

Docket Number: 2784

GENESIS HEALTH VENTURES, INC., d/b/a
Homestead Nursing and Rehabilitation Center

Stephen A. Miller, Esquire
Michael A. Hynum, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Leonard W. Crumb, Assistant Counsel

September 14, 1998

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

September 17, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ***Answer Due from Defendant October 19, 1998***

September 24, 1998

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 18, 1998.

September 24, 1998

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 21, 1998.

October 16, 1998

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

November 13, 1998

Letter/Request for extension of time to file its Answer to New Matter pending the preparation of an Application for Approval of Amendments for filing, filed by attorney for Plaintiff.

November 19, 1998

Letter forwarded to Plaintiff, with copy to Defendant, granting Plaintiff's request for an extension of time to file its Answer to New Matter pending the preparation of an Application for Approval of Amendments.

December 14, 1998

Claimant's Petition for Leave to Amend Claim and Memorandum of Law in Support of Petition to Amend Statement of Claim, with copy of Amended Statement of Claim attached as Exhibit A, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 13, 1999

Response in Opposition to Claimant's Petition for Leave to Amend Claim as well as Brief in Support of DPW's Response in Opposition to Claimant's Petition for Leave to Amend Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 20, 1999

Claimant's Memorandum of Law in Rebuttal to Respondent's Response in Opposition to Claimant's Petition for Leave to Amend filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 26, 1999

The Board rendered an Opinion and made the following Order: **AND NOW**, this 26th day of February, 1999 upon consideration of claimant's petition for leave to amend and respondent's opposition, the petition is hereby **GRANTED**. Further, it is **ORDERED** that the respondent will respond to the amended claim within thirty (30) days of the date of service.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 26, 1999

Copy of Amended Statement of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

March 2, 1999

Acceptance of Service of Opinion and Order dated February 26, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 1, 1999.

March 3, 1999

Acceptance of Service of Amended Statement of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 26, 1999.

March 4, 1999

Acceptance of Service of Opinion and Order dated February 26, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 1, 1999.

March 4, 1999

Acceptance of Service of Amended Statement of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 1, 1999.

April 5, 1999

Letter received from attorney for Defendant requesting a thirty (30) day extension of time in which to respond to the Plaintiff's Amended Statement of Claim. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 6, 1999

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granted request for an extension of thirty (30) days in which to respond to Plaintiff's Amended Statement of Claim. **Defendants response to Amended Statement of Claim due May 6, 1999.**

April 26, 1999

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

May 10, 1999

Answer to New Matter (to Amended Claim) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 10, 1999

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

January 14, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **February 14, 2000.**

February 2, 2000

Letter/Status Report received from attorney for Plaintiff advising that the claim is currently in the discovery stage and Plaintiff filed its First Request for Answers to Interrogatories. Once they receive same, they will develop a settlement proposal to be forwarded to Defendant.

September 26, 2000

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

November 22, 2000

Notice of Service of Claimant's Response to Respondent's First Set of Interrogatories filed by attorney for Plaintiff.

June 5, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **July 5, 2001**.

July 3, 2001

Letter/Status Report received from attorney for Plaintiff advising that Plaintiff plans to forward a settlement proposal to DPW in the near future.

January 3, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **2/4/02**.

February 6, 2002

Status letter received from attorney for Plaintiff advising that Plaintiff plans to forward a settlement proposal to DPW in the near future.

August 6, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **9/5/02**.

September 3, 2002

Status letter received from attorney for Plaintiff advising that Plaintiff plans to forward a settlement proposal to DPW in the near future.

October 27, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 27th 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.

October 31, 2005

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

November 2, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 27, 2005. Receipt of same acknowledged October 31, 2005.

November 8, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated October 27, 2005. Receipt of same acknowledged October 31, 2005.
