorney for Plaintiff advising that they just received Defendant's response to their settlement proposal and expect settlement of this matter in the near future.

Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 22, 1998

Letter forwarded to parties requesting a status report. STATUS REPORT DUE ON OR BEFORE FEBRUARY 23, 1998.

CLOSED

Letter/Status report received from attorney for Plaintiff advising that they are awaiting a response from Defendant relative to information they provided Defendant, in an attempt to amicably resolve the matter. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 30, 1998

Letter forwarded to parties requesting a Status Report. *Status Report due on or before July 30, 1998.*

August 4, 1998

Second Letter forwarded to parties requesting a status report. Status Report due on or before September 2, 1998. If no response to said request, a Rule to Show Cause for failure to prosecute will be issued.

August 12, 1998

Letter/Status Report received from attorney for Plaintiff advising that the parties are still engaged in settlement relating to other matters that directly affect settlement of this claim and if the parties fail to resolve those matters within the next few months, Plaintiff will summarily request a hearing.

July 1, 1999

Letter forwarded to parties requesting a status report. Status Report due on or before **August 2, 1999.**

July 8, 1999

Letter/Status Report received from attorney for Plaintiff advising that last year they forwarded to Defendant a signed stipulation of settlement to resolve these matters and have recently been advised that final Department review of same should be completed soon. They do not expect this matter to require a hearing, but shall advise the Board if there is any change of status.

January 14, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **February 14, 2000**.

January 26, 2000

Letter received from Plaintiff advising that they are still engaged in discovery and that they forwarded a settlement offer to Defendant, which Defendant is still reviewing.

CLOSED

June 9, 2000

Letter/Praecipe, advising that "Claimant withdraws, with prejudice, the claims docketed at 2010, 2030 and 2116" filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 22, 2000

The Board made the following Order: "**AND NOW**, this 22nd day of June, 2000, upon receipt of a Letter/Praecipe, advising that '. . . Claimant withdraws, with prejudice, the claims docketed at 2010, 2030, and 2116', executed by Randy J. Riley, Esquire, on behalf of Plaintiff, Indian Creek Nursing Center, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and withdrawn with prejudice'."

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 27, 2000

Acceptance of Service of Order dated June 22, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 26, 2000.

June 29, 2000

Acceptance of Service of Order dated June 22, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 27, 2000