

Docket Number: 2270

AUDUBON VILLA, BUTLER VALLEY MANOR, DENVER NURSING HOME,
EASTON NURSING CENTER, GREEN RIDGE NURSING HOME, KADE NURSING
HOME, NIPPLE CONVALESCENT HOME, ORANGEVILLE NURSING CENTER,
PALMYHRA NURSING HOME, PRAXIS NURSING HOME, SANDY HILL NURSING
CENTER, TWIN OAKS NURSING HOME and WHITEHALL NURSING HOME

~~Jeffrey W. Bechtel, Esquire~~
Louis J. Capozzi, Jr., Esquire
Stephen A. Miller, Esquire
Daniel K. Natirboff, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Esquire~~
Kathleen Grogan, Assistant Counsel

September 23, 1996

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

September 27, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT OCTOBER 28, 1996.

October 3, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General October 1, 1996.

October 4, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 1, 1996.

November 25, 1996

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff January 2, 1997.

December 3, 1996

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

August 25, 1997

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

September 3, 1997

Praecipe for Withdrawal of Appearance of Kimber L. Latsha, Esquire filed on behalf of Plaintiff. Copy forwarded to all parties of record by Kimber L. Latsha, Esquire.

July 14, 1998

Letter forwarded to parties requesting status. Response due from parties August 14, 1998.

August 11, 1998

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

November 23, 1999

Letter-type Stipulation of Withdrawal with Prejudice in Part of only that portion of pending disputes concerning 1993-1996 Home Office Costs filed by attorney for Plaintiff.

January 19, 2000

Letter received from attorney for Plaintiff advising that the parties are currently negotiating a global settlement of all related matters.

August 26, 2000

Letter forwarded to parties requesting status. Response due from parties September 26, 2000.

August 28, 2000

Status letter received from attorney for Plaintiff advising that the parties are conducting a global settlement of related matters.

August 30, 2000

Letter forwarded to parties granting Plaintiff's request for a stay until November 28, 2000 to discuss settlement negotiations.

November 22, 2000

Status letter received from attorney for Plaintiff advising that the parties are currently negotiating a settlement in this matter.

June 4, 2001

Letter forwarded to parties requesting status. Response due from parties July 5, 2001.

July 26, 2001

The Board rendered an Opinion and made the following Order: **@AND NOW**, this 26th day of July, 2001, a Rule to Show Cause is issued upon Plaintiff, Audubon Villa, et al., wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue the above-captioned matter. In the event the Board does not receive a response to this Rule, said 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 27, 2001

Letter-type response to the Board's Rule to Show Cause filed by attorney for Plaintiff advising that the parties are currently negotiating settlement in this matter.

August 1, 2001

Acceptance of Service of Opinion and Order dated July 26, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 30, 2001.

January 30, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before 3/1/02.

February 21, 2002

Status letter received from attorney for Plaintiff advising that the negotiations towards settlement were not fruitful and will proceed to take discovery and move this matter to a hearing as soon as possible.

August 27, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **September 26, 2002**.

October 7, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 7th day of October, 2002, a Rule to Show Cause is issued upon Plaintiff, Audubon Villa, et al., wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not Plaintiff wishes to pursue the above-captioned matter. In the event the Board does not receive a response to this Rule, said 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.

October 11, 2002

Acceptance of Service of Opinion and Order dated October 7, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 8, 2002.

October 18, 2002

Acceptance of Service of Opinion and Order dated October 7, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 16, 2002.

October 25, 2002

Letter received from attorney for Plaintiff advising that the Plaintiff will proceed with discovery and move this matter to a hearing as quickly as possible.

July 27, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 27th day of July, 2005, it is **ORDERED** and **DECREEED** 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.

July 29, 2005

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

August 2, 2005

Defendant filed Acceptance of Service of Opinion and Order dated July 27, 2005. Receipt of same acknowledged by Defendant August 1, 2005.

August 22, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated July 27, 2005. Receipt of same acknowledged August 18, 2005.
