

Docket Number: 3450

KEVIN H. WRIGHT & ASSOCIATES

~~Kevin H. Wright, Esquire~~
Mark R. Zolfaghari, Esquire
NOTE CHANGE OF ADDRESS

VS.

COMMONWEALTH OF PENNSYLVANIA
MEDICAL PROFESSIONAL LIABILITY
CATASTROPHE LOSS FUND, JOHN REED AND KENNETH J. SERAFIN

~~James M. Sheehan, General Counsel~~
~~John Reed, Director~~
~~Kenneth J. Serafin, Chief Counsel~~
Guy A. Donatelli, Esquire

CLOSED

January 22, 2002

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$49,008.05+

January 31, 2002

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANTS MARCH 4, 2002.**

February 8, 2002

Acceptance of Service of Claim received from John Reed and Defendant. Receipt of same acknowledged February 4, 2002.

February 11, 2002

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 1, 2002.

March 4, 2002

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

March 5, 2002

Answer and New Matter filed via U.S. Mail by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff April 5, 2002.

March 25, 2002

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

March 27, 2002

Certificate of Service of the Answer of Claimant to Defendant= New Matter filed by attorney for Plaintiff.

March 29, 2002

Letter forwarded to parties directing parties to commence with discovery.

April 8, 2002

Status letter received from attorney for Defendant advising that

the parties are in discovery and further that Defendant has a mutually agreeable extension between the parties in which to answer and produce Plaintiff's discovery requests.

May 6, 2002

Motion to Compel filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due from Defendant June 7, 2002.

May 28, 2002

Defendant's Answer to Motion to Compel filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 24, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 24th day of June, 2002, it is hereby **ORDERED** and **DECREED** that the Defendant, Commonwealth of Pennsylvania, Medical Professional Liability Catastrophe Loss Fund, John Reed and Kenneth J. Serafin, shall provide full and complete answers to the Interrogatories and Request for Production of Documents propounded upon it by the Plaintiff, Kevin H. Wright and Associates, within twenty (20) days of the date of this Order. Failure to do so may result in sanctions.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 24, 2002

Plaintiff's Motion to Compel the Deposition of Robert Waeger filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due from Defendant July 25, 2002.

July 1, 2002

Acceptance of Service of Opinion and Order dated June 24, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 28, 2002.

July 3, 2002

Defendant's Answer to Motion of Plaintiff to Compel Deposition
filed by attorney for Defendant.

July 5, 2002

Acceptance of Service of Opinion and Order dated June 24, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 1, 2002.

August 9, 2002

Defendants= Motion for Protective Order filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff September 13, 2002.

August 12, 2002

Motion of Plaintiff to Compel Deposition of Barbara Flick filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

August 22, 2002

Defendants= Answer to Motion to Compel the Deposition of Barbara Flick filed. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 26, 2002

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 26th day of August, 2002, the Plaintiff's Motion is hereby **ORDERED MOOT**.

August 26, 2002

Defendants= Motion for a Settlement Conference filed by attorney for Defendants. Copy forwarded to attorney for Plaintiff by attorney for Defendants.

August 30, 2002

The Board rendered the following Order: **AAND NOW**, this 30th day of August, 2002, upon consideration of Plaintiff's Motion to Compel Deposition of Barbara Flick and Defendants= response thereto, it hereby **ORDERED** that Plaintiff's Motion is **GRANTED** as modified herein. **IT IS FURTHER ORDERED** that within thirty (30) days, the deposition of Barbara Flick shall be conducted in Harrisburg, Pennsylvania on a date mutually convenient to the parties.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 3, 2002

Acceptance of Service of Order dated August 27, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 28, 2002.

September 6, 2002

Acceptance of Service of Order dated August 30, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 3, 2002.

September 13, 2002

Plaintiff's Response to Defendant's Motion for Settlement Conference filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 13, 2002

Plaintiff's Response to Defendant's Motion for Protective Order and Memorandum of Law in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 16, 2002

Letter received from attorney for Defendant advising that the depositions of Kenneth Serafin and Tawny Mumah are paramount to this case relative to the Defendant's Motion for Protective Order.

September 16, 2002

Plaintiff's Response to Defendant's Motion for Protective Order and Memorandum of Law in Support filed (via fax). Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 18, 2002

Plaintiff's Response to Defendant's Motion for Protective Order and Memorandum of Law in Support filed (via U.S. Mail) by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 25, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 25th day of September, 2002, upon consideration of Defendants' Motion for Settlement Conference and any response thereto, it is hereby **ORDERED, ADJUDGED** and **DECREED** that said Motion is **DENIED** at this time. However, when discovery is complete, the Board may reconsider any such motion filed at that time.® Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 2, 2002

Acceptance of Service of Opinion and Order dated September 25, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 30, 2002.

