

Docket Number: 2583

THE BRETHREN HOME

David C. Marshall, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

January 23, 1998

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

January 27, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT February 26, 1998.**

February 4, 1998

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

CLOSED

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.

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 now due March 30, 1998.**

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.

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. Response due May 4, 1998.

April 30, 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.

May 1, 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. Response due June 4, 1998.

July 23, 1998

Letter/Status report received from Defendant advising that they have not file their responsive pleadings to these matters because counsel for Plaintiff advised Defendant that they would be withdrawing the claim at Docket No. 2583 amending the claim at Docket No. 2583 and filing individual claim for some of the facilities in Docket No. 2583. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

October 22, 1998

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

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

October 28, 1998
(Continued)

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 29, 1998

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

November 5, 1998

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 30, 1998.

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.

December 15, 1998

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

January 9, 1999

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

August 27, 1999

Status letter received from attorney for Plaintiff advising that they are in the process of preparing a settlement offer in the form of a position paper for Defendant's review and if the parties cannot amicably resolve the issues, Plaintiff will promptly request a hearing.

March 28, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 27, 2000**.

April 19, 2000

Status letter received from attorney for Plaintiff advising that they are in the process of preparing a settlement offer in the form of a position paper for Defendant's review.

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.

February 21, 2001

Praecipe to Withdraw With Prejudice filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant 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 Praecipe to Withdraw With Prejudice, requesting the Board to '. . . withdraw the above-captioned matter as withdrawn with prejudice as the parties have resolved this matter . . .', executed by David C. Marshall, Esquire, on behalf of Plaintiff, The Brethren Home, and docketed with this Board under date of February 21, 2001, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked 'settled, ended and withdrawn prejudice'." Copy forwarded to attorney for Plaintiff and attorney for 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 26, 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 26, 2001.
