

Docket Number: 2296

GOLDEN SLIPPER UPTOWN HOME FOR THE AGED

~~John DeLorenzo, Esquire~~
~~John Kennedy, Esquire~~
Louis J. Capozzi, Jr., Esquire
Daniel K. Natirboff, Esquire
Danielle Wesley, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

November 27, 1996

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

December 6, 1996

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT JANUARY 6, 1997.

December 12, 1996

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 10, 1996.

December 13, 1996

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 9, 1996.

January 3, 1997

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **REPLY DUE FROM PLAINTIFF: FEBRUARY 7, 1997**

March 31, 1997

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

April 7, 1997

Letter forwarded to parties directing them to proceed with discovery.

October 7, 1997

Letter forwarded to parties requesting a status report. **STATUS REPORT DUE ON OR BEFORE NOVEMBER 7, 1997.**

November 7, 1997

Letter/Status Report received from Plaintiff advising that they anticipate forwarding a Settlement offer to Defendant immediately after the completion of discovery. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 24, 1997

Letter/Status Report received from Defendant advising that according to Defendant's records, there has been no activity on this matter since the initial Statement of Claim and responsive pleading filings. The Defendant does not know if the Claimant will proceed to hearing at this point. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 28, 1998

Letter received from attorney for Defendant advising that they feel that this case should not be scheduled for trial yet because discovery is not complete. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 10, 1998

Letter forwarded to parties requesting a Status Report. **Status Report due on or before July 10, 1998.**

July 13, 1998

Letter/Status Report received from attorney for Plaintiff advising that they anticipate forwarding a settlement offer to Defendant in the coming weeks and if a settlement can not be reached, they will advise the Board immediately so a hearing can be scheduled.

July 1, 1999

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

August 2, 1999

Letter/Status Report received from Plaintiff advising that they are in the process of preparing a settlement offer/position paper to be submitted to Defendant and will immediately inform the Board if the parties are able to settle this matter.

August 30, 1999

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

March 14, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 13, 2000.**

April 13, 2000

Letter received from attorney for Plaintiff advising that on April 15, 2000 they obtained the permanent file documentation produced by Defendant and once they review same, they will prepare a settlement offer/position paper to be submitted to Defendant.

October 17, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before November 16, 2000.

November 16, 2000

Letter received from Plaintiff advising that they are in the final stages of preparing Claimant's position paper/settlement offer for Defendant.

May 22, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 21, 2001**.

June 25, 2001

Letter received from attorney for Plaintiff advising that on May 2, 2001, Plaintiff submitted a settlement offer/position paper to Defendant and is awaiting a response.

February 6, 2002

Notice of Deposition of the individual(s) the Department of Public Welfare designates to testify on the Department's behalf filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 26, 2002

Notice of the individual(s) the Department of Public Welfare designates to testify on the Department's behalf filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 26, 2002

Claimant's Motion to Compel Attendance of a Witness filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. **Defendant's Response due March 19, 2002.**

February 27, 2002

Brief in Support of Claimant's Motion to Compel Attendance of a Witness filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 18, 2002

DPW's Answer in Opposition to Motion to Compel Attendance of a Witness and Motion for Protective Order and Stay and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 10, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 10th day of April, 2002, it is **ORDERED** and **DECREED** that the Plaintiff's Motion to Compel Attendance of a Witness be **DENIED**. It is further **ORDERED** and **DECREED** that the Defendant's Motion for Protective Order and Stay be **GRANTED**.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 10, 2002

Claimant's Answer in Opposition to Respondent's Motion for A Protective Order and Stay and Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 18, 2002

Acceptance of Service of Opinion and Order dated April 10, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 12, 2002.

April 23, 2002

Acceptance of Service of Opinion and Order dated April 12, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 12, 2002.

June 10, 2002

Claimant's Motion to Remove Protective Order and Stay and Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. **Defendant-s**

Response and Brief in Opposition due July 11, 2002.

July 10, 2002

Letter received from attorney for Defendant requesting an extension of time of 30 days to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay.

July 11, 2002

Letter forwarded to attorney for Defendant granting a 30 day extension of time to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay.
Defendant's Response & Brief due August 12, 2002.

August 12, 2002

Letter received from attorney for Defendant requesting an extension of time of 30 days to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay.

August 15, 2002

Letter forwarded to attorney for Defendant granting a 30 day extension of time to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay.
Defendant's Response & Brief due September 16, 2002.

September 18, 2002

DPW's Answer and New Matter in Opposition to Motion to Remove Protective Order and Stay and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Plaintiff's Response due October 24, 2002.**

October 15, 2002

Claimant's Answer to DPW's New Matter in Opposition to Motion to Remove Protective Order and Stay filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 14, 2003

Supplemental Brief in Support of Claimant's Motion to Remove Protective Order and Stay filed by attorney for Plaintiff. Copy

forwarded to attorney for Defendant by attorney for Plaintiff.

March 18, 2003

The Board rendered an Opinion and made the following Order: **AND NOW**, this 18th day of March, 2003, it is **ORDERED** and **DECREED** that the Plaintiff's Motion to Remove Protective Order and Stay is **GRANTED**. The parties are directed to proceed with this matter.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 24, 2003

Acceptance of Service of Opinion and Order dated March 18, 2003 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 19, 2003.

March 24, 2003

Acceptance of Service of Opinion and Order dated March 18, 2003 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 20, 2003.

July 19, 2005

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

July 27, 2005

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

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.