November 6, 2002

Motion for Summary Judgment filed by attorney for Defendants Kenneth J. Serafin, Esquire and John Reed. Copy forwarded to attorney for Plaintiff by attorney for Defendants.

December 3, 2002

Letter received via facsimile from attorney for Plaintiff requesting an extension of time until December 9, 2002 in which to file Plaintiff's response to the Defendant's Motion for Summary Judgment.

December 3, 2002

Letter forwarded to attorney for Plaintiff granting Plaintiff's request for an extension of time until December 9, 2002 in which to file Plaintiff's response to the Defendant's Motion for Summary Judgment. Response due December 9, 2002.

December 6, 2002

Response of Plaintiff, Kevin H. Wright & Associates, to the Motion for Summary Judgment of Defendants, Kenneth J. Serafin, Esquire and John Reed.

December 23, 2002

Plaintiff's Motion for Partial Summary Judgment as well as Brief in Support filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due

from Defendant February 3, 2002.

January 23, 2003

Defendant's Answer to Motion for Partial Summary Judgment as well as Brief in Support filed. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 12, 2003

Reply to Defendant's Response to Plaintiff's Motion for Partial Summary Judgment filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 19, 2003

The Board rendered an Opinion and made the following Order: **AND NOW**, this 19th day of March, 2003, after receipt and review of Defendant's Motion for Protective Order and Plaintiff's Response thereto, it is hereby **ORDERED** and **DECREED** that Defendant's Motion is **GRANTED**. However, Plaintiff is permitted to obtain discovery via written interrogatories as set forth in this opinion.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

***April 8, 2003**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 8th day of April, 2003, it is **ORDERED** and **DECREED** that Defendant's Motion for Summary Judgment is hereby **GRANTED**. Reed and Serafin are **DISMISSED** as Defendants in this action. Further, Plaintiff's Motion for Partial Summary Judgment for the Geronemo v. Turner, M.D. and Vaszily v. Bennett invoices is hereby **GRANTED**. The remainder of Plaintiff's Motion for Partial Summary Judgment is hereby **DENIED**.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 21, 2003

Letter received from attorney for Plaintiff advising of the relocation of their Blue Bell Office.

June 9, 2003

Plaintiff filed letter requesting a trial be set in this case in light of the Board's recent denial of Plaintiff's Motion for Partial Summary Judgment.

June 13, 2003

Defendant filed letter requesting to complete discovery before the Board sets this case for trial as well as requesting a settlement conference be held prior to the trial in this matter.

October 1, 2003

Defendant filed Motion in Limine. Copy forwarded to Plaintiff.

October 31, 2003

Plaintiff filed Response to Defendant's Motion in Limine via facsimile. Copy forwarded to Defendant.

November 5, 2003

Plaintiff filed Response to Defendant's Motion in Limine via U.S. Mail. Copy forwarded to Defendant.

November 5, 2003

Defendant filed Reply to the Response of Plaintiff to the Fund's Motion in Limine. Copy forwarded to Plaintiff.

December 18, 2003

Board rendered the following Opinion and Order. Order as follows: **AND NOW**, this 18th day of December, 2003, it is **ORDERED** and **DECREED** that Defendant's Motion in Limine is hereby **DENIED.** Copy forwarded to Plaintiff and Defendant.

December 29, 2003

Defendant filed Acceptance of Service of Opinion and Order. Receipt of same acknowledged by Defendant December 23, 2003.

July 26, 2004

Plaintiff filed letter requesting a mediation in an attempt to resolve this claim.

January 26, 2005

Defendant filed status letter advising that the parties are determining what course of action to take in order to arrive at a negotiated resolution of this case.

January 27, 2006

Plaintiff filed Praecipe to Discontinue.

February 1, 2006

Board rendered Praecipe Order closing case. Order as follows: "**AND NOW**, this 1st day of February, 2006, upon receipt of a Praecipe, executed by Mark R. Zolfaghari, Esquire, on behalf of Plaintiff, Kevin H. Wright & Associates, requesting that the Board "Kindly mark the above-captioned matter Settled, Discontinued and Ended." docketed with this Board under date of January 27, 2006, it is **ORDERED** and **DECREED** that the above-captioned matter be marked 'settled, discontinued and ended with prejudice.'" Copy forwarded to Plaintiff and Defendant.

February 17, 2006

Plaintiff filed Acceptance of Service of Order dated February 1, 2006. Receipt of same acknowledged February 13, 2006.

August 7, 2006

Defendant filed Acceptance of Service of Order dated February 1, 2006. Receipt of same acknowledged August 4, 2006.
