

Docket Number: 2445

UNITED HEALTH, INC., ~~ABINGTON CREST NURSING & REHABILITATION CENTER,~~
~~BEAVER VALLEY NURSING & REHABILITATION CENTER, BELAIR NURSING CENTER,~~
~~BROAD MOUNTAIN NURSING HOME, DRESHER HILL HEALTH & REHABILITATION~~
~~CENTER, EDGEWOOD NURSING CENTER, ELDERCREST NURSING CENTER,~~
~~HAVENCREST NURSING CENTER, LANGHORNE GARDENS REHABILITATION &~~
~~NURSING CENTER, MEADOWCREST NURSING CENTER, * MOUNTAIN LAUREL~~
~~NURSING & REHABILITATION CENTER, OAK HILL NURSING CENTER, READING~~
~~NURSING CENTER, STATESMAN NURSING & REHABILITATION CENTER, TOWNSHIP~~
~~MAJOR NURSING CENTER, TREMONT NURSING CENTER, * VALLEY MAJOR NURSING~~
~~& REHABILITATION CENTER~~

CLOSED

~~Louis J. Capezzi, Jr., Esquire~~
~~John A. Kennedy, Esquire~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Barry N. Kramer, Senior Assistant Counsel

May 23, 1997

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$5,872,478.00.

May 30, 1997

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 6/30/97.**

June 5, 1997

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 2, 1997.

June 5, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 2, 1997.

June 2, 1997

Letter request for an extension of time until August 29, 1997 for Defendant to file its response to Plaintiff's Claim filed by attorney for Defendant. Advises that Plaintiff has no objection to same. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 16, 1997

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting its request for an extension of time to respond to Plaintiff's Claim. **Def's Response to Claim due on or before August 29, 1997.**

December 12, 1997

Letter forwarded to parties requesting status. **RESPONSE DUE FROM PARTIES JANUARY 12, 1998.**

December 16, 1997

Letter/Status Report received from Plaintiff advising that the parties are presently in the process of resolving this claim and once Stipulations are executed, they will withdraw the matter consistent with the terms thereof.

December 23, 1997

Letter/Status Report received from attorney for Defendant advising that the parties are in the process of settling and request an additional 90-days in which to finalize same. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 23, 1997

Letter forwarded to Defendant granting Defendant until March 17, 1998, in which to file their Stipulation of Settlement.

February 3, 1998

Motion to Withdraw and Discontinue with Prejudice Mountain Laurel Nursing and Rehabilitation Center's Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

***February 5, 1998**

Chief Administrative Judge, David C. Clipper, signed Plaintiff's Proposed Order to the Motion to Withdraw Mountain Laurel's Claim. Order as follows: THIS MATTER, having come before the Board by Latsha, Davis & Yohe, P.C., Counsel for Claimants, and the Board having reviewed the pleading(s) submitted, IT IS HEREBY ORDERED ON this 5th day of February, 1998, the Motion to Withdraw and Discontinue with Prejudice Mountain Laurel Nursing and Rehabilitation Center's Claims and/or Causes of Action is Granted".

February 10, 1998

Copies of Proposed Order, which was signed by Judge David C. Clipper, the 5th day of February, 1998, forwarded to attorney for Plaintiff and attorney for Defendant.

February 18, 1998

Acceptance of Service of Proposed Order dated February 5, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 12, 1998.

February 20, 1998

Motion to Withdraw and Discontinue with Prejudice Valley Manor Nursing and Rehabilitation Center's Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 23, 1998

Acceptance of Service of Proposed Order dated February 5, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 17, 1998.

****February 27, 1998**

Chief Administrative Judge, David C. Clipper, signed Plaintiff's Proposed Order to the Motion to Withdraw Mountain Laurel's Claim.

Order as follows: "THIS MATTER, having come before the Board by Latsha, Davis & Yohe, P.C., Counsel for Claimants, and the Board having reviewed the pleading(s) submitted, IT IS HEREBY ORDERED ON this 27th day of February, 1998, the Motion to Withdraw and Discontinue with Prejudice Valley Manor Nursing and Rehabilitation Center's Claims and/or Causes of Action is Granted".

March 3, 1998

Copies of Proposed Order which was signed by Judge David C. Clipper, the 27th day of February, 1998, forwarded to attorney for Plaintiff and attorney for Defendant.

March 6, 1998

Acceptance of Service of Order dated March 3, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 6, 1998.

March 10, 1998

Motion to Withdraw and Discontinue with Prejudice Langhorne Gardens Rehabilitation & Nursing Centers Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 10, 1998

Motion to Withdraw and Discontinue with Belair Nursing Center's Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 10, 1998

Motion to Withdraw and Discontinue with Prejudice Havencrest Nursing Center's Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 10, 1998

Motion to Withdraw and Discontinue with Prejudice Oak Hill Nursing Center's Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

CLOSED

March 10, 1998

Motion to Withdraw and Discontinue with Prejudice Edgewood Nursing Center's Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 10, 1998

Motion to Withdraw and Discontinue with Prejudice Abington Crest Nursing and Rehabilitation Center's Claims and/or Causes of Action and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 16, 1998

Acceptance of Service of Order dated March 3, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 11, 1998.

March 15, 1998

CLOSED

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 25th day of March, 1998, it is **ORDERED** and **DECREED** that the Plaintiff's Motions to Withdraw and Discontinue with Prejudice Langhorne Gardens Rehabilitation & Nursing Center's, Belair Nursing Center's, Havencrest Nursing Center's, Oak Hill Nursing Center's, Edgewood Nursing Center's, and Abington Crest Nursing & Rehabilitation Center's Claims and/or Causes of Action are hereby **GRANTED** and subsequently, said facilities are hereby withdrawn from the Claim, with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

March 31, 1998

Acceptance of Service of Opinion and Order dated March 25, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 30, 1998.

April 3, 1998

Acceptance of Service of Opinion and Order dated March 25, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 31, 1998.

CLOSED