

Docket Number: 2661

BALDOCK HEALTH CARE CENTER

~~Stephen A. Miller, Esquire~~
Michael Hynum, Esquire
(Capozzi & Associates)

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Jeffrey P. Schmoyer, Assistant Counsel

March 12, 1998

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

March 18, 1998

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT:** April 17, 1998.

March 24, 1998

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General March 19, 1998.

March 27, 1998

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 20, 1998.

April 23, 1998

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

October 27, 1998

Letter forwarded to parties requesting a status report. Status Report due on or before *November 30, 1998*.

November 20, 1998

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

November 25, 1998

Letter/Status Report received from Plaintiff advising that Plaintiff is engaging in discovery and will draft a position paper and settlement offer to present to Defendant. If a settlement is reached, Claimant will notify the Board of same.

August 23, 1999

Letter forwarded to parties requesting a status report. Status Report due on or before **September 22, 1999**.

September 22, 1999

Letter/Status Report received from attorney for Plaintiff advising that this matter is currently in the discovery stage and once they have obtained documents they requested from Defendant, they will develop a settlement proposal to forward to Defendant.

May 24, 2000

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

July 24, 2000

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 24th day of July, 2000, a Rule to Show Cause is issued upon Plaintiff, Baldock Health Care 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 xclosed, discontinued and ended with prejudice=.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 27, 2000

Letter/Status Report responding to the Board's Rule to Show Cause dated July 24, 2000, received from attorney for Plaintiff advising that they did prepare and send a status report on June 23, 2000 (copy of same attached) which for some reason the Board did not receive. Said Status Report advised that the parties were involved in discovery and that Plaintiff was awaiting a response to their First Request for Production of Documents.

July 31, 2000

Acceptance of Service of Opinion and Order dated July 24, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 26, 2000.

March 19, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 18, 2001**.

April 16, 2001

Letter received from attorney for Plaintiff advising that Plaintiff is awaiting a response to discovery requests from Defendant which were sent some time ago, and once they are in receipt of same, they will attempt to reach a settlement of the issues in this matter.

October 19, 2001

Letter forwarded to parties requesting a Status Report. Same due on or before **November 19, 2001**.

November 21, 2001

Letter received from attorney for Plaintiff advising that they received information from Defendant pursuant to discovery requests and are reviewing documentation and will prepare a settlement proposal to be forwarded to Defendant in an attempt to reach a settlement of the issues in this matter.

May 22, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 21, 2002**.

June 18, 2002

Letter received from attorney for Plaintiff advising that Plaintiff is in need of further discovery for Docket No. 2515 and will attempt to work out an arrangement with Defendant to receive the necessary discovery and once same is received will attempt to reach a settlement that is fair and equitable to both parties.

September 16, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 16th 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.

September 27, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated September 16, 2005. Receipt of same acknowledged September 26,

2005.

October 3, 2005

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