

Docket Number: 2423

ACCORD HEALTH SERVICES, INC., BRIARLEAF NURSING & CONVALESCENT
CENTER, INC., GREENLEAF NURSING & CONVALESCENT CENTER, INC. AND
KUTZTOWN MANOR, INC.

~~Kimber L. Latsha, Esquire~~
~~Louis J. Capozzi, Esquire~~

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
~~Catherine Stewart, Assistant Counsel~~
Edward Cherry, Assistant Counsel

April 4, 1997

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$677,312.86+

April 9, 1997

Copy of Claim forwarded to attorney for Defendant and **Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT MAY 9, 1997.**

April 16, 1997

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 11, 1997.

April 17, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 14, 1997.

May 19, 1997

Defendant's Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Plaintiff's Response due June 27, 1997.

June 13, 1997

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

June 19, 1997

Letter forwarded to parties directing parties to commence with discovery.

August 25, 1997

Entry of Appearance of Louis J. Capozzi, Esquire, filed on behalf of Plaintiff.

September 3, 1997

Withdrawal of Appearance of Kimber L. Latsha, Esquire filed on behalf of Plaintiff.

December 18, 1997

Letter forwarded to parties requesting status. Response due from parties January 19, 1998.

January 20, 1998

2nd letter forwarded to parties requesting status. Response due from parties February 20, 1998.

February 11, 1998

Letter forwarded to parties requesting status. Response due from parties March 11, 1998.

March 5, 1998

Status letter received from attorney for Plaintiff advising that the parties are in discovery. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 5, 1998

Letter forwarded to parties requesting status. Response due from parties April 5, 1998.

April 12, 1999

Status letter received from attorney for Plaintiff advising that the parties are still in discovery in the hope that an amicable settlement will be reached.

January 14, 2000

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

January 26, 2000

Letter received from Plaintiff advising that they are engaged in discovery and are pursuing ongoing settlement negotiations with Defendant and that the parties are attempting a global settlement of issues.

June 6, 2000

Certificate of Service of Claimant's Response to DPW's Request for Production of Documents filed by attorney for Plaintiff.

September 5, 2000

Entry/Withdraw of Appearance withdrawing Catherine Stewart, Assistant Counsel and Entering the Appearance of Edward Cherry, Assistant Counsel filed on behalf of Defendant.

October 4, 2000

The Board rendered the following Order: "**AND NOW**, this 4th day of October, 2000, it is **ORDERED** and **DECREED** that this matter is set for a hearing before the Board's Panel, composed of Daniel F. Bekavac, Esquire, Panel Attorney, and A.T. McLaughlin, Jr., P.E., Engineer Member, beginning on January 23, 2001 through January 25, 2001, if necessary. Said hearing shall be held at St. Joseph's Center, 2900 Seminary Drive, Greensburg, Pennsylvania, commencing at 9:30 a.m.

It is further **ORDERED** and **DECREED** that all discovery be completed no later than November 27, 2000." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 12, 2000

Acceptance of service Opinion and Order dated October 4, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant at October 6, 2000.

October 25, 2000

Notice of Service for Respondent's First Set of Interrogatories to Claimant and Notice of Service for Respondent's Second Request for Production of Documents filed by attorney for Defendant.

November 3, 2000

Notice of Deposition of Mark W. Rovinski filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

November 3, 2000

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

November 20, 2000

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

December 13, 2000

Notice of Service of Claimant's Amended Response to Respondent's First Set of Interrogatories and responses to Document Requests filed by attorney for Plaintiff.

December 26, 2000

Claimant's Pre-Hearing Statement received from attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 26, 2000

Defendant's Pre-Trial Statement received from attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 22, 2001

Panel Hearing scheduled for January 23, 24 & 25, 2001 canceled per Plaintiff's request (via fax) due to a settlement.

January 24, 2001

Letter received from attorney for Plaintiff requesting hearing scheduled for January 23, 24 & 25, 2001 to be canceled.

April 25, 2001

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

May 29, 2001

Letter received from attorney for Plaintiff advising that the parties are in the process of revising a written Stipulation of Settlement resolving the pending Claim.

July 19, 2001

Praecipe for Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 24, 2001

The Board rendered the following Order: "**AND NOW**, this 24th day of July, 2001, upon receipt of a Praecipe for Discontinuance, advising the Board that "Pursuant to a separate settlement agreement between the parties, this matter may be closed, ended and discontinued with prejudice.", executed by Daniel K. Natirboff, Esquire, attorney for Plaintiff, and docketed with this Board under date of July 19, 2001, it is **ORDERED** and **DIRECTED** that said case be marked "closed, ended and discontinued with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 27, 2001

Acceptance of Service of Order dated July 24, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 25, 2001.

July 27, 2001

Acceptance of Service of Order dated July 24, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 25, 2001.

CLOSED