

Docket Number: 2726

**ARBUTUS PARK MANOR**

~~Daniel K. Natirboff, Esquire~~  
Michael A. Hynum, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~  
Jason W. Manne, Assistant Counsel

**July 27, 1998**

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

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**July 31, 1998**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT AUGUST 31, 1998 .

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**August 7, 1998**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant

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**August 10, 1998**

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

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**August 20, 1998**

Praecipe for Substitution of Verification filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 3, 1998**

Letter received from attorney for Defendant requesting an extension of time until September 25, 1998 in which to file Defendant's Answer to Plaintiff's Claim.

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**September 10, 1998**

Letter forwarded to Defendant granting Defendant's request for an extension of time until September 25, 1998 in which to file Defendant's Answer to Plaintiff's Claim.

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**September 30, 1998**

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

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**October 1, 1998**

Letter forwarded to attorney for Plaintiff requesting response to New Matter. Response due November 1, 1998.

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**October 29, 1998**

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

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**October 30, 1998**

Letter forwarded to parties directing the parties to commence with discovery.

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**November 8, 1999**

Letter forwarded to parties requesting status. Response due from parties December 8, 1999.

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**November 19, 1999**

Status letter received from attorney for Plaintiff advising that the parties are in discovery.

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**November 19, 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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**June 2, 2000**

Letter forwarded to parties requesting status. Response due from parties July 3, 2000.

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**August 30, 2000**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 30th day of August, 2000, a Rule to Show Cause is issued upon Plaintiff, Arbutus Park Manor, 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 the above-captioned 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 >closed, discontinued and ended with prejudice-.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**September 1, 2000**

Status letter received from attorney for Plaintiff advising that the Plaintiff does wish to pursue with this case.

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**September 5, 2000**

Acceptance of Service of Opinion and Order dated August 30, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 1, 2000.

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**March 23, 2001**

Letter forwarded to parties requesting a status. Response due from parties April 23, 2001.

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**May 3, 2001**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 3rd day of May, 2001, a Rule to Show Cause is issued upon Plaintiff, Arbutus Park Manor, 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 the above-captioned 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 "closed, discontinued and ended with prejudice".@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**May 7, 2001**

Acceptance of Service of Opinion and Order dated May 3, 2001 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 7, 2001.

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**May 7, 2001**

Letter/Response to Rule to Show Cause filed by attorney for Plaintiff advising that the Plaintiff does wish to pursue this matter and will seek settlement of this case once discovery is received.

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**November 6, 2001**

Letter forwarded to parties requesting a status report. Status report due on or before 12/6/01.

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**December 7, 2001**

Status letter received from attorney for Plaintiff advising that Plaintiff is still waiting on Defendant's Response to Plaintiff's Request for Production of Documents which was served in November

1999 and once discovery is completed, Plaintiff will seek settlement of the case.

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**June 12, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **July 12, 2002**.

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**July 12, 2002**

Status letter received (via fax) from attorney for Plaintiff advising that the parties are engaged in discovery.

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**July 15, 2002**

Letter/Status Report received (via U.S. Mail) from attorney for Plaintiff advising that the parties have reached a settlement and is awaiting approval from the OHA.

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**October 12, 2005**

Board rendered and Opinion and Order. Order as follows: "**AND NOW**, this 12<sup>th</sup> day of October, 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 17, 2005**

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

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**October 24, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated October 12, 2005. Receipt of same acknowledged October 18, 2005.

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