

Docket Number: 2632

ARTUTUS PARK MANOR

~~Daniel K. Natirboff, Esquire~~  
~~Katherine E. Stine, Esquire~~

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~  
~~Kathleen Grogan, Assistant Counsel~~  
~~Jason W. Mannne, Esquire~~

**January 27, 1998**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$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 MARCH 2, 1998.

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**February 4, 1998**

Acceptance of Service of Claim received 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 until March 30, 1998, in which to file Defendant's Response to Plaintiff's Claim.

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**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.

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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.

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**June 1, 1998**

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

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**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.

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**July 6, 1998**

Letter forwarded to parties directing parties to commence with discovery.

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**December 7, 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.

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**February 3, 1999**

Notice of Service of Claimant's First Request for Answers to Interrogatories filed by attorney for Plaintiff.

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**February 16, 1999**

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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**February 18, 1999**

Letter forwarded to parties requesting Brief in Support of Plaintiff's Motion to Compel and Response and Brief from Defendant to Plaintiff's Motion to Compel. Plaintiff's Brief in Support due March 18, 1999. Defendant's Response and Brief due April 19, 1999.

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**March 11, 1999**

Letter received from attorney for Defendant requesting an extension of time until April 16, 1999 in which to file Defendant's Response to Plaintiff's Motion to Compel Responses to Discovery.

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**March 12, 1999**

Letter forwarded to Defendant granting Defendant's request for an extension of time until April 16, 1999 in which to file Defendant's Response to Plaintiff's Motion to Compel Responses to Discovery.

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**March 19, 1999**

Letter received from attorney for Plaintiff requesting the Board to withdraw the Plaintiff's Motion to Compel Responses to Discovery filed on February 16, 1999.

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**March 31, 1999**

The Board rendered an Opinion and made the following Order: "AND NOW, this 31st day of March, 1999, it is hereby ORDERED and DECREED that the Plaintiff's, Arbutus Park Manor, letter-type Motion to Withdraw its Motion to Compel Responses to Discovery is hereby **GRANTED**." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

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**April 6, 1999**

Acceptance of Service of Opinion and Order dated March 31, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 5, 1999.

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**June 24, 1999**

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

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**July 1, 1999**

Letter received from attorney for Plaintiff requesting an extension of time until October 1, 1999 in which to file Plaintiff's response to Defendant's discovery.

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**July 6, 1999**

Letter forwarded to attorney for Plaintiff granting Plaintiff's request until October 1, 1999 in which to file Plaintiff's response to Defendant's discovery.

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**July 8, 1999**

Letter received from attorney for Defendant advising that they disagree with Plaintiff's reason for wanting an extension of time.

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**July 9, 1999**

Letter received from attorney for Plaintiff clarifying Plaintiff's need for an extension of time.

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**September 30, 1999**

Letter received from attorney for Plaintiff requesting a second extension of time until December 31, 1999 in which to respond to Defendant's discovery requests.

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**October 1, 1999**

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for a second extension of time until December 31, 1999 in which to respond to Defendant's discovery requests.

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**December 2, 1999**

Letter received from attorney for Plaintiff requesting an extension of time until April 28, 2000 in which to respond to Defendant's First Set of Interrogatories and First Request for Production of Documents filed by attorney for Plaintiff.

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**December 30, 1999**

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for an an extension of time until April 28, 2000 in which to respond to Defendant's First Set of Interrogatories and First Request for Production of Documents filed by attorney for Plaintiff.

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**February 15, 2000**

DPW's Motion for Protective Order Compelling Claimants to Share in the Cost of Compliance with Claimant's Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff March 17, 2000.

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**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.

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**March 23, 2000**

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

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**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.

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**April 20, 2000**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th 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. 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 request. 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.

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**April 17, 2000**

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

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**April 25, 2000**

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

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**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.**

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**May 3, 2000**

Acceptance of Service of Opinion and Order dated April 20, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 2, 2000.

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**May 22, 2000**

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

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**May 22, 2000**

Plaintiff's Response to DPW's Request for Production of Documents and Answers to Interrogatories.

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**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.

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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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**May 30, 2000**

Order rendered in Commonwealth Court as follows: "NOW, May 22, 2000, upon consideration of the above petition for review, and it 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)."

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**June 5, 2000**

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

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**CLOSED**

June 5, 2000  
Claimant's Reply to Defendant's response to Claimant's Motion for Clarification filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.  
August 24, 2000

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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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**November 29, 2000**

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

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December 1, 2000

The Board made the following Order: "**AND NOW**, this 1st day of December, 2000, upon receipt of a Praecipe for Discontinue, advising the Board that "Pursuant to a separate settlement agreement between the parties, this matter may be closed, ended and discontinued with prejudice.", executed by Elizabeth S. Antoun, Esquire, attorney for Plaintiff, and docketed with this Board under date of November 29, 2000, it is **ORDERED** and **DIRECTED** that said case be marked "settled, discontinued and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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December 4, 2000

Acceptance of service of Order dated December 1, 2000 received from attorney for Plaintiff. Receipt of said acknowledged by attorney for Plaintiff December 1, 2000.

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