

Docket Number: 2457

THE GOOD SHEPHERD HOME LTC FACILITY, INC.

~~David C. Marshall, Esquire~~  
Daniel K. Natirboff, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~  
Kathleen Grogan, Assistant Counsel

**June 16, 1997**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$1,539,113.00

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**June 17, 1997**

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT: July 17, 1997**

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**June 20, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 18, 1997.

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**June 23, 1997**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 18, 1997.

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**July 17, 1997**

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

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**August 15, 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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**February 24, 1998**

Letter forwarded to parties requesting status report. **Status Report due on or before March 25, 1998.**

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**March 31, 1998**

Second Letter forwarded to parties requesting status report. Status Report due on or before **May 1, 1998** or Rule to Show Cause for failure to prosecute will be Issued.

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**April 1, 1998**

Letter/Status Report received from Plaintiff advising that they are preparing a position paper to submit to Defendant in an attempt to settle.

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**April 28, 1998**

Letter/Status Report received from Plaintiff advising that they are currently preparing a position paper for purposes of a settlement offer and will forward same to Defendant in the near future.

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**September 1, 1998**

Letter forwarded to parties requesting a status report. Status Report due on or before October 1, 1998.

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**October 2, 1998**

Letter/Status Report received from Plaintiff advising that they are in the process of preparing a settlement proposal in the form of a position paper which they will forward to Defendant. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**April 30, 1999**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 1, 1999**.

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**June 3, 1999**

Letter/Status Report received from Plaintiff advising that they are in the process of determining if there is any additional discovery necessary, then they will forward a settlement proposal in the form of a position paper to Defendant for review and also advises that if the parties cannot settle, Plaintiff will promptly seek the establishment of a trial date.

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**January 12, 2000**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **February 14, 2000**.

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**January 25, 2000**

Letter received from attorney for Plaintiff advising that they are in the process of determining if any additional discovery is necessary and will then forward a settlement proposal in the form of a position paper to Defendant for review.

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**August 21, 2000**

Letter forwarded to parties requesting a status report. Status Report due on or before **September 20, 2000**.

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**September 6, 2000**

Status letter received from attorney for Plaintiff advising that they are in the process of determining if additional discovery is necessary at which time Plaintiff will forward a settlement proposal for the Defendant's review.

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**March 19, 2001**

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

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**April 18, 2001**

Letter received from Plaintiff advising that the parties are engaged in discovery and Plaintiff will prepare a settlement offer in the form of a position paper to present to Defendant for review.

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**October 22, 2001**

Letter forwarded to parties requesting a Status Report. Status Report due on or before November 21, 2001.

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**October 29, 2001**

Status letter received from attorney for Plaintiff advising that Plaintiff will prepare a settlement offer in the form of a position paper to present to Defendant for review.

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**May 2, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before June 3, 2002.

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**May 10, 2002**

Entry of Appearance of Daniel K. Natirboff, Esquire and the Firm of Capozzi & Associates, P.C., on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**May 13, 2002**

Status letter received from attorney for Plaintiff advising that Plaintiff will prepare a settlement offer in the form of a position paper to present to Defendant for review.

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**May 15, 2002**

Letter forwarded to Daniel K. Natirboff, Esquire, with copies to attorney for Plaintiff and attorney for Defendant, advising Mr. Natirboff that he may not enter his appearance on behalf of Plaintiff until David C. Marshall, Esquire, of Latsha, Davis & Yohe, P.C., files a Withdraw of Appearance.

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**June 20, 2002**

Entry/Withdrawal of Appearance filed by Daniel K. Natirboff, Esquire, entering his appearance and David C. Marshall, Esquire, withdrawing his appearance on behalf of Plaintiff.

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**November 13, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before 12/13/02.

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**December 20, 2002**

Letter received from attorney for Plaintiff advising that they are in the process of preparing and revising a Position Paper and Settlement Offer to be submitted to DPW.

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**August 31, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 31<sup>st</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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**September 7, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated August 31, 2005. Receipt of same acknowledged September 2, 2005.

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**September 13, 2005**

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

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**September 14, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated August 31, 2005. Receipt of same acknowledged September 13, 2005.

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