

Docket Number: 2244

PINE RUN HEALTH CENTER

~~John N. Kennedy, Esquire~~
~~Louis J. Capozzi, Jr., Esquire~~
~~Stephen A. Miller, Esquire~~
*Joseph H. Murphy, Esquire
Donald Reavey, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Catherine Stewart, Assistant Counsel

July 29, 1996

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$163,000.00

August 2, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT SEPTEMBER 2, 1996

February 10, 1997

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff March 10, 1997.

May 12, 1997

Letter forwarded to parties requesting status of case. Response due from parties June 12, 1997.

July 30, 1997

Status letter received from attorney for Plaintiff (via fax). Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 17, 1997

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

August 1, 1997

Status letter received from attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 11, 1998

Letter forwarded to parties requesting status. Response due from parties March 11, 1998.

March 17, 1998

Entry of Appearance of Louis J. Capozzi, Jr., Esquire, filed on behalf of Plaintiff.

March 26, 1998

Withdrawal of Appearance of Louis J. Capozzi, Jr., Esquire

filed on behalf of Plaintiff.

April 14, 1998

Status letter received from attorney for Plaintiff advising that Latsha Davis & Yohe should not have been removed as counsel of record per previous correspondence and further requesting that Latsha, Davis & Yohe be reentered as counsel of record.

October 26, 1998

Letter forwarded to parties requesting status. Response due from parties November 26, 1998.

December 8, 1998

Letter forwarded to parties requesting status. Response due from parties January 7, 1998.

December 31, 1998

Withdrawal of Appearance of John N. Kennedy, Esquire and Entry of Appearance of Stephen A. Miller, Esquire entered on behalf of Plaintiff.

December 30, 1998

Notice of Service of Claimant's First Request for Production of Documents filed by attorney for Plaintiff.

January 25, 2000

Letter forwarded to parties requesting status. Response due from parties February 25, 2000.

February 2, 2000

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

August 28, 2000

Letter forwarded to parties requesting status. Response due from parties September 28, 2000.

September 25, 2000

Motion to Compel Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney

for Plaintiff.

September 26, 2000

Status letter received from attorney for Plaintiff advising that the parties are in discovery and upon completion of discovery, the parties will commence with settlement negotiations.

October 6, 2000

Letter requesting that the Plaintiff's Motion to Compel be withdrawn filed by attorney for Plaintiff.

November 27, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 27th day of November, 2000, it is hereby **ORDERED** and **DECREED** that Plaintiff's Motion to Compel the production of documents, filed on September 25, 2000, is hereby marked **WITHDRAWN**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 1, 2000

Acceptance from service received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 8, 2000.

March 26, 2001

Letter forwarded to parties requesting status. Response due April 26, 2001.

May 9, 2001

2nd letter forwarded to parties requesting status. Response due June 11, 2001 or issue Rule to Show Cause.

May 15, 2001

Status letter received from attorney for Plaintiff advising that the parties are conducting settlement negotiations.

January 28, 2002

Letter forwarded to parties requesting status. Response due

from parties February 28, 2002.

March 1, 2002

Status letter received from attorney for Plaintiff advising that the parties are presently preparing a settlement offer to Defendant and if same is not resolved, Plaintiff will request a hearing be set.

April 2, 2002

Letter received from attorney for Plaintiff advising that the parties are in discovery with hopes of settlement.

August 13, 2002

Notice of Service of Plaintiff's First Set of Interrogatories as well as Request for Production of Documents filed by attorney for Plaintiff.

September 11, 2002

Letter forwarded to parties requesting status. Response due from parties October 11, 2002.

October 2, 2002

Letter received from attorney for Plaintiff advising that the parties are still conducting settlement negotiations and if settlement does not materialize, Plaintiff will request a hearing be set.

August 1, 2003

Plaintiff filed Petition for Leave to Amend Claim and Brief in Support. Copy forwarded Defendant.

September 2, 2003

Defendant filed letter via fax requesting an extension of time until October 1, 2003 in which to file Defendant's Response to Plaintiff's Petition for Leave to Amend Claim.

September 4, 2003

Defendant filed letter via U.S. Mail requesting an extension of time until October 1, 2003 in which to file Defendant's Response to Plaintiff's Petition for Leave to Amend Claim.

September 11, 2003

Board forwarded letter to Defendant granting Defendant's request for an extension of time until October 1, 2003 in which to file Defendant's Response to Plaintiff's Petition for Leave to Amend Claim.

October 6, 2003

Defendant filed Answer to Plaintiff's Petition for Leave to Amend Claim with Supporting Brief.

March 25, 2004

Board rendered Opinion and Order. Order as follows: **AND NOW**, this 25th day of March, 2004, after review of the Motion and Answer thereto and the Briefs of the parties, it is hereby **ORDERED** and **DECREED** that the Petition for Leave to Amend Claim of the Plaintiff, Pine Run Health Center, is hereby **GRANTED**. The Plaintiff, Pine Run Health Center, shall have thirty (30) days from the exit date of this order to file an Amended Claim specifically limited to adding the language referred to in Paragraph 14 of the proposed Amended Claim.@ Copy forwarded to Plaintiff and Defendant.

April 22, 2004

Plaintiff filed Amended Claim. Copy forwarded to Defendant.

April 22, 2004

Plaintiff filed Acceptance of Service of Opinion and Order dated March 25, 2004. Receipt of same acknowledged April 19, 2004.

April 27, 2004

Board issued Acknowledgement letter and forwarded Amended Claim to Attorney General.

May 7, 2004

Attorney General filed Acknowledgment of Service of Amended Claim dated April 28, 2004. Receipt of same acknowledged May 4, 2004.

***November 15, 2004**

Plaintiff filed Notice of Appearance of Joseph F. Murphy, Esquire on behalf of Plaintiff.

November 2, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 2nd day of November, 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."

November 8, 2005

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

November 15, 2005

Defendant filed Acceptance of Service of Opinion and Order dated November 2, 2005. Receipt of same acknowledged November 14, 2005.
