

Docket Number: 3490

**THE SPRINGS AT THE FOUNTAINS**

Daniel K. Natirboff, Esquire  
Michael Hynum, Esquire

VS.

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE**

~~John A. Kane, Chief Counsel~~  
Mary Frances Grabowski, Assistant Counsel

**April 29, 2002**

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

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**May 1, 2002**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT JUNE 3, 2002**

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**May 6, 2002**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 3, 2002.

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**May 9, 2002**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General May 2, 2002.

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**May 28, 2002**

Notice of Service of Claimant's First Request for Production of Documents filed by attorney for Plaintiff.

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**May 31, 2002**

Preliminary Objections as well as Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff July 1, 2002.

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**June 19, 2002**

Notice of Service of Plaintiff's First Set of Interrogatories filed by attorney for Plaintiff.

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**June 26, 2002**

Letter received from attorney for Plaintiff requesting a 30-day extension of time in which to respond to Defendant's Preliminary Objections.

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**June 27, 2002**

Letter forwarded to Plaintiff granting Plaintiff request for a 30-day extension of time in which to respond to Defendant's Preliminary Objections. Response due July 29, 2002.

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**July 29, 2002**

Amended Statement of Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**August 15, 2002**

The Board rendered the following Order: **AND NOW**, this 15th day of August, 2002, it is **ORDERED** and **DECREED** that based upon the filing of an Amended Complaint by Plaintiff, The Springs at the Fountains, under docket date of July 29, 2002, the Preliminary Objections filed by the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, under docket date of May 31, 2002, are hereby deemed **MOOT**. Defendant is directed to file its response to the Plaintiff's Amended Complaint within thirty (30) days from the exit date of this Order.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**August 21, 2002**

Acceptance of Service of Order dated August 15, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff August 16, 2002.

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**August 21, 2002**

Acceptance of Service of Order dated August 15, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant August 19, 2002.

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**August 30, 2002**

Preliminary Objections as well as Brief in Support filed. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff October 7, 2002.

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**September 23, 2002**

Claimant's Answer to Preliminary Objections as well as Brief in Support filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 4, 2003**

Plaintiff filed Praecipe to substitute Verification to the

original Amended Claim. Copy forwarded to Defendant.

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**September 4, 2003**

Plaintiff filed Motion to Compel Discovery. Copy forwarded to Defendant.

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**September 15, 2003**

Board rendered Opinion and Order. Order as follows: ~~A~~**AND NOW** this 15th day of September, 2003, upon receipt of a Praecipe to substitute verification, it is **ORDERED** and **DECREED** that the verification filed on September 4, 2003, shall be substituted and added to the Statement of Claim with a copy forwarded to Chief Deputy Attorney General by the Board of Claims.@ Copy forwarded to Plaintiff and Defendant.

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**September 15, 2003**

Defendant filed Answer in Opposition to Motion to Compel Discovery. Copy forwarded to Plaintiff.

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**September 15, 2003**

Defendant filed Motion for Protective Order. Copy forwarded to Plaintiff.

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**September 15, 2003**

Defendant's Brief in Support of its Answer in Opposition to Motion to Compel Discovery and Motion for Protective Order. Copy forwarded to Plaintiff.

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**September 16, 2003**

Plaintiff filed letter via fax requesting to withdraw Plaintiff's Motion to Compel.

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**September 17, 2003**

Defendant filed letter advising that since Claimant withdrew its Motion to Compel, Defendant withdraws its Motion for Protective Order without prejudice to refile in the event circumstances warrant.

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**September 19, 2003**

Plaintiff filed Acceptance of Service of Opinion and Order dated September 15, 2003. Receipt of same acknowledged by Plaintiff September 18, 2003.

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**September 23, 2003**

Defendant filed Acceptance of Service of Opinion and Order dated September 15, 2003. Receipt of same acknowledged by Defendant September 17, 2003.

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**September 24, 2003**

Chief Deputy Attorney General filed Acceptance of Service of Opinion and Order dated September 15, 2003. Receipt of same acknowledged September 22, 2003.

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**September 24, 2003**

Chief Deputy Attorney General filed Acceptance of Service of Opinion and Order dated September 15, 2003. Receipt of same acknowledged September 22, 2003.

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**June 6, 2005**

Plaintiff filed Motion to Amend Statement of Claim and Proposed Order. Copy forwarded to Defendant.

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**October 28, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 28<sup>th</sup> day of October, 2005, it is **ORDERED** and **DECREED** that pursuant to 42 Pa. C.S.A. §5103(a) and Pa. R.C.P. 213(f), this matter and the record thereof is **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant."

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**October 31, 2005**

Board transferred file to Department of Public Welfare, Bureau of Hearings and Appeals.

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**November 2, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated October 28, 2005. Receipt of same acknowledged October 31, 2005.

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**November 8, 2005**

Plaintiff filed Acceptance of Service of Opinion and Order dated October 28, 2005. Receipt of same acknowledged November 4, 2005.

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