

Docket Number: 2640

~~*PENN MED CONSULTANTS, INC., AUDUBON VILLA, BRIARCLIFF PAVILION,
BUTLER VALLEY NURSING HOME, DENVER NURSING HOME, EASTON NURSING HOME,
GREEN RIDGE HOME, LAKESIDE NURSING CENTER, MILLVILLE HEALTH CENTER,
NIPPLE CONVALESCENT CENTER, ORANGEVILLE NURSING AND REHABILITATION
CENTER, OVERLOOK MEDICAL CLINIC, PALMYRA NURSING HOME, PRAXIS NURSING
HOME, SILVER OAKS NURSING HOME, TWIN OAKS NURSING HOME, GILMORE'S
WHITE CLIFF NURSING HOME~~

~~** BRIARCLIFF NURSING CENTER ASSOCIATES, LANCASTER NURSING CENTER
ASSOCIATES, OVERLOOK NURSING CENTER ASSOCIATES, EASTON NURSING
CENTER ASSOCIATES, WHITE CLIFF NURSING CENTER ASSOCIATES, GREEN RIDGE
NURSING CENTER ASSOCIATES, MILLVILLE NURSING CENTER ASSOCIATES and
ORANGEVILLE NURSING AND REHABILITATION CENTER limited partnership~~

~~Louis J. Capozzi, Jr., Esquire
Katherine E. Stine, Esquire~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Esquire~~

Kathleen Grogan, 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 3, 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

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.

June 4, 1998

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

July 9, 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 14, 1998

Letter forwarded to parties directing parties to commence with discovery.

***September 11, 1998**

Claimants' Petition for Leave to Amend Claim, Brief in Support and Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

****October 14, 1998**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 14th day of October, 1998, it is **ORDERED** and **DECREED** that the Plaintiff's Petition to Amend the Claim is hereby **GRANTED**. It is further **ORDERED** and **DECREED** that the caption of said case shall hereinafter be as follows: BRIARCLIFF NURSING CENTER ASSOCIATES, LANCASTER NURSING CENTER ASSOCIATES, OVERLOOK NURSING CENTER ASSOCIATES, EASTON NURSING CENTER ASSOCIATES, WHITE CLIFF NURSING CENTER ASSOCIATES, GREEN RIDGE NURSING CENTER, MILLVILLE NURSING CENTER ASSOCIATES and ORANGEVILLE NURSING AND REHABILITATION CENTER, a limited partnership. Defendant, Commonwealth of Pennsylvania, Department of Public Welfare is directed to file their response to Plaintiff's Amended Claim within thirty (30) days from receipt of said Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 22, 1998

Acceptance of Service of Opinion and Order dated October 14, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 19, 1998.

November 2, 1998

Acceptance of Service of Opinion and Order dated October 14, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 12, 1998.

November 30, 1998

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

December 8, 1998

Notice of Service of Claimant's Request for Production of Documents filed by attorney for Plaintiff.

CLOSED

Motion to Compel Responses to Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 2, 1999

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

March 2, 1999

Letter received from attorney for Defendant requesting a 30 day extension of time to respond to Claimant's Motion to Compel Responses to Discovery. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 5, 1999

Letter forwarded to attorney for Defendant, with a copy to attorney for Plaintiff, granting Defendant's request for a thirty (30) day extension of time to respond to Claimant's Motion to Compel Responses to Discovery. **Defendant's Response to Motion to Compel now due on or before March 31, 1999.**

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.

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 of March 25, 1999.

CLOSED

Notice of Service of Defendant's First Request for Production of Documents filed by Defendant.

September 30, 1999

Letter received from attorney for Plaintiff requesting an extension of time, until December 31, 1999, in which to either produce documentation requested by Defendant, or to file objections to same.

October 4, 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, in which to either produce documentation requested by Defendant, or to file objections to same. **Plaintiff's response/objection to Defendant's discovery request now due on or before December 31, 1999.**

November 23, 1999

Letter-type Stipulation of Withdrawal with Prejudice in Part of Only That Portion of Pending Disputes Concerning 1993-1996 Home Office Costs filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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.

December 21, 1999

Letter received from attorney for Plaintiff requesting an extension of time until April 28, 2000 in which to respond to Defendant's discovery request. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 22, 1999

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 April 28, 2000.

January 13, 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 20, 2000

Letter received from attorney for Defendant requesting an extension of time of ninety (90) 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.

January 24, 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 Pltf's discovery requests due April 24, 2000.**

January 26, 2000

Letter-type Motion to Withdraw Plaintiff's Motion to Compel, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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 Set of Continuing Interrogatories and First Request for Production of Documents. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**.

CLOSED
April 25, 2000
The Board rendered an opinion and made the following Order: "And Now, this 25th day of April, 2000 upon review of the joint request of the parties, the Claimant's Motion to Compel Discovery is determined to be **WGT** on all issues raised therein and the docket shall reflect that said Motion is "Withdrawn". It is so **ORDERED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 2, 2000

Acceptance of Service of Opinion and Order dated April 25, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 28, 2000.

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.

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.

November 13, 2000

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

November 15, 2000

The Board made the following Order: "**AND NOW**, this 15th day of November, 2000, upon receipt of a Praecipe for Discontinuance, advising that "this matter may be closed, ended and discontinued with prejudice", executed by Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, Briarcliff Nursing Center Associates, et al., and docketed with this Board under date of November 13, 2000, it is **ORDERED** and **DIRECTED** that said case be marked "closed, ended, and discontinued with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 17, 2000

Acceptance of Service of Order dated November 15, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 16, 2000.

November 21, 2000

Acceptance of Service of Order dated November 15, 2000, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 17, 2000.

CLOSED