

Docket Number: 2798

ELM TERRACE GARDENS

~~John N. Kennedy, Esquire~~
David C. Marshall, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

John A. Kane, Chief Counsel
Carol Ulichney, Assistant Counsel

September 18, 1998

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

October 1, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT November 2, 1998.

October 7, 1998

Acceptance of Service of Complaint dated October 1, 1998 filed by Chief Deputy Attorney General October 2, 1998.

October 26, 1998

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

November 2, 1998

Letter forwarded to Plaintiff directing a response to Defendant's New Matter.

December 2, 1998

Claimant's Reply to Respondent's New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 10, 1998

Letter forwarded to parties directing them to proceed with discovery.

August 31, 1999

Letter forwarded to parties requesting a status. Response due October 1, 1999.

September 24, 1999

Letter received from attorney for Plaintiff advising that they are preparing a settlement offer in the form of a position paper to be forwarded to the Defendant.

September 28, 1999

Letter received from attorney for Defendant advising that they

are currently awaiting receipt of a position paper from the Plaintiff to determine whether this case can be amicably resolved.

May 24, 2000

Status letter forwarded to parties. DUE 6/26/00.

June 12, 2000

Letter received from attorney for Plaintiff advising that they are preparing a settlement offer to be presented to Defendant. If the parties are unable to settle a hearing will be requested.

January 30, 2001

Letter forwarded to parties requesting a status. DUE 3/1/2001.

March 8, 2001

US Mail and faxed letter received from Plaintiff advising that they are preparing a settlement offer in the form of a position paper for Defendant.

October 1, 2001

Letter forwarded to parties requesting a status report. Due 11/1/01.

October 10, 2001

Letter received from attorney for Plaintiff advising that they are currently preparing a settlement offer in the form of a position paper to be sent to Defendant. If the parties are unable to reach an amicable resolution, Plaintiff will request a hearing.

April 15, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before May 15, 2002.

May 17, 2002

Letter received from attorney for Plaintiff advising that Plaintiff is preparing a settlement offer in the form of a position paper to send to Defendant.

October 25, 2005

Board rendered an Opinion and Order. Order as follows: "AND

NOW, this 25th 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

Plaintiff filed Acceptance of Service of Opinion and Order dated October 25, 2005. Receipt of same acknowledged November 2, 2005.

November 8, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 25, 2005. Receipt of same acknowledged November 7, 2005.
