

**Docket Number: 2815**

**ARTMAN LUTHERAN HOME**

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

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

John A. Kane, Chief Counsel  
Catherine Stewart, Assistant Counsel

**December 18, 1998**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$101,767.00

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**December 29, 1998**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT JANUARY 29, 1998.

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**January 4, 1999**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 30, 1999.

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**January 7, 1999**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 31, 1998.

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**November 2, 1999**

Letter forwarded to parties requesting status. Response due from parties December 2, 1999.

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**December 1, 1999**

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

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**June 5, 2000**

Letter forwarded to parties requesting status. Response due from parties July 5, 2000.

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**August 29, 2000**

The Board rendered an Opinion and made the following Order: ~~AND~~ **NOW**, this 29th 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 xclosed, discontinued and ended with prejudice=.\* Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 31, 2000**

Acceptance of Service of Opinion and Order dated August 29, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 30, 2000.

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**September 6, 2000**

Acceptance of Service of Opinion and Order dated August 29, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 31, 2000.

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**September 18, 2000**

Status letter received from attorney for Plaintiff advising that the parties are conducting settlement negotiations.

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**March 23, 2001**

Letter forwarded to parties requesting a status. Response due from parties 4/23/01.

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**April 18, 2001**

Status letter received from attorney for Plaintiff advising that they have forwarded a settlement offer in the form of a position paper to DPW and is currently awaiting a response.

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**October 22, 2001**

Letter forwarded to parties requesting a Status Report. Status Report due on or before November 21, 2001.

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**October 29, 2001**

Status letter received from attorney for Plaintiff advising that they have forwarded a settlement offer in the form of a position paper to DPW and is currently awaiting a response.

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**May 2, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before June 3, 2002.

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**May 13, 2002**

Letter received from attorney for Plaintiff advising that Plaintiff forwarded a settlement offer to Defendant and is

currently awaiting a response.

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**November 14, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **12/16/02**.

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**November 20, 2002**

Letter received from attorney for Plaintiff advising that Plaintiff forwarded a settlement offer to Defendant and is currently awaiting a response.

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**October 19, 2005**

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 19<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 24, 2005**

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

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**November 1, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated October 19, 2005. Receipt of same acknowledged October 31, 2005.

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**November 3, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated October 19, 2005. Receipt of same acknowledged November 2, 2005.

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