

Docket Number: 2787

GOLDEN SLIPPER UPTOWN HOME FOR THE AGED

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

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~
~~Carol Ulichney, Assistant Counsel~~
Kathleen Grogan, Senior 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 15, 1998

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

November 16, 1998

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

November 24, 1998

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

August 25, 1999

Letter forwarded to parties requesting a Status Report. Status Report due on or before **September 24, 1999**.

September 24, 1999

Letter/Status Report received from attorney for Defendant advising that they have not yet received a position paper from Plaintiff to determine whether this case can be amicably resolved.

September 24, 1999

Letter/Status Report, in response to Defendant's status report, received from attorney for Plaintiff advising that they are still awaiting the Production of Documents from Defendant in order to prepare a position paper/settlement offer in this case.

May 26, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 26, 2000.**

June 8, 2000

Letter received from attorney for Plaintiff advising that settlement of this matter has not yet occurred and they are continuing discovery and analysis of facility records with respect to this matter to determine whether this and related matters will need to proceed to hearing.

June 15, 2000

Letter received from attorney for Plaintiff advising that they are continuing discovery and analysis of the facility's documents in order to prepare a position paper/settlement offer for Defendant.

December 20, 2000

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

January 22, 2001

Letter received from counsel for Plaintiff advising that Plaintiff is in the final stages of preparing a settlement offer/position paper and anticipates forwarding same to Defendant in the coming months.

August 1, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **August 31, 2001.**

August 20, 2001

Letter received from attorney for Plaintiff advising that Plaintiff is currently reviewing DPW's counter proposal and if a settlement can not be reached, they will request a hearing.

February 6, 2002

Notice of Deposition of the individual(s) the Department of

Public Welfare designates to testify on the Department's behalf
filed by attorney for Plaintiff. Copy forwarded to attorney for
Defendant by attorney for Plaintiff.

February 26, 2002

Notice of the individual(s) the Department of Public Welfare designates to testify on the Department's behalf filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 26, 2002

Claimant's Motion to Compel Attendance of a Witness filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. **Defendant's Response due March 19, 2002.**

February 27, 2002

Brief in Support of Claimant's Motion to Compel Attendance of a Witness filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 18, 2002

DPW's Answer in Opposition to Motion to Compel Attendance of a Witness and Motion for Protective Order and Stay and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 10, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 10th day of April, 2002, it is **ORDERED** and **DECREED** that the Plaintiff's Motion to Compel Attendance of a Witness be **DENIED**. It is further **ORDERED** and **DECREED** that the Defendant's Motion for Protective Order and Stay be **GRANTED**.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 10, 2002

Claimant's Answer in Opposition to Respondent's Motion for A Protective Order and Stay and Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 15, 2002

Acceptance of Service of Opinion and Order dated April 10, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 12, 2002.

April 23, 2002

Acceptance of Service of Opinion and Order dated April 12, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 12, 2002.

June 11, 2002

Claimant's Motion to Remove Protective Order and Stay and Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. **Defendant's Response and Brief in Opposition due July 12, 2002.**

July 10, 2002

Letter received from attorney for Defendant requesting an extension of time of 30 days to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay.

July 11, 2002

Letter forwarded to attorney for Defendant granting a 30 day extension of time to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay. **Defendant's Response & Brief due August 12, 2002.**

August 12, 2002

Letter received from attorney for Defendant requesting an extension of time of 30 days to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay.

August 15, 2002

Letter forwarded to attorney for Defendant granting a 30 day extension of time to file a response and supporting brief to Plaintiff's Motion to Remove Protective Order and Stay. **Defendant's Response & Brief due September 16, 2002.**

September 18, 2002

DPW's Answer and New Matter in Opposition to Motion to Remove Protective Order and Stay and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Plaintiff's Response due October 24, 2002.**

October 15, 2002

Claimant's Answer to DPW's New Matter in Opposition to Motion to Remove Protective Order and Stay filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 14, 2003

Supplemental Brief in Support of Claimant's Motion to Remove Protective Order and Stay filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 18, 2003

The Board rendered an Opinion and made the following Order: **AND NOW**, this 18th day of March, 2003, it is **ORDERED** and **DECREED** that the Plaintiff's Motion to Remove Protective Order and Stay is **GRANTED**. The parties are directed to proceed with this matter.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 24, 2003

Acceptance of Service of Opinion and Order dated March 18, 2003 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 19, 2003.

March 24, 2003

Acceptance of Service of Opinion and Order dated March 18, 2003 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 20, 2003.

July 19, 2005

Plaintiff filed Praecipe to Settle, Discontinue and End. Copy forwarded to Defendant.

October 28, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 28th 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 3, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 28, 2005. Receipt of same acknowledged November 1, 2005.

November 8, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated October 28, 2005. Receipt of same acknowledged November 4, 2005.
