

Docket Number: 2589

TRADE AROUND THE WORLD, d/b/a HIGHLAND HALL CARE CENTER

~~Samuel B. Fineman, Esquire~~
Stephen A. Miller, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
~~Jeffrey P. Schmoyer, Assistant 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 28, 1998

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

February 4, 1998

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

CLOSED

Letter received from attorney for Defendant requesting a 30-day extension of time until March 30, 1998, in which to file Defendant's Response to Plaintiff's Claim.

February 27, 1998

Letter forwarded to Defendant granting Defendant a 30-day extension of time until March 30, 1998, in which to file Defendant's Response to Plaintiff's Claim. Response 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.

May 29, 1998

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

June 1, 1998

Letter forwarded to attorney for Plaintiff requesting response to Defendant's New Matter. Response due from Plaintiff July 1, 1998.

July 1, 1998

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

July 6, 1998

Letter forwarded to parties directing parties to commence with discovery.

August 21, 1998

Notice of Service of Plaintiff's Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 21, 1999

Letter received from attorney for Plaintiff requesting an extension of ninety (90) days to respond to Defendant's First Request for Production of Documents.

August 5, 1999

Letter forwarded to Plaintiff granting an extension of time for ninety (90) days to respond to Defendant's First Request for Production of Documents. RESP. DUE. 10/21/99.

October 21, 1999

Letter received from attorney for Plaintiff requesting a second extension of time in which to respond to Defendant's First Request for Production of Documents to Claimant. RESP. NOW DUE. 12/31/99.

December 29, 1999

Letter received from attorney for Plaintiff requesting a third extension of time until March 31, 2000 in which to respond to Defendant's discovery requests.

December 30, 1999

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for a third extension of time until March 31, 2000 in which to respond to Defendant's discovery requests. Plaintiff's response due **March 31, 2000**.

December 29, 1999

Entry/Withdrawal of Appearance of Stephen A. Miller, Esquire on behalf of Plaintiff and Withdrawal of Appearance of Samuel J. Fine on behalf of Plaintiff.

February 15, 2000

DPW's Motion for a Protective Order Compelling Claimant to Share in the Costs of Compliance with Claimant's Discovery and Brief in Support of its Motion for a Protective Order Compelling Claimants to Share in the Costs of Compliance with Claimant's Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 17, 2000

Claimant's Response to DPW's Motion for a Protective Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 30, 2000

Letter received from attorney for Plaintiff requesting an extension of time until May 31, 2000 in which to respond to Defendant's First Request for Production of Documents.

April 4, 2000

Letter forwarded to Plaintiff granting Plaintiff's request for an extension of time until May 31, 2000 in which to respond Defendant's First Request for Production of Documents.

March 23, 2000

Defendant's Reply Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 6, 2000

Claimants' Response to DPW's Reply Brief Opposing DPW's Motion for a Protective Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 19, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 19th day of April, 2000, it is **ORDERED** and **DECREED** that the Defendant's Motion for a Protective Order Compelling Claimants to Share in the Costs of Compliance with Claimant's Discovery is **GRANTED** subject to the following terms and conditions:(a) The Defendant shall bear fifty percent (50%) of the cost incurred to digitize the requested documents. (b) Plaintiff shall pay its pro-rata share of the other fifty percent (50%) of the cost of the digitized documents which have been prepared by the Defendant pursuant to discovery requests. The remaining pro-rata share of the 50% of the costs shall be paid by the other Plaintiffs who requested the same discovery. (c) The Defendant shall make the discovery available to the Plaintiff within thirty (30) days of receipt of payment from the Plaintiff. (d) Since the parties agreed that it is best to use a common digital medium to comply with the discovery requests, Defendant shall not be required to produce all of the discovery in hard copy form.

April 27, 2000

Plaintiff's Motion for Clarification, Brief in Support and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. **Response due from Defendant May 30, 2000.**

April 28, 2000

Acceptance of Service of Opinion and Order dated April 19, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 18, 2000.

May 22, 2000

Notice of Appeal as well as Petition for Review as filed in Commonwealth Court by attorney for Plaintiff.

May 23, 2000

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

May 23, 2000

Letter received from attorney for Plaintiff requesting an extension of time until August 31, 2000 in which to respond to Defendant's discovery requests.

May 24, 2000

Letter received from attorney for Defendant advising that although they do not object to Plaintiff's request, they do not agree that an extension is warranted for the reasons cited in Plaintiff's letter.

May 31, 2000

Letter forwarded to attorney for Plaintiff granting extension of time until August 31, 2000 to respond to Defendant's discovery requests.

May 31, 2000

Order rendered in Commonwealth Court as follows: "NOW, May 22, 2000, upon consideration of the above petition for review, and in appearing that the Board of Claims' decision was entered April 12, 2000, that the last day to petition for review thereof was May 12, 2000, and that petitioner's petition for review was filed May 18, 2000, the petition for review is hereby dismissed as untimely filed. See Pa. R.A.P. 1512(a)(1)."

June 5, 2000

Motion to Vacate an Order rendered in Commonwealth Court filed by attorney for Plaintiff.

June 5, 2000

Claimant's Reply to Defendant's Response to Claimants' Motion for Clarification filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 24, 2000

Letter received from attorney for Plaintiff requesting an extension of time until October 31, 2000 to respond to discovery.

September 1, 2000

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for an extension of time until October 31, 2000 in which to respond to discovery. Response due 10/31/00.

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 31, 2000

Notice of Service of Claimant's Response to Respondent's First Request for Production of Documents filed by attorney for Plaintiff.

February 27, 2001

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

March 8, 2001

The Board rendered the following Order: "**AND NOW**, this 8th day of March, 2001, upon receipt of Praecipes For Discontinuance, advising that "... Pursuant to a separate settlement agreement between the parties, this matter may be closed, ended and discontinued with prejudice.", executed by Daniel K. Natirboff, Esquire, attorney for Plaintiffs and docketed with this Board under date of February 27, 2001, it is **ORDERED** and **DIRECTED** that said case be marked "closed, discontinued and ended without prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 12, 2001

Acceptance of Service of Order dated March 8, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 12, 2001.

March 15, 2001

Acceptance of Service of Order dated March 8, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 13, 2001.
