

*** CLOSED ***

Docket Number: 2840

RITE AID OF PENNSYLVANIA, INC.

Raymond P. Pepe, Esquire
Carleton O. Strouss, Esquire
David R. Overstreet, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~
Doris M. Leisch, Chief of Litigation

CLOSED

February 23, 1999

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: in excess of \$250,000.00+

February 25, 1999

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **Answer Due from Defendant March 29, 1999.**

March 3, 1999

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 26, 1999.

March 3, 1999

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 26, 1999.

March 29, 1999

Letter/Request for a thirty (30) day extension of time (until April 28, 1999) for Defendant to file a response to the Statement of Claim, filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 31, 1999

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant's request for a thirty (30) day extension of time in which to file its response to the Statement of Claim. **Response to Claim now due from Defendant April 28, 1999.**

April 27, 1999

Letter/Request for a thirty (30) day extension of time to respond to Plaintiff's Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 28, 1999

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting request for a thirty (30) day extension of time to respond to Plaintiff's Claim. **Defendant's**

Response to Plaintiff=s Claim now due on or before May 28, 1999.

May 27, 1999

Letter received from attorney for Defendant advising that the parties will, within ten days, submit a joint motion to stay these pending proceedings for at least ninety days. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 25, 1999

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

September 24, 1999

Status Report filed by Plaintiff advising that the parties are currently negotiating with respect to a comprehensive settlement of multiple lawsuits involving Plaintiff and expect said negotiations to conclude either in a settlement or a mutual recognition that a settlement will not occur, within the next 30 days. Plaintiff requests that this matter be stayed for a period of 30 days, with a status report to be due on October 23, 1999.

September 28, 1999

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for a stay of proceedings of thirty days (until **October 23, 1999**), with a status report due at that time.

October 18, 1999

Status Report filed by attorney for Plaintiff, and consented to by attorney for Defendant, requesting that the current stay of proceedings remain in effect and that the parties be directed to file a status report on or before November 1, 1999.

October 19, 1999

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting request for the stay to remain in effect and directing the parties file a status report on or before November 1, 1999.

November 1, 1999

Status Report filed by attorney for Plaintiff, and consented to by attorney for Defendant, requesting that the current stay of proceedings remain in effect and that the parties be directed to

file a status report on or before November 15, 1999.

November 3, 1999

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting request for the stay to remain in effect and directing the parties file a status report on or before November 15, 1999.

November 15, 1999

Status Report executed and filed by parties requesting that the current stay of proceedings remain in effect and that the parties be directed to file a status report on or before November 30, 1999.

November 16, 1999

Letter forwarded to attorney for Plaintiff and attorney for Defendant, granting request for the stay to remain in effect and directing the parties file a status report on or before November 30, 1999.

November 30, 1999

Status Report executed and filed by parties requesting that the current stay of proceedings remain in effect and that the parties be directed to file a further status report on or before December 30, 1999.

December 8, 1999

Letter forwarded to attorney for Plaintiff and attorney for Defendant, granting request for the stay to remain in effect and directing the parties file a further status report on or before December 30, 1999.

December 30, 1999

Status Report filed by Plaintiffs requesting that the current stay of proceedings remain in effect and that the parties be directed to file a further status report on or before January 31, 2000.

January 6, 2000

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting request for the stay to remain in effect and directing the parties file a further status report on or before January 31, 2000.

January 31, 2000

Status Report filed by attorney for Plaintiff requesting that the current stay of proceedings remain in effect and that the parties be directed to file a further status report on or before February 29, 2000.

February 3, 2000

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request that the current stay of proceedings remain in effect until such time the parties advise the Board that they are ready to proceed with this matter.

March 19, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 18, 2001**.

April 19, 2001

Status Report received from Plaintiff advising that counsel continues to believe that settlement of outstanding federal and state court litigation, including this, is likely in the near future and requesting that the current stay of proceedings remain in effect.

May 1, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **May 31, 2002**.

May 31, 2002

Status Report filed by attorney for Plaintiff advising that the parties are still in the process of settlement and requests that this matter be continued generally pending settlement.

June 4, 2002

Letter forwarded to Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for a continuance of this matter pending settlement negotiations and directing parties to file another Status Report on or before **September 4, 2002**.

September 4, 2002

Status Report filed by attorney for Plaintiff advising that the parties are still in the process of settlement and requests that

this matter be continued generally pending settlement.

September 9, 2002

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for a general continuance of this matter and directing parties to file a Status Report on or before **March 4, 2003**.

March 4, 2003

Status Report filed by attorney for Plaintiff advising that the parties are still in the process of settlement and requests that this matter be continued generally pending settlement.

March 10, 2003

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for a general continuance of this matter and directing parties to file a Status Report on or before **September 4, 2003**.

November 26, 2003

Board issued letter to parties requesting a Status Report. Status Report due on or before December 26, 2003.

December 24, 2003

Plaintiff filed Status Report advising that the parties are in the process of finalizing a settlement agreement and requesting the matter be continued generally. Copy forwarded to Defendant.

December 22, 2004

Plaintiff filed Praecipe for Discontinuance. Copy forwarded to Defendant.

December 23, 2004

Board rendered an Opinion and Order. Order as follows:
"AND NOW, this 23rd day of December, 2004, upon receipt of a Praecipe For Discontinuance filed by Raymond Pepe, Esquire, docketed with this Board under date of December 22, 2004, it is **ORDERED** and **DIRECTED** that said cases be marked "closed, discontinued and ended with prejudice."

January 4, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated December 23, 2004. Receipt of same acknowledged by Plaintiff December 27, 2004.