

Docket Number: 2824

ATRIUM I HEALTH AND REHABILITATION CENTER

Stephen A. Miller, Esquire
Daniel K. Natirboff, Esquire

CLOSED VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Mary Frances Grabowski, Senior Assistant Counsel

January 20, 1999

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

January 29, 1999

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT March 1, 1999.

February 3, 1999

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 1, 1999.

CLOSED

Letter received from attorney for Defendant requesting until April 15, 1999 in which to file Defendant's Response to Plaintiff's Claim.

March 16, 1999

Letter forwarded to attorney for Defendant granting Defendant until April 15, 1999 in which to file Defendant's Response to Plaintiff's Claim. **RESPONSE DUE APRIL 15, 1999.**

April 16, 1999

Preliminary Objections and Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 20, 1999

Letter forwarded to Plaintiff requesting response and brief to Defendant's Preliminary Objections. Response due from Plaintiff May 20, 1999.

April 27, 1999

Amended Statement of Claim filed by attorney for Plaintiff.

May 4, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW, THIS** 4th day of May, 1999, it is **ORDERED** and **DECREED** that the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, are **DISMISSED** as being MOOT. Counsel for the Defendant, should he so desire, may file Preliminary Objections to the Amended Complaint if same is warranted." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 4, 1999

Amended Statement of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant June 4, 1999.

May 1999

Acceptance of Service of Amended Statement of Claim received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 5, 1999.

May 12, 1999

Acceptance of Service of Opinion and Order dated May 4, 1999 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General.

May 12, 1999

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

June 9, 1999

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

June 22, 1999

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

June 30, 1999

Notice of Service of Defendant's First Request for Production of Documents and First Set of Interrogatories filed by attorney for Defendant.

August 23, 1999

Notice of Service of Documents filed by attorney for Plaintiff.

August 25, 1999

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

April 3, 2000

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

May 5, 2000

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

May 2, 2000

Letter received from attorney for Plaintiff requesting an extension of time until August 31, 2000 in which to respond to Defendant's discovery requests.

May 24, 2000

Letter received from attorney for Defendant advising that although they do not object to Plaintiff's request, they do not agree that an extension is warranted for the reasons cited in Plaintiff's letter.

May 31, 2000

Letter forwarded to attorney for Plaintiff granting extension of time until August 31, 2000 to respond to Defendant's discovery requests.

August 24, 2000

Letter received from attorney for Plaintiff requesting an extension of time until October 31, 2000 to respond to discovery.

September 1, 2000

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for an extension of time until October 31, 2000 in which to respond to discovery. Response due 10/31/00.

September 5, 2000

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

October 6, 2000

Letter/Status Report filed by attorney for Plaintiff advising that parties are in discovery. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 25, 2001

Letter forwarded to parties requesting a status report. Response due from parties May 25, 2001.

May 29, 2001

Letter/Status Report filed by attorney for Plaintiff advising that the Plaintiff anticipates filing a Motion Amended Claim in the coming weeks and will then aggressively pursue discovery. Copy forwarded to attorney for Defendant.

June 6, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **July 8, 2002.**

July 15, 2002

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of July, 2002, a Rule to Show Cause is issued upon Plaintiff, Atrium I Health and Rehabilitation Center, 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.

July 18, 2002

Acceptance of Service of Opinion and Order dated July 15, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 16, 2002.

September 3, 2002

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 3rd day of September, 2002, this Order is issued as a result of the failure of Plaintiff, Atrium I Health and Rehabilitation Center, to file with the Board of Claims, within thirty (30) days from July 15, 2002, a response to the Rule to Show Cause advising whether or not Plaintiff wishes to pursue the above-captioned matter. Therefore, it is **DIRECTED** that the Rule of July 15, 2002, be made **ABSOLUTE** and the record be marked 'closed and discontinued with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 6, 2002

Acceptance of Service of Opinion and Order dated September 3, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 4, 2002.

CLOSED