

Docket Number: 2398

CUMBERLAND COUNTY NURSING HOME

~~John N. Kennedy, Esquire~~
~~Kimber Latsha, Esquire~~
David C. Marshall, Esquire

VS.
CLOSED
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Cynthia White Williams, Assistant Counsel

January 24, 1997

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

January 31, 1997

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT: March 3, 1997.**

February 6, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 4, 1997.

February 10, 1997
Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 3, 1997.
February 17, 1997

Letter received from attorney for Defendant requesting an extension of time of 30 days in which to file its responsive pleading.

February 24, 1997

Letter forwarded to attorney for Defendant granting an extension of time until April 2, 1997 in which to file Defendant's responsive pleading. **RESPONSE DUE FROM DEFENDANT APRIL 2, 1997**

March 31, 1997

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **REPLY DUE FROM PLAINTIFF ON OR BEFORE MAY 5, 1997**

April 17, 1997

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

April 17, 1997

Letter received from attorney for Plaintiff advising that most of these claims will probably be withdrawn due to settlement. PER JUDGE, CASE IS TO BE DIARIED FOR 5 MONTHS (9/22/97)

April 21, 1997

Letter forwarded to parties directing them to proceed with necessary discovery and furnish the Board with a status report advising of their positions relative to scheduling the case for hearing.

November 25, 1997

Letter forwarded to parties requesting a Status Report. **STATUS REPORT DUE ON OR BEFORE DECEMBER 29, 1997.**

December 29, 1997

Letter/Status report received from Plaintiff advising that they are currently obtaining a report necessary to complete a settlement proposal which they will be forwarding to Defendant. If the parties cannot reach a settlement, they will request a trial before the Board. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 26, 1998

Status letter received from attorney for Plaintiff advising that the parties are attempting settlement negotiations and if same does not materialize, will notify the Board to set same for trial. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 10, 1998

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

July 14, 1998

Second letter forwarded to parties requesting a Status Report. STATUS REPORT DUE ON OR BEFORE AUGUST 13, 1998 or Rule to Show Cause will be issued.

August 21, 1998

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 21st day of August, 1998, a Rule to Show Cause is issued upon Plaintiff, Cumberland County Nursing Home, 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 this case, and if so, what the present status of said case is. 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'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED
August 24, 1998
Letter/Response to Rule to Show Cause, filed by attorney for Plaintiff advising that they are in the process of obtaining a report necessary to complete a settlement proposal that will be forwarded to Defendant and advising that if the parties cannot amicably resolve this case, they will request a trial before the Board. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 26, 1998

Acceptance of Service of Opinion and Order dated August 24, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 24, 1998.

August 27, 1998

Acceptance of Service of Opinion and Order dated August 24, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 24, 1998.

July 1, 1999

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

July 20, 1999

Letter/Status Report received from attorney for Plaintiff advising that they are currently preparing a settlement offer in the form of position paper to be sent to Defendant.

March 16, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 17, 2000**.

April 19, 2000

Letter/Status Report received from attorney for Plaintiff advising that Claimant sent a settlement proposal in the form of a position paper to Defendant and are awaiting a response from Defendant to same.

March 19, 2001

Letter forwarded to parties requesting a status report. Status Report due on or before April 18, 2001.

April 18, 2001

Letter received from attorney for Plaintiff advising that they have sent a settlement proposal in the form of a position paper to Defendant and is awaiting a response to same.

October 19, 2001

Letter forwarded to parties requesting Status Report. Same due on or before November 1, 2001

October 29, 2001

Letter received from attorney for Plaintiff advising that they sent a settlement proposal in the form of a position paper for Defendant's review and are awaiting a response to same.

October 29, 2001

Letter received from attorney for Plaintiff advising that they sent a settlement proposal in the form of a position paper for Defendant's review and are awaiting a response to same.

May 1, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before May 31, 2002.

May 13, 2002

Letter received from Plaintiff advising that they are considering a proposed settlement offer recently received from Defendant.

November 21, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before December 23, 2002.

December 2, 2002

Praecipe to Withdraw with Prejudice filed by attorney for Plaintiff.
Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 5, 2002

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 5th day of December, 2002, it is **ORDERED** and **DECREED** that the matter is **DISCONTINUED** with Prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 10, 2002

Acceptance of Service of Opinion and Order dated December 5, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 10, 2002.

CLOSED