

Docket Number: 2464

FAIR ACRES GERIATRIC CENTER

Louis J. Capozzi, Jr., Esquire

David C. Marshall, Esquire

Daniel K. Natirboff, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

Kathleen Grogan, Esquire

June 27, 1997

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

July 1, 1997

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 7/31/97.**

July 9, 1997

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

July 9, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 3, 1997.

August 1, 1997

Extension letter filed by attorney for Defendant requesting an additional thirty(30) days in which to file their Answer. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 9, 1997

Answer and New Matter filed by attorney for Defendant. Response from Plaintiff due 10/9/97.

October 14, 1997

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

October 17, 1997

Forwarded letters to parties directing them to commence with discovery.

June 1, 1998

Status letter received from Plaintiff advising that discovery is ongoing.

February 5, 1998

Plaintiff filed Entry of Appearance of Louis J. Capozzoi, Jr., Esquire. Copy forwarded to Defendant.

February 20, 1998

Plaintiff filed Praecipe for Withdrawal of Appearance of Kimber Latsha, Esquire. Copy forwarded to Defendant.

September 2, 1998

Status letter forwarded to parties. RESPONSE DUE 10/2/98.

October 1, 1998

Status letter received from attorney for Plaintiff advising that the parties are engaged in discovery.

October 5, 1998

Status letter received from attorney for Plaintiff advising that they are presently determining if any additional discovery is necessary.

August 31, 1999

Letter forwarded to parties requesting a status. Response Due 10/1/99.

September 8, 1999

Letter received from attorney for Plaintiff advising that discovery is ongoing. The Board will be notified if this matter changes.

May 23, 2000

Letter forwarded to parties requesting a status report. Due 6/23/00.

June 8, 2000

Letter received from Plaintiff advising that settlement has not occurred. Discovery is ongoing and facility records are being reviewed in order to determine whether this and related matter

should proceed to hearing or are appropriate for settlement.

January 19, 2001

Letter forwarded to parties requesting a status report. Status Report due on or before February 19, 2001.

February 20, 2001

Letter received from attorney for Plaintiff advising that they have submitted a settlement offer to Defendant. If the parties are unable to reach a settlement they will request a hearing.

August 31, 2001

Letter forwarded to parties requesting a status. Due 10/1/01.

October 2, 2001

Letter received from Plaintiff advising that settlement of this matter has not occurred. Plaintiff will inform the Board when a settlement is reached. If the parties are unable to reach a settlement a hearing will be requested.

May 7, 2002

Letter forwarded to parties requesting a status report. **Response due 6/7/02**

June 4, 2002

Letter received from attorney for Plaintiff advising that the parties are exchanging documentation to determine if this matter can be resolved by settlement.

October 24, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 24th 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."

October 24, 2005

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

October 28, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 24, 2005. Receipt of same acknowledged October 26, 2005.

November 8, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated October 24, 2005. Receipt of same acknowledged November 4, 2005.
