

Docket Number: 2974

THE CHILDREN'S HOSPITAL OF PHILADELPHIA

Mark H. Gallant, Esquire  
~~Mitchell A. Cohen, Esquire~~  
Kimberly A. Bane, Esquire

VS.  
**CLOSED**  
COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~  
~~Jeffrey Bechtel, Assistant Counsel~~  
Stephen Gorka, Assistant Counsel

**October 22, 1999**

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$900,159.27+.

---

**October 26, 1999**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 11/25/99.

---

**November 2, 1999**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 29, 1999.

---

**CLOSED**

---

Letter/request for an extension of time for Defendant to file its response to Plaintiff's Claim, filed by attorney for Defendant, via facsimile. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

---

**December 10, 1999**

Letter forwarded to attorney for Defendant, with copy to attorney for Plaintiff, granting Defendant's request for an extension of time in which to respond to Plaintiff's Claim. **Defendant's Response now due on or before December 30, 1999.**

---

**December 30, 1999**

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Response due from Plaintiff 2/3/00.**

---

**January 6, 2000**

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

---

**January 11, 2000**

Notice of Service of Respondent's First Set of Requests for Production of Documents to Claimant filed by attorney for Defendant.

---

**January 31, 2000**

Notice of Service of Respondent's Second Set of Interrogatories to Claimant filed by attorney for Defendant.

---

**March 28, 2000**

Notice of Service of Respondent's Response to Claimant's First Set of Interrogatories filed by attorney for Defendant.

---

**October 2, 2000**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **November 1, 2000**.

---

**October 16, 2000**

Status Report filed by Plaintiff advising that this matter is active, discovery is ongoing and that Plaintiff has attempted to engage Defendant in settlement negotiations, but to date, Defendant has not made any settlement offers to Plaintiff.

---

**October 20, 2000**

Notice of Service of Depositions of Fortuna Kostelac, Amy Flaherty, Grace McLuckie and Carol Snyder filed by attorney for Plaintiff.

---

**October 26, 2000**

Entry of Appearance of Kimberly A. Bane, Esquire and Withdrawal of Appearance of Mitchell A. Cohen, Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

---

**May 15, 2001**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 14, 2001**.

---

**June 13, 2001**

Letter received from attorney for Plaintiff advising that Plaintiff is completing depositions of all individuals identified by the Defendant in its responses to Plaintiff's First Set of Interrogatories as having substantive and relevant information relating to Plaintiff's claims.

---

**January 17, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before February 19, 2002.

---

**February 19, 2002**

Notice of Deposition for Carol Quick, Lois Boor and Joyce Grix filed by attorney for Plaintiff, via facsimile. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

---

**February 20, 2002**

Letter received from attorney for Plaintiff, via facsimile, advising that they are proceeding with discovery.

---

**February 20, 2002**

Notice of Service of Claimant's Second Request for Production of Documents filed by attorney for Plaintiff, via facsimile.

---

**CLOSED**

---

February 21, 2002  
Notice of Deposition for Carol Quick, Lois Boor and Joyce Grix filed by attorney for Plaintiff, via U.S. Mail. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

---

February 21, 2002  
Letter received from attorney for Plaintiff, via U.S. Mail, advising that they are proceeding with discovery.

---

**February 22, 2002**

Notice of Service of Claimant's Second Request for Production of Documents filed by attorney for Plaintiff, via U.S. Mail.

---

**August 28, 2002**

Letter forwarded to parties requesting a Status Report. Status Report due on or before **September 27, 2002**.

---

**September 23, 2002**

Letter received from attorney for Plaintiff advising that they are proceeding with discovery.

---

**April 5, 2004**

Plaintiff filed Agreement of Settlement and Mutual Release executed by parties, and requests the Board dismiss this action with prejudice.

---

**April 15, 2004**

Board issued Order. Order as follows: "**AND NOW**, this 15th day of April, 2004, upon receipt of an Agreement of Settlement and Mutual Release, wherein the parties request the Board to '. . . adopt this Agreement as the full and final resolution of this case.', executed by both Plaintiff and Defendant, and docketed with this Board under date of April 5, 2004, it is **ORDERED** and **DIRECTED** that the above-captioned matter be marked 'closed, settled and discontinued with prejudice'." Copy forwarded to Plaintiff and Defendant.

---

**April 21, 2004**

Defendant filed Acceptance of Service of Order dated April 15, 2004.  
Receipt of same acknowledged April 19, 2004.

---

**April 22, 2004**

Plaintiff filed Acceptance of Service of Order dated April 15, 2004.  
Receipt of same acknowledged April 19, 2004.

---

**CLOSED**