

Docket Number: 2252

BALDOCK HEALTH CARE CENTER

~~John A. Feichtel, Esquire~~
~~Kimber Latsha, Esquire~~
Daniel Natirboff, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

August 23, 1996

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

August 29, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 9-30-96.

September 6, 1996

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

September 10, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 4, 1994.

October 4, 1996

Answer of Commonwealth of Pennsylvania, Department of Public Welfare and New Matter filed by attorney for Defendant. **Response to New Matter due from Plaintiff 11-11-96.**

October 15, 1996

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

June 17, 1997

Status Report requested from parties. Status Report due on or before July 17, 1997.

July 23, 1997

The Board rendered an Opinion and made the following Order: **AND NOW**, this 23rd day of July, 1997, a Rule to Show Cause is issued upon Plaintiff, Baldock Health Care Center, wherein it is **DIRECTED** that Plaintiff file with the Board a Status Report advising as to the Plaintiff's position relative to the above-captioned matter, within thirty (30) days from the exit date of this Order. In the event the Board does not receive said Status Report, this Rule to Show Cause shall become absolute and the case shall be marked closed, discontinued and ended with

prejudice=.@ Copy forwarded to attorney for Plaintiff and
attorney for Defendant.

July 28, 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, a copy of same will be forwarded to attorney for Defendant.

August 6, 1997

Letter/Status Report received from Plaintiff advising that they are currently assessing if further discovery is necessary and thereafter will forward to Defendant a settlement proposal in the form of a position paper.

August 13, 1997

Acceptance of Service of Opinion and Order July 23, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 7, 1997.

August 25, 1997

Letter/Status Report received from attorney for Plaintiff advising that they are awaiting some audit work-papers from Defendant and that they are soon getting together with their client and witnesses to prepare a settlement presentation to Defendant. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 2, 1997

Praecipe to Settle, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 9, 1997

Letter received from attorney for Plaintiff advising that the Praecipe that they file on September 2, 1997, was filed in error. They advise that they do not want to close this case out.

March 17, 1997

Letter forwarded to parties requesting a status report. Status Report due on or before April 16, 1998.

April 17, 1998

Letter/Status Report received from Plaintiff advising that on

May 13, 1998, they are meeting with their client for the purpose of drafting a settlement offer.

September 21, 1998

Letter forwarded to parties requesting a status report. Status Report due on or before October 21, 1998.

October 21, 1998

Letter/Status Report received from Plaintiff advising that they are engaged in discovery for the purpose of drafting and presenting a settlement offer to Defendant. They plan to present same to Defendant in the near future. If a settlement is reached, they will notify the Board. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 1, 1999

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

July 27, 1999

Letter/Status Report received from Plaintiff advising that on August 8th they are meeting with their accounting expert for the purpose of drafting a settlement offer and plan to present same to Defendant in the near future. If a settlement is reached, they will notify the Board.

August 31, 1999

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

March 28, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before April 27, 2000.

April 27, 2000

Letter received from attorney for Plaintiff advising that they have not received responses to their First Set of Interrogatories and First Request for Production of Documents that they served on Defendant and have given Defendant notice that if same is not filed within thirty (30) days, Plaintiff would file a Motion to Compel.

November 22, 2000

Letter forwarded to parties requesting a Status Report. Status

Report due on or before **December 22, 2000.**

December 15, 2000

Letter received from attorney for Plaintiff advising that they are engaged in the discovery process and once the necessary information is received from Defendant, Plaintiff will attempt to negotiate a fair and equitable settlement of the issues in this matter.

December 15, 2000

Entry/Withdrawal of Appearance filed by attorney for Plaintiff, Michael A. Hynum, Esquire, on behalf of Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 28, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **July 30, 2001**.

July 26, 2001

Letter received from attorney for Plaintiff advising that they have reviewed and copied permanent file documents and are in the process of drafting a settlement proposal for Defendant's review. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 31, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before March 1, 2002.

March 4, 2002

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

September 11, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **October 11, 2002**.

October 11, 2002

Letter received from attorney for Plaintiff, via facsimile, advising that they are in the process of drafting a settlement proposal for Defendant's review.

October 15, 2002

Letter received from attorney for Plaintiff, via U.S. Mail, advising that they are in the process of drafting a settlement proposal for Defendant's review.

September 21, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 21st day of September, 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."

October 3, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated September 21, 2005. Receipt of same acknowledged September 29, 2005.

October 3, 2005

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