

Docket Number: 2638

GENESIS HEALTH VENTURES, INC., d/b/a Highland Center

Stephen A. Miller, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~

Jason W. Manne, Assistant Counsel

January 27, 1998

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

January 29, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT MARCH 2, 1998.

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.

CLOSED

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

February 26, 1998

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.

June 4, 1998

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Reply due from Plaintiff July 9, 1998.

July 1, 1998

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

March 16, 1999

Letter forwarded to parties requesting a Status Report. **Status Report due April 15, 1999.**

March 24, 1999

Letter/Status Report received from Plaintiff advising that while they have not received discovery requested, Defendant advised Plaintiff that they should begin to receive the requested discovery by May 15, 1999.

October 22, 1999

Letter forwarded to parties requesting a Status Report. **STATUS REPORT DUE ON OR BEFORE NOVEMBER 22, 1999.**

November 23, 1999

Letter/Status Report received from attorney for Plaintiff advising that they continue to work with Defendant towards a resolution of all discovery and once all discovery is obtained and a determination has been made whether this appeal can be settled or a hearing is necessary, Plaintiff will contact the Board.

December 6, 1999

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

January 14, 2000

Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due from Defendant **February 8, 2000.**

January 28, 2000

Notice of Service of Respondent's First Set of Interrogatories filed by attorney for Defendant.

February 1, 2000

Letter received from attorney for Defendant requesting an extension of time of thirty (30) days to respond to Plaintiff's discovery requests and requests that consideration of Plaintiff's Motion to Compel be stayed for that period. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 3, 2000

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant's request for an extension of time of thirty (30) days to respond to Plaintiff's discovery requests and staying consideration of Plaintiff's Motion to Compel until that time. **Defendant's Responses to Pltff's discovery requests due February 23, 2000.**

February 11, 2000

Letter received from Plaintiff requesting the Board order Defendant to produce Plaintiff with the discovery documents - electronic files - that had been requested by Plaintiff and/or further that the Board rule on Claimant's pending Motion to Compel, or in the alternative, schedule a discovery conference and order Defendant and Claimant to attend.

February 15, 2000

DPW's Motion for a Protective Order Compelling Claimants 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.

February 16, 2000

Withdrawal of Motions to Compel Without Prejudice filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 10, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of March, 2000, it is **ORDERED** and **DECREED** that Plaintiff's Motion to Compel shall be **DISMISSED**, without prejudice. Since Plaintiff has requested to withdraw its Motion to Compel, Defendant's Motion for Protective Order Compelling Claimant's to Share in the Cost of Compliance with Claimant's Discovery is **MOOT** and said Motion shall, therefore, be **DISMISSED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 13, 2000

Acceptance of Service of Opinion and Order dated March 10, 2000 received from attorney for Plaintiff. Receipt forwarded and acknowledged by attorney for Plaintiff March 13, 2000.

March 23, 2000

DPW's Reply Brief in Support of Motion for a Protective Order, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 14, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on/or before **October 16, 2000**.

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 16, 2000

Letter/Status Report received from Plaintiff advising that the parties are negotiating a settlement in this matter and that they have agreed that formal discovery will be put on hold pending these negotiations and documents will be exchanged in an informal manner.

January 25, 2001

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

January 26, 2001

The Board made the following Order: "**AND NOW**, this 26th day of January, 2001, upon receipt of Praecipe For discontinuances, advising that ".this matter may be closed, ended and discontinued with prejudice", executed by Daniel N. Schoff, Esquire, Jonathan L. Jones, Esquire and Stephen A. Miller, Esquire, attorneys for Plaintiffs, and docketed with this Board under date of January 25, 2001, it is **ORDERED** and **DIRECTED** that the cases mentioned on the attached list, be marked 'closed, ended and discontinued with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.
