

Docket Number: 2828

PASSAVANT RETIREMENT AND HEALTH CARE CENTER

Daniel K. Natirboff, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Jason W. Manne, Assistant Counsel

February 2, 1999

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

February 3, 1999

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT MARCH 3, 1999**

February 8, 1999

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 4, 1999.

February 9, 1999

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 4, 1999.

March 12, 1999

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 23, 1999

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

April 27, 1999

Letter forwarded to attorney for Plaintiff requesting response to Defendant's New Matter. Response due May 27, 1999.

May 7, 1999

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

April 3, 2000

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

May 31, 2000

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

July 10, 2000

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

July 10, 2000

Notice of Service of Plaintiff's Second Request for Production of Documents filed by attorney for Plaintiff.

January 10, 2001

Letter forwarded to parties requesting status. Response due from parties February 12, 2001.

March 19, 2001

Letter forwarded to parties requesting status. Response due from parties April 19, 2001.

***April 13, 2001**

Motion for Leave to Amend Claim as well as Amended Claim filed by attorney for Plaintiff.

June 20, 2001

Letter forwarded to parties requesting status. Response due from parties July 20, 2001.

June 22, 2001

Letter-type Response filed by attorney for Defendant advising that they have no objection to the filing of Plaintiff's Amended Claim. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 26, 2001

Copy of Amended Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant July 26, 2001.

July 6, 2001

Acceptance of Service of Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 28, 2001.

July 19, 2001

Status letter received from attorney for Plaintiff advising that the Plaintiff is in the process of preparing a settlement offer to Defendant and further if the parties are unable to settle this matter, Plaintiff will request a hearing be set.

August 2, 2001

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

August 3, 2001

Letter forwarded to parties directing parties to commence with discovery.

August 31, 2001

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

February 7, 2002

Letter forwarded to parties requesting status. Response due from parties March 7, 2002.

February 25, 2002

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

April 1, 2002

Notice of Service of Request for Production of Documents as well as First Set of Interrogatories filed by attorney for Plaintiff.

September 11, 2002

Letter forwarded to parties requesting status. Response due from parties October 11, 2002.

November 6, 2002

Letter forwarded to parties requesting status. Response due from parties December 6, 2002.

November 13, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 13th day of November, 2002, a Rule to Show Cause is issued upon Plaintiff, Passavant Retirement and Health Care 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.

December 13, 2002

Status letter received from attorney for Plaintiff advising that the parties are in the discovery process in an attempt to negotiate a fair and equitable settlement of the issues.

November 4, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 4th day of November, 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.

November 8, 2005

Board transferred file to Department of Public Welfare, Bureau

of Hearing and Appeals.

November 9, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated November 4, 2005. Receipt of same acknowledged November 8, 2005.
