

Docket Number: 2501-P

VALLEY CARE NURSING HOME

Daniel K. Natirboff, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

Jason W. Mann, Esquire

**September 8, 1997**

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

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**September 11, 1997**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT [October 11, 1997.]

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**September 17, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 15, 1997.

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**CLOSED**

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

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**December 23, 1997**

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

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**January 5, 1998**

Letter forwarded to parties directing them to proceed with discovery.

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**February 26, 1998**

Letter received from attorney for Defendant requesting a 30-day extension of time to file its responsive pleading to Plaintiff's Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 27, 1998**

Letter forwarded to attorney for Defendant, with copy to Plaintiff, granting 30-day request for an extension of time. Defendant's responsive pleading to Plaintiff's Complaint is now due March 30, 1998.

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**March 5, 1998**

Notice of Service of Claimant's Response to Defendant's Interrogatories; Claimant's Response to DPW's Request for Production of Documents; and Claimant's First Set of Document Requests filed by attorney for Plaintiff. Copies forwarded to attorney for Defendant by attorney for Plaintiff.

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**October 26, 1998**

Status letter forwarded to parties. **RESPONSE DUE 11/26/98.**

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**November 25, 1998**

Letter received from attorney for Plaintiff advising that they filed responses to Defendant's First Set of Inter., and Document Requests to be supplemented upon review of DPW's response to Plaintiff's First Request for Production Documents filed by attorney for Plaintiff.

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**January 20, 1999**

Hearing scheduled for March 23, 24 and 25, 1999, in Board's Courtroom No. 2 6th Floor, Fulton Bank Building, Harrisburg, PA., commencing at 9:30 a.m.

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**January 28, 1999**

Claimant's First Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 3, 1999**

DPW's Response to Claimant's First Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 12, 1999**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 12th day of February, 1999, upon consideration of Claimant's First Motion to Compel Discovery and Respondent's response thereto, the Motion is hereby **GRANTED**. Further, it is **ORDERED** that Respondent produce all documents requested in Claimant's First Set of Document Requests within seven (7) days of the exit date of this Order. Copies forwarded to attorney for Plaintiff and Defendant.

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**February 12, 1999**

Notice of Intended Application for Amendment of Claims and Amended

Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**February 17, 1999**

Acceptance of Service of Opinion and Order dated February 12, 1999 received by attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 19, 1999.

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**February 18, 1999**

Consent to Amend Pleadings subject to defenses filed by attorney for Defendant.

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**February 18, 1999**

DPW's First Motion to Compel Discovery and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 22, 1999**

Corrected Consent to Amend Pleadings Subject to Defenses and Continuance of Trial filed by attorney for Defendant.

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**February 22, 1999**

DPW's Motion for Western District Panel and Objection to Jurisdiction and Brief in Support filed by attorney for Defendant.

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**February 22, 1999**

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

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**February 25, 1999**

DPW's Second Motion to Compel Discovery and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 25, 1999**

DPW's Pre-Hearing Statement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 25, 1999**

The Board rendered an Opinion and made the following Order: **AND**

**NOW**, this 25th day of February, 1999, upon consideration of Defendant's Second Motion to Compel Discovery, the Motion is **GRANTED** and Plaintiff is hereby **ORDERED** to answer Interrogatory 19 within thirty (30) days of the exit date of this Order. Further, since discovery is not complete and since other issues remain unresolved, the Board hereby **VACATES** the hearing date of March 23, 1999 and will set a new date when the matters are hearing. Copy forwarded to attorney for Plaintiff and Defendant.

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**February 26, 1999**

Claimants Amended Pre-Hearing Statement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**CLOSED**

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Letter forwarded to Panel Members advising them that the hearing originally scheduled for March 23, 1999 has been canceled.

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Preliminary Objections to Amended Claim and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 2, 1999**

Notice of Service of Claimant's Amended Responses to Defendant's Interrogatories and Document requests filed by attorney for Plaintiff served upon Defendant.

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**March 3, 1999**

Acceptance of Service of Opinion and Order dated February 25, 1999 received by attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 1, 1999.

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**March 4, 1999**

Letter forwarded to Plaintiff directing them to file their response to Defendant's P.O.'s. Response due 4/5/99.

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**March 5, 1999**

Withdrawal of Motion for Western District Panel filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 8, 1999**

Claimant's Motion for Sanctions and Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 15, 1999**

Request to Stay Pending Motions filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 29, 1999**

Letter forwarded to parties granting their request to Stay Pending Motions and status report.(RESPONSE 4/30/99)

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**April 29, 1999**

Request to Stay Pending Motions filed by attorney for Plaintiff.

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**June 1, 1999**

Letter-type request to continue stay pending motions until July 1, 1999 filed by attorney for Plaintiff.

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**June 18, 1999**

Letter forwarded to Plaintiff granting Plaintiff's request to continue stay pending Motions until July 1, 1999 filed by attorney for Plaintiff.

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**July 1, 1999**

Letter received from Plaintiff requesting an extension of time to file Stay of Responses to Pending Motions of thirty (30) additional days.

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**July 8, 1999**

Letter forwarded to Plaintiff granting extension of thirty (30) days to file Stay of Responses to Pending Motions. Now Due August 2, 1999.

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**August 4, 1999**

Claimant's Response to Respondent's Pending Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**August 4, 1999**

Claimant's Motion to Strike Respondent's Preliminary Objections to

Amended Claim and Brief in Support filed by attorney for Plaintiff.  
Copy forwarded to attorney for Defendant by attorney for Plaintiff.  
NOW DUE: 9/20/99.

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**August 27, 1999**

Letter received from attorney for Defendant requesting that pending motions be deferred for sixty (60) days.

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**September 16, 1999**

Letter forwarded to attorney for Defendant granting them sixty days to defer their pending motions.

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**November 23, 1999**

Letter-type Stipulation or Withdrawal with Prejudice in Part of only that portion of pending dispute concerning 1993-1996 Home Office Costs filed by attorney for Plaintiff.

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**March 8, 2000**

Letter forwarded to parties requesting status. NOW DUE: 4/20/00.

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**May 1, 2000**

Praeipie to Settle, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to Defendant by attorney for Plaintiff.

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**May 15, 2000**

The Board made an Order: **AND NOW**, this 15th day of May, 2000, upon receipt of a Praeipie to Settle, Discontinue and End requesting that "Claimant, Valley Care Nursing Home, by and through its attorneys, Capozzi and Associates, P.C., hereby advises that these matters be **SETTLED, DISCONTINUED, and ENDED** with prejudice", executed by, Daniel K. Natirboff, Esquire, attorney for Plaintiff, docketed with this Board under date of May 1, 2000, it is **ORDERED** and **DIRECTED** that said case be marked settled, discontinued, and ended with prejudice."  
Copy forwarded to attorney for Plaintiff and Defendant.

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**May 22, 2000**

Acceptance of Service of Order dated May 15, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 17, 2000.

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