

Docket Number: 2943

JOHN XXIII HOME

Daniel K. Natirboff, Esquire
Michael Hynum, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Jeffrey P. Schmoyer, Assistant Counsel

July 21, 1999

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: in excess of \$300+.

July 23, 1999

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 8/23/99.**

July 29, 1999

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

August 3, 1999

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 28, 1999.

September 7, 1999

Answer of Commonwealth of Pennsylvania, Department of Public Welfare with New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 30, 1999

Letter/Request for a thirty (30) day extension of time for Plaintiff to file a response to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 4, 1999

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for an extension of time of thirty (30) days in which to respond to Defendant's New Matter. **Plaintiff's Reply to New Matter due on or before November 8, 1999.**

November 3, 1999

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

May 19, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 19, 2000.**

June 14, 2000

Letter received from attorney for Plaintiff advising that the

pleadings are closed and the parties are entering discovery. Once Claimant receives discovery requested, it will prepare a position paper/settlement offer to be forwarded to Defendant.

December 20, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **January 19, 2001**.

January 22, 2001

Letter received from counsel for Plaintiff advising that Plaintiff has accepted an IGT settlement involving Years 3 through 6 of Case-Mix and as a result, this appeal is being kept open to the extent it will affect reimbursement for the period beginning July 1, 2001 and beyond. Plaintiff will continue in the discovery process and attempt to negotiate settlement with Defendant.

March 7, 2001

Præcipe for Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 16, 2001

The Board made the following Order: "**AND NOW**, this 16th day of March, 2001, upon receipt of a Praecipe For Discontinuance, advising that '...this matter may be closed, ended and discontinued with prejudice as to all periods from July 1, 1997 through June 30, 2001, but without prejudice to any periods thereafter', executed by Daniel K. Natirboff, Esquire, on behalf of Plaintiff, John XXIII Home, and docketed with this Board under date of March 7, 2001, it is **ORDERED** and **DIRECTED** that said case be marked 'closed, ended and discontinued with prejudice as to all periods from July 1, 1997 through June 30, 2001, but without prejudice to any periods thereafter'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 22, 2001

Acceptance of Service of Order dated March 16, 2001, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 20, 2001.

March 28, 2001

Acceptance of Service of Order dated March 16, 2001 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 26, 2001.
