

Docket Number: 2603

GOOD SAMARITAN NURSING CARE CENTER OF JOHNSTOWN

Michael A. Hynum, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~

Jeffrey P. Schmoyer, Assistant Counsel

**January 26, 1998**

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

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**January 28, 1998**

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

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**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.

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**CLOSED**

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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 now due March 30, 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. Response due May 4, 1998.

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**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.

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**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.

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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. Response due from Plaintiff on or before July 1, 1998.

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**July 1, 1998**

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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**CLOSED**

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**March 11, 1999**

Letter/Request for a thirty (30) day extension of time to respond to Plaintiff's Motion to Compel Responses to Discovery received from attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**March 17, 1999**

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting request for a thirty (30) day extension of time in which to respond to Plaintiff's Motion to Compel Responses to Discovery.

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**March 19, 1999**

Letter/Withdrawal of Motion to Compel Responses to Discovery, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**March 24, 1999**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 24th day of March, 1999, it is hereby **ORDERED** and **DECREED** that Plaintiff's Motion to Compel Discovery is hereby dismissed without prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

**March 25, 1999**

Acceptance of Service of Opinion and Order dated March 24, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 25, 1999.

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**April 9, 1999**

Acceptance of Service of Opinion and Order dated March 24, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 5, 1999.

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**October 28, 1999**

Letter forwarded to parties requesting a Status Report. Status Report due on or before November 29, 1999.

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**January 19, 2000**

The Board rendered an Opinion and made the following Order: "And NOW, this 19th day of January, 2000, a Rule to Show Cause is issued upon Plaintiff, Good Samaritan Nursing Care Center of Johnston, 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 said 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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**January 24, 2000**

Acceptance of Service of Opinion and Order dated January 19, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 21, 2000.

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**January 31, 2000**

Acceptance of Service of Opinion and Order dated January 19, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 27, 2000.

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**February 11, 2000**

Letter received from Plaintiff advising that consolidated discovery for all Year 3 case-mix claims is being conducted by the parties and advises that this discovery process will not be completed, at the earliest, until the summer of 2000.

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**April 13, 2000**

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

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**April 19, 2000**

Letter forwarded to attorney for Plaintiff with copy to attorney for Defendant granting Plaintiff's request for an extension of time in which to respond to Defendant's discovery request until **May 31, 2000**.

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**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.

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**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.

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**May 31, 2000**

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

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**August 24, 2000**

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

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**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.

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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 30, 2000**

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

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**January 17, 2001**

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

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**CLOSED**

January 22, 2001

The Board made the following Order: "AND NOW, this 22nd day of January, 2001, upon receipt of a Praecipe For Discontinuance advising that 'this matter may be closed, ended and discontinued with prejudice', executed by Michael W. Hyman, Esquire, on behalf of Plaintiff Good Samaritan Medical Center, and docketed with this Board under date of January 17, 2001, it is **ORDERED** and **DIRECTED** that the above-captioned matters be marked 'closed, ended and discontinued with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 25, 2001**

Acceptance of Service of Order dated January 22, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 24, 2001.

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**January 26, 2001**

Acceptance of Service of Order dated January 22, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 24, 2001.

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