

Docket Number: 2573

MEADOWS NURSING CENTER

David C. Marshall, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~
Carol Ulichney, Assistant Counsel

January 23, 1998

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

January 28, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 2/27/98.

February 4, 1998

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 2, 1998.

February 6, 1998

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 29, 1998.

February 26, 1998

Letter received from attorney for Defendant requesting a 30-day extension of time to file a response.

March 24, 1998

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

April 20, 1998

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

April 27, 1998

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

April 30, 1998

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

October 22, 1998

Amended Claim filed by attorney for Plaintiff.

October 27, 1998

Letter forwarded to the parties requesting a status report.
Response due 11/30/98.

October 28, 1998

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, Sever, 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."

October 30, 1998

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

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.

November 13, 1998

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

November 19, 1998

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 2, 1998.

December 16, 1998

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

December 18, 1998

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

September 15, 1999

Letter forwarded to parties requesting a status. NOW DUE 10/15/99.

October 7, 1999

Letter received from attorney for Defendant advising that they are reviewing a position paper forwarded by Plaintiff, on the claim as well as other administrative appeals. Defendant will contact Plaintiff once the review of these documents are completed.

October 15, 1999

Letter received from attorney for Plaintiff advising that they are currently awaiting Defendant's response to their settlement offer.

May 23, 2000

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

June 9, 2000

Letter received from Plaintiff advising that they sent a settlement offer to Defendant and have not received a response. If the parties are unable to reach a settlement offer a hearing will be requested.

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.

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.

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.

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.

January 31, 2001

Praeipe to Withdraw With Prejudice filed by attorney for Plaintiff.

February 23, 2001

The Board made the following Order: **AND NOW**, this 23rd day of February, 2001, upon receipt of a Praeipe to Withdraw With Prejudice advising to "kindly mark the above-captioned appeal as Withdrawn, Discontinued, and Ended With Prejudice as the parties have resolved this matter through a Stipulation of Settlement and docketed with this Board under date of January 31, 2001, it is **ORDERED** and **DIRECTED** that said case be marked "closed, ended and discontinued, with prejudice". Copy forwarded to attorney for Plaintiff and Defendant.

February 27, 2001

Acceptance of Service of Order dated February 23, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 27, 2001.

March 1, 2001

Acceptance of Service of Order dated February 23, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 27, 2001.
