

Docket Number: 2865

HCR ManorCare, et al,

~~Steven M. Montresor, Esquire~~

Kimber L. Latsha, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
Department of Public Welfare

~~John A. Kane, Chief Counsel~~

Jason W. Manne, Esquire

May 4, 1999

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

May 14, 1999

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT June 14, 1999.

May 21, 1999

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 17, 1999.

May 24, 1999

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 19, 1999.

June 28, 1999

Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 28, 1999

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

July 23, 1999

*Amended Complaint filed by attorney for Plaintiff. Amount of Claim: Unchanged.

July 29, 1999

Copy forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant August 30, 1999.

August 6, 1999

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

August 16, 1999

Preliminary Objections to Amended Claim and Brief in Support filed by attorney Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Plaintiff's Response and Brief in Opp. Due September 20, 1999.

August 23, 1999

Letter received from attorney for Plaintiff advising that due to death and illness in his family their response to New Matter due on August 9, 1999, will not be filed until August 19, 1999.

September 13, 1999

Proposed Order, Claimant's Answer to Defendant's Preliminary Objections to Amended Claim and Claimant's Brief in Opposition to Defendant's Preliminary Objections to Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

December 15, 1999

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 15th day of December, 1999, upon consideration of Defendant's, Commonwealth of Pennsylvania, Department of Public Welfare, Preliminary Objections it is hereby **ORDERED** that: 1. Health Care and Retirement Corporation of America, Inc. is substituted as party Plaintiff to this Claim. 2. Defendant's Preliminary Objections on the basis of improper joinder of the entities listed as party plaintiffs is granted. 3. Plaintiff shall have thirty (30) days from service of this Order to amend its Claim to specifically set forth the relationship between HealthCare and Retirement Corporation of America, Inc. and the other entities listed in the caption." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 2, 2000

Acceptance of Service of Opinion and Order dated December 15, 1999, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 16, 1999.

January 14, 2000

***Second** Amended Complaint filed by attorney for Plaintiff. Amount of Claim: Unchanged.

January 19, 2000

Copy of Amended Complaint forwarded to attorney for Defendant and Chief Deputy Attorney General. Response due from Defendant **February 21, 2000**.

January 26, 2000

Acceptance of Service of Second Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 20, 2000.

May 8, 2002

Letter forwarded to parties requesting a status. **Response Due 6/7/02**.

May 22, 2002

Letter received from attorney for Plaintiff advising that they are currently preparing a settlement offer in the form of a position paper. Plaintiff will forward the position paper to Defendant upon its completion.

October 23, 2002

Answer to Second Amended Claim filed by attorney for Defendant. Response to Defendant's new Matter due from Plaintiff November 25, 2002.

November 22, 2002

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

January 31, 2003

Praecipe to Withdraw with Prejudice filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 20, 2003

The Board made the following Order: **AND NOW**, this 20th day of March 2003, upon consideration of the Praecipe to Withdraw With Prejudice filed January 31, 2003, by the Plaintiff, it is **ORDERED, ADJUDGED** and **DECREED** that this matter is withdrawn, discontinued, and dismissed with prejudice. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
