

Docket Number: 2659

**BUCTAIL MEDICAL CENTER**

Daniel K. Natirboff, Esquire  
Louis J. Capozzi, Jr., Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~  
~~Jeffrey Bechtel, Assistant Counsel~~  
Cynthia W. Williams, Assistant Counsel

**February 27, 1998**

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

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**March 4, 1998**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT: APRIL 3, 1998.

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**March 11, 1998**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 5, 1998.

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**March 12, 1998**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 5, 1998.

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**April 7, 1998**

Letter/Request for a 30-day extension of time to file Defendant's response in this matter filed by attorney for Defendant. Plaintiff has no objection to same.

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**April 10, 1998**

Letter forwarded to parties granting Defendant's response for a 30-day extension of time for Defendant to file its response in this matter. **Response to Claim due on or before May 5, 1998.**

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**May 5, 1998**

Answer to Complaint 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 June 6, 1998.*

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**June 3, 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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**December 8, 1998**

Letter forwarded to parties requesting a Status Report. Status Report due on or before January 7, 1999.

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**January 7, 1999**

Letter/Status Report received from attorney for Plaintiff advising that the Plaintiff has served Defendant with its First Request for Production of Documents and once they receive and review the requested documents, they will forward a settlement offer in the form of a position paper to Defendant. They will immediately notify the Board if a settlement agreement is reached and if the parties are unable to reach a settlement, they will promptly request that the matter be scheduled for hearing. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**January 7, 1999**

Notice of Service of Claimant's First 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 8, 1999**

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

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**April 13, 1999**

Notice of Service of Claimant's First Request for Admissions, filed by attorney for Plaintiff.

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**April 19, 1999**

Notice of Service of Respondent's First Set of Interrogatories First Set of Requests for Production of Documents to Claimant filed by attorney for Defendant.

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**May 17, 1999**

Letter requesting a thirty (30) day extension of time for Plaintiff to respond to Respondent's Discovery Request filed by attorney for Plaintiff.

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**May 20, 1999**

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

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**June 23, 1999**

Letter requesting a thirty (30) day extension of time for Plaintiff to respond to Respondent's Discovery Request filed by attorney for Plaintiff.

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**June 25, 1999**

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

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**July 26, 1999**

Letter requesting a thirty (30) day extension of time for Plaintiff to respond to Respondent's Discovery Request filed by attorney for Plaintiff.

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**June 28, 1999**

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

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**August 25, 1999**

Letter requesting a thirty (30) day extension of time for Plaintiff to respond to Respondent's Discovery Request filed by attorney for Plaintiff.

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**August 26, 1999**

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

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**August 25, 1999**

Letter requesting a thirty (30) day extension of time for Plaintiff to respond to Respondent's Discovery Request filed by attorney for Plaintiff.

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**August 26, 1999**

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

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**November 12, 1999**

Letter requesting a thirty (30) day extension of time for Plaintiff to respond to Respondent's Discovery Request filed by

attorney for Plaintiff.

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**November 18, 1999**

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

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**December 20, 1999**

Letter/Request for a two-week extension of time for Plaintiff to respond to Defendant's discovery request filed by attorney for Plaintiff.

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**December 21, 1999**

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for a two-week extension of time in which to respond to Defendant's discovery requests.

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**January 4, 2000**

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

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**August 21, 2000**

Letter forwarded to parties requesting a status report. Status Report due on or before **September 20, 2000**.

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**September 20, 2000**

Letter received from attorney for Plaintiff advising that they anticipate submitting a settlement offer/position paper to Defendant in the coming months.

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**April 23, 2001**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **May 23, 2001**.

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**May 24, 2001**

Letter received from Plaintiff advising that they anticipate submitting a settlement offer/position paper to Defendant in the coming months.

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**December 6, 2001**

Letter forwarded to parties requesting a Status Report. Status  
Report due on or before January 7, 2001.

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**January 18, 2002**

The Board rendered an Opinion and made the following Order: ~~AND~~ **NOW**, this 18th day of January, 2002, a Rule to Show Cause is issued upon Plaintiff, Bucktail Medical Center, 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 Plaintiff wishes to pursue this matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked "settled, discontinued and ended with prejudice". Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**January 24, 2002**

Acceptance of Service of Opinion and Order dated January 18, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 22, 2002.

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**January 31, 2002**

Acceptance of Service of Opinion and Order dated January 18, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 28, 2002.

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**January 31, 2002**

Letter received from attorney for Plaintiff advising that they do wish to pursue this matter and that they are preparing a comprehensive settlement offer and position paper.

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**July 30, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before August 29, 2002.

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**September 3, 2002**

Letter received from attorney for Plaintiff advising that they are preparing a comprehensive settlement offer and position paper and will immediately inform the Board if the parties are able to settle.

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**September 16, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 16<sup>th</sup> day of September, 2005, it is **ORDERED** and **DECREED** that pursuant to 42 Pa. C.S.A. §5103(a) and Pa. R.C.P. 213(f), this matter and the record thereof is **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant.

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**October 3, 2005**

Board transferred file to Department of Public Welfare, Bureau of Hearing and Appeals.

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