

Docket Number: 2435

MERCY-DOUGLASS CENTER, INC.  
d/b/a STEPHEN SMITH HOME FOR THE AGED

~~Charles O. Barto, Jr., Esquire~~  
~~Jonathan P. Nase, Esquire~~  
Louis J. Capozzi, Jr., Esquire  
Michael A. Hynum, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

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

**May 2, 1997**

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

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**May 7, 1997**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 6/6/97.**

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**May 13, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 9, 1997.

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**May 14, 1997**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 9, 1997.

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**June 16, 1997**

Answer to Complaint and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

**Response to New Matter due from Plaintiff 7/17/97.**

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**June 26, 1997**

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

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**January 16, 1998**

Status letter forwarded to the parties.

**Response due 2/16/98.**

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**January 28, 1998**

Entry of Appearance of Jonathan P. Nase, Esquire, attorney for Plaintiff, filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 28, 1998**

Letter received from attorney for Plaintiff advising that Plaintiff is preparing a discovery request.

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**August 26, 1998**

Letter forwarded to the parties requesting a status report.  
**Response due 9/28/98.**

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**September 10, 1998**

Letter received from attorney for Plaintiff advising that the case is not yet ready for trial.

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**January 20, 2000**

Letter forwarded to parties requesting a status. NOW DUE 2-21-00.

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**February 18, 2000**

Letter received from Charles O. Barto and Associates, advising that they no longer represent the Plaintiff. Capozzi and Associates are counsel for Plaintiff.

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**February 29, 2000**

Letter forwarded to Plaintiff directing them to enter their appearance as counsel for Plaintiff.

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**March 13, 2000**

Entry of Appearance of Louis J. Capozzi, Jr., Esquire as counsel for Plaintiff. Copy forwarded to attorney for Defendant and previous counsel for Plaintiff by new attorney for Plaintiff.

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**June 21, 2000**

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

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**September 27, 2000**

Letter forwarded to parties requesting a status report. Due 10/27/00.

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**October 11, 2000**

Letter received from attorney for Plaintiff advising that they are in the process of initiating discovery with Defendant. Upon completion of discovery Plaintiff will attempt to negotiate a fair and equitable settlement with Defendant.

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**May 22, 2001**

Letter forwarded to parties requesting a status. Due 6/22/01.

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**June 20, 2001**

Letter received from attorney for Plaintiff advising that the parties are engaged in the discovery process. At the conclusion of discovery, the Plaintiff will forward a proposal for settlement to Defendant.

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**July 11, 2002**

Letter forwarded to parties requesting a status report. Status report due on or before **August 12, 2002**.

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**August 13, 2002**

Letter received from attorney for Plaintiff advising that they sent a settlement proposal to Defendant for its review. At the conclusion of discovery, and in the event a settlement is not reached. Plaintiff will request a hearing.

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**October 24, 2005**

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 24<sup>th</sup> day of October, 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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**October 24, 2005**

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

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**October 31, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated October 24, 2005. Receipt of same acknowledged October 28,

2005.

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**November 8, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated October 24, 2005. Receipt of same acknowledged November 7, 2005.

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