

Docket Number: 2214-P

~~* GENESIS HEALTH VENTURES, d/b/a Abington Manor Nursing and
Rehabilitation Center; BRINTON MANOR; Homestead Nursing and
Convalescent Center; Mifflin Healthcare Center; Riverstreet Manor
Nursing and Rehabilitation Center; Wayne Nursing and Rehabilitation
Center—
and
Dorrance Manor Nursing and Rehabilitation Center; Highland Nursing
and Rehabilitation Center; Silver Lake Nursing and Rehabilitation
Center; Tope Manor Nursing and Rehabilitation Center West and Tope
Manor Nursing and Rehabilitation Center East~~

~~Louis J. Capompoli, Jr., Esquire
David C. Marshall, Esquire~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel
Leonard Crumb, Assistant Counsel~~

July 9, 1996

Claim and filing fee filed by attorneys for Plaintiff. Amount of Claim: in excess of \$300.00.

July 11, 1996

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **Responsive Pleading due from Defendant August 12, 1996.**

July 19, 1996

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

July 19, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 15, 1996.

August 8, 1996

Letter received from attorney for Defendant requesting an extension of time of 30 days in which to file its Answer to Claim.

August 14, 1996

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting request for extension of time for Defendant to file its Answer to Claim. **ANSWER DUE FROM DEFENDANT: September 11, 1996.**

September 12, 1996

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

September 27, 1996

Letter forwarded to attorney for Plaintiff requesting a response to New Matter. **Response to New Matter due from Plaintiff 10/28/96.**

September 27, 1996

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

April 15, 1997

Letter forwarded to parties requesting status reports. **STATUS REPORTS DUE ON OR BEFORE MAY 15, 1997**

April 17, 1997

Letter received from attorney for Plaintiff advising that most of these claims will probably be withdrawn due to settlement. PER JUDGE, CASE IS TO BE DIARIED FOR 5 MONTHS (9/22/97)

May 6, 1997

Letter received from attorney for Plaintiff advising that the parties are attempting to settle and that the claim may be withdrawn. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 5, 1997

Entry of Appearance of Louis J. Capozzi, Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Per Marlene of Louis Capozzi's office on July 25, 1997, some of same will be forwarded to attorney for Defendant.

September 9, 1997

Withdrawal of Appearance of the firm of Latsha, Davis & Yohe, P.C. filed on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 30, 1997

Letter forwarded to parties requesting status report. **STATUS REPORT DUE ON OR BEFORE OCTOBER 30, 1997.**

October 31, 1997

Letter/Status Report received from Plaintiff advising that Stipulations of Settlements have been reached between some of the facilities in this claim and Plaintiff is awaiting payment for same; however, not all of the facilities to this claim have settled yet and negotiations are continuing.

February 3, 1998

Letter forwarded to parties requesting a Status Report. **Status Report due on or before March 5, 1998.**

March 9, 1998

Letter/Status Report received from attorney for Plaintiff advising that Brinton Manor is the only facility of this Claim that has not yet settled, however, same is being worked on.

March 10, 1998

Praecipe for Withdrawal of Parties from Claim (except Brinton Manor) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

*** March 18, 1998**

The Board rendered an Opinion and made the following Order: **"AND NOW** this 18th day of March, 1998, it is **ORDERED and DECREED** that the Plaintiff Praecipe for Withdrawal of Parties (Abington Manor Nursing and Rehabilitation Center, Homestead Nursing and Convalescent Center, Mufflin Healthcare Center, Riverstreet Manor Nursing and Rehabilitation Center, Wayne Nursing and Rehabilitation Center, Dorrahe Manor Nursing and Rehabilitation Center, Highland Nursing and Rehabilitation Center, Silver Lake Nursing and Rehabilitation Center, Towne Manor Nursing and Rehabilitation Center West, and Towne Manor Nursing and Rehabilitation Center East) from Claim, is hereby **GRANTED** and subsequently, said facilities are hereby withdrawn from the original Claim, with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

March 20, 1998

Acceptance of Service of Opinion and Order dated March 18, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 19, 1998.

March 27, 1998

Acceptance of Service of Opinion and Order dated March 18, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 23, 1998.

August 17, 1998

Notice of Service of Respondent's Interrogatories upon Claimant, filed by attorney for Defendant.

September 15, 1998

Letter forwarded to parties requesting status. Status Report due on or before October 15, 1998.

October 2, 1998

Letter/Status Report received from Plaintiff advising that the parties are engaged in discovery. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 15, 1998

Letter/Status Report received from Defendant advising that the parties are engaged in discovery. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 3, 1999

Praecipe of Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 6, 1999

The Board made the following order: **AND NOW**, this 6th day of August, 1999, upon receipt of a Praecipe of Discontinuance, advising that this matter "may be discontinued, closed and ended", executed by Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, Genesis Health Ventures, d/b/a Brinton Manor, and docketed with this Board under date of August 3, 1999, it is **ORDERED** and **DIRECTED** that said case be marked "discontinued, closed and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.
