

Docket Number: 2561

THE JEWISH HOME AND HOSPITAL FOR THE AGED-PITTSBURGH

~~Randy J. Riley, Esquire~~  
~~Stephen A. Miller, Esquire~~  
Michael Hynum, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~  
Jeffrey P. Schmoyer, Assistant Counsel

**January 23, 1998**

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

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**January 27, 1998**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT February 27, 1998.

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**February 2, 1998**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 28, 1998.

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**CLOSED**

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Letter/Request for an extension of time until March 27, 1997 in which to file Defendant's responsive pleading to Plaintiff's Complaint filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**February 27, 1998**

Letter forwarded to attorney for Defendant, with a copy to attorney for Plaintiff, granting Defendant's request for an extension of time.

Defendant's Response to Plaintiff's Claim due on or before **March 27, 1998**.

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**March 31, 1998**

Letter received from attorney for Defendant requesting a 30-day extension of time in which to file Defendant's Response to Plaintiff's Claim.

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**April 2, 1998**

Letter forwarded to Defendant granting Defendant's request for a 30-day extension of time in which to file Defendant's Response to Plaintiff's Claim.

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**April 30, 1998**

Letter received from attorney for Defendant, via fax, requesting an extension of time to file a response.

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**May 1, 1998**

Letter forwarded Defendant granting Defendant's request for a 30-day extension of time in which to file Defendant's Response to Plaintiff Claim. Response due June 4, 1998.

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May 29, 1998

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

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September 15, 1998

Letter forwarded to the parties requesting a status report.

**Response due 10/15/98.**

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October 22, 1998

Amended Claim filed by attorney for Plaintiff.

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October 28, 1998

**CLOSED**

The Board made the following Order in case number 2586 which affects this case as follows: "AND NOW, this 28th day of October, 1998, upon review of Claimants' Petition for leave to Amend Order, and Withdraw Claim, it is hereby **ORDERED** that: A. The Petition to Amend the Individual Claims is **GRANTED** as follows: 1. The Brethren Home: Paragraph 22 (A-B) of the consolidated Claim at Docket Number 2586 will be inserted into The Brethren Home's Amended Claim as Paragraph 14 (M-N), Docket No. 2583. 2. The Jewish Home: Paragraph 29 (A-B) of the consolidated Claim at Docket Number 2586 will be inserted into The Jewish Home's Amended Claim as Paragraph 14 (L-M), **Docket Number 2561**. 3. Good Shepherd: Paragraph 36 (A-B) of the consolidated Claim at Docket Number 2586 will be inserted into Good Shepherd's Amended Claim as Paragraph 14 (L-M), Docket Number 2585. 4. Meadows: Paragraph 43 (A-B) of the consolidated Claim at Docket Number 2586 will be inserted into Meadow's Amended Claim as Paragraph 14 (M-N), Docket Number 2573. 5. Williamsport: Paragraph 64 (A-B) of the consolidated Claim at Docket Number 2586 will be inserted into Williamsport's Amended Claim as Paragraph 14 (K-L), Docket Number 2565. B. The Petition to Sever the Consolidated Claim is **GRANTED** as follows: 1. The Claim docketed at 2586 is severed so that The Brethren Home, The Jewish Home, Good Shepherd, Meadows, and Williamsport may pursue the issues raised in Docket No. 2586 separately in the individual pending Claims listed in Paragraphs A 1-5 of this Order. C. The Petition to Withdraw is **GRANTED** as follows: 1. Presbyterian Lodge and Oil City's Claims and/or causes of action included in the consolidated Claim docketed at 2586 are **WITHDRAWN**. Accordingly, the entire Claim at Docket Number 2586 is hereby Withdrawn, Discontinued and Ended.

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**October 30, 1998**

Copies of Amended Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

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**November 5, 1998**

Acceptance of Service of Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General November 3, 1998.

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**November 5, 1998**

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 4, 1998.

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**December 2, 1998**

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

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**December 17, 1998**

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

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**December 22, 1998**

Letter forwarded to the parties directing them to proceed with discovery.

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**June 30, 1999**

Letter forwarded to parties requesting status report. Status Report due on or before **July 30, 1999**.

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**August 23, 1999**

Second Letter forwarded to parties requesting a status report. Status Report due on or before **September 22, 1999** or Rule to Show Cause will be issued.

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**November 4, 1999**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 4th day of November, 1999, a Rule to Show Cause is issued upon Plaintiff, The Jewish Home and Hospital for the Aged - Pittsburgh, wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not they wish to pursue this matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked 'closed, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**November 8, 1999**

Acceptance of Service of Opinion and Order dated November 4, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff of November 5, 1999.

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**December 6, 1999**

Letter/Status Report received from Plaintiff advising that they are in the process of preparing a settlement offer in the form of a position paper to be presented to Defendant.

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**February 1, 2000**

Entry of Appearance of Randy J. Riley, Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff.

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**February 29, 2000**

Withdrawal of Appearance of David C. Marshall, Esquire, on behalf of Plaintiff, filed by David C. Marshall, Esquire.

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**September 14, 2000**

Letter forwarded to parties requesting a Status Report. Status Report due on/or before **October 16, 2000**.

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**September 28, 2000**

Withdrawal of Appearance of Randy J. Riley, Esquire and Entry of Appearance of Stephen A. Miller, Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff.

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**October 2, 2000**

Letter received from attorney for Defendant requesting an extension of time until January 19, 2001, in which to respond to all discovery requests and/or Motions to Compel Discovery.

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**October 3, 2000**

Letter forwarded to attorney for Defendant granting Defendant's request for an extension of time until January 19, 2001, in which to respond to all discovery requests and/or Motions to Compel Discovery.

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**October 16, 2000**

Letter/Status Report received from Plaintiff advising that they are awaiting Defendant's compliance with the Board's order regarding production of discovery and that Plaintiff is hoping to resolve this and similar matters with Defendant as a part of a settlement agreement Defendant is expected to offer to Plaintiff and other facilities with respect to Case Mix Peer Group Rates and/or per diem rates.

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**January 24, 2001**

Praecipe for Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**January 26, 2001**

The Board made the following Order: "**AND NOW**, this 26th day of January, 2001, upon receipt of Praecipes For Discontinuance, advising that ". . . this matter may be closed, ended and discontinued with prejudice", executed by Michael A. Hynum, Esquire, on behalf of Plaintiffs herein, and docketed with this Board under date of January 24, 2001, it is **ORDERED** and **DIRECTED** that the cases, mentioned on the attached list, be marked "closed, ended and discontinued with prejudice". Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**February 1, 2001**

Acceptance of Service of Order dated January 26, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 29, 2001.

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**February 9, 2001**

Acceptance of Service of Order dated January 26, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 27, 2001.

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