

Docket Number: 2604

BIRCHWOOD NURSING CENTER

~~Samuel B. Fineman, Esquire~~
Jonathan C. James, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

January 26, 1998

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

January 29, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 3/2/98.

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.

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.**

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.

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.

June 4, 1998

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. *Plaintiff's Reply due on or before July 9, 1998.*

July 9, 1998

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

September 1, 1998

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

April 30, 1999

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 1, 1999.**

May 19, 1999

Letter received from attorney for Plaintiff advising that the parties are engaged in massive discovery and if at the close of same the parties are unable to reach an amicable settlement, the Plaintiff will then request a hearing.

May 28, 1999

Notice of Service of Defendant's First Set of Interrogatories and First Request for Production of Documents filed by attorney for Defendant.

June 2, 1999

Letter/Status report received from Defendant advising that Defendant served its First Request for Production of Documents and First Set of Interrogatories on Claimant on May 27, 1999.

June 25, 1999

Letter received from attorney for Plaintiff requesting an extension of time until October 1, 1999, in which to respond to Defendant's discovery requests, including any objections to specific requests.

June 29, 1999

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for an extension of time until October 1, 1999 in which to respond to Defendant's discovery requests, including any objections to specific requests.

September 14, 1999

Letter/Request for an extension of time until December 31, 1999 for Plaintiff to file its response to Defendant's First Set of Interrogatories and First Request for Production of Documents, filed by attorney for Plaintiff.

CLOSED

September 20, 1999

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for an extension of time until December 31, 1999 to file Plaintiff's response to Defendant's First Set of Interrogatories and First Request for Production of Documents.

December 31, 1999

Letter received from attorney for Plaintiff requesting an extension of time until March 31, 2000 in which to either produce documents requested by Defendant or to file objections to same.

January 6, 2000

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for an extension of time until **March 31, 2000**, in which to either produce documents requested by Defendant or to file objections to same.

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 forwarded to parties requesting a Status Report. Status Report due on or before **June 23, 2000**.

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.

July 6, 2000

Letter received from Plaintiff advising that they are in the process of responding to Defendant's request for Production of Documents and that they will endeavor to organize and submit a settlement proposal in this matter.

July 11, 2000

Letter received from attorney for Defendant advising that they have not received a response to their pending discovery request.

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 and Response to DPW's Answers to Interrogatories filed by attorney for Plaintiff.

November 27, 2000

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

December 1, 2000

The Board made the following Order: "**AND NOW**, this 1st day of December, 2000, upon receipt of a Praecipe For Discontinuance, advising that these matters may be closed, ended and discontinued with prejudice', executed by Jonathan C. James, Esquire, on behalf of Plaintiff, Birchwood Nursing Center, and docketed with this Board under date of November 27, 2000, it is **ORDERED** and **DIRECTED** that said cases be marked 'closed, ended and discontinued with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 7, 2000

Acceptance of Service of Order dated December 1, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 4, 2000.

December 19, 2000

Acceptance of Service of Order dated December 1, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 19, 2000.
