

Docket Number: 2364

**ASBURY HEALTH CENTER**

~~John N. Kennedy, Esquire~~  
John DeLorenzo, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~  
Jason Manne, Assistant Counsel  
Gene K. Cuccarese, Assistant Counsel

**January 23, 1997**

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

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**January 27, 1997**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT FEBRUARY 27, 1997.

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**January 30, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 27, 1997.

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**February 7, 1997**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 28, 1997.

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**February 19, 1997**

Letter received from attorney for Defendant requesting an extension of time until March 19, 1997 to file Defendant's Response to Plaintiff's Claim.

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**February 21, 1997**

Letter forwarded to attorney for Defendant granting Defendant's Request for an Extension of Time until March 19, 1997 to file Defendant's Response to Plaintiff's Claim. Response due March 19, 1997.

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**April 2, 1997**

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due May 8, 1997.

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**April 18, 1997**

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

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**April 17, 1997**

Status letter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**November 19, 1997**

Letter forwarded to parties requesting status. Response due from parties December 19, 1997.

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**January 14, 1998**

Letter forwarded to parties requesting status. Response due from parties February 15, 1998.

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**February 18, 1998**

Entry of Appearance of John DeLorenzo, Esquire on behalf of Plaintiff of the Law Firm of Goldberg, Katzman & Shipman, P.C.

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**February 18, 1998**

Proposed Stipulation of Settlement (Unsigned) filed by attorney for Plaintiff wherein Plaintiff further advised that this case is continuing.

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**July 13, 1998**

Letter forwarded to parties requesting status. Response due from parties August 13, 1998.

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**August 7, 1998**

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

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**January 13, 2000**

Letter forwarded to parties requesting status. Response due from parties February 14, 2000.

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**February 16, 2000**

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

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**September 12, 2000**

Letter forwarded to parties requesting status. Response due from parties October 12, 2000.

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**October 16, 2000**

Letter/Status Report filed by attorney for Plaintiff advising

that the case is not ready for a hearing.

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**April 25, 2001**

Letter forwarded to parties requesting status. Response due from parties May 25, 2001.

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**June 5, 2001**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 5th day of June, 2001, a Rule to Show Cause is issued upon Plaintiff, Asbury Health Center, 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.

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**June 13, 2001**

Letter/Response to Rule to Show Cause received from attorney for Plaintiff advising that Plaintiff does wish to pursue this matter, but does not intend to list the matter for a hearing at the present time.

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**December 24, 2001**

Letter forwarded to parties requesting a Status Report. Status Report due on or before 1/23/02.

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**February 4, 2002**

Status letter received from attorney for Plaintiff advising that the parties are working out dates for a hearing pursuant to the requests of Mr. Martin and will notify the Board with such dates for a hearing.

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**February 12, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before 3/14/02.

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**March 15, 2002**

Letter/Status Report received from attorney for Plaintiff  
advising that this case is not ready for a hearing.

**March 15, 2002**

Status Report received from attorney for Defendant advising that Defendant will request Plaintiff to provide a complete copy of the signed agreement.

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**October 7, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **November 6, 2002**.

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**November 7, 2002**

Status Report received from attorney for Defendant advising that Defendant is still awaiting a copy of the complete signed ETP pertaining to years one and two of case mix that it requested on March 13, 2002.

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**November 12, 2002**

Letter received from attorney for Plaintiff advising that the case is not ready for a hearing.

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**August 3, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 3<sup>rd</sup> day of August, 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.

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**August 16, 2005**

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

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