

Docket Number: 3511

ROSE VIEW MANOR, INC., d/b/a Rose View Center

Michael Hynum, Esquire

VS.

**CLOSED**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

Leonard W. Crumb, Assistant Counsel  
Mary Frances Grabowski, Senior Assistant Counsel  
John A. Kane, Chief Counsel

**\* June 19, 2002**

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

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**June 21, 2002**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT JULY 22, 2002.

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**June 27, 2002**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 24, 2002.

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**June 28, 2002**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 28, 2002.

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**July 24, 2002**

Preliminary Objections as well as Brief in Support of Respondent's Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. ***Plaintiff's Response and Brief due August 23, 2002.***

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**August 28, 2002**

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

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**April 10, 2003**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of April, 2003, it is **ORDERED** and **DECREED** that Defendant's Preliminary Objections as to the Board's subject-matter jurisdiction are **SUSTAINED**. Plaintiff is **GRANTED** thirty (30) days leave to amend its claim to correct the jurisdictional defects noted above." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**April 15, 2003**

Acceptance of Service of Opinion and Order dated April 10, 2003 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 11, 2003.

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**April 17, 2003**

Acceptance of Service of Opinion and Order dated April 10, 2003 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 14, 2003.

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**\* May 12, 2003**

Plaintiff filed Amended Statement of Claim. Amount of Claim: unchanged.

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**May 15, 2003**

Board forwarded copy of Amended Statement of Claim to Defendant and Chief Deputy Attorney General. **RESPONSE DUE FROM DEFENDANT: June 9, 2003.**

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**May 19, 2003**

Defendant filed Acceptance of Service of Amended Statement of Claim. Receipt of same acknowledged by Defendant May 19, 2003.

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**May 20, 2003**

Chief Deputy Attorney General filed Acceptance of Service of Amended Statement of Claim. Receipt of same acknowledged by Chief Deputy Attorney General May 16, 2003.

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**June 3, 2003**

Defendant filed Preliminary Objections to Amended Statement of Claim and Brief in Support of Preliminary Objections to Amended Statement of Claim. Copy forwarded to Plaintiff.

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**July 7, 2003**

Plaintiff filed Claimant's Answer to Preliminary Objections and Brief in Opposition to Preliminary Objections. Copy forwarded to Defendant.

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**October 16, 2003**

Board issued Opinion and Order. Order as follows: "**AND NOW**, this 16th day of October, 2003, it is **ORDERED** and **DECREED** that Defendant's Preliminary Objections to the Amended Statement of Claim, as to the Board's subject matter jurisdiction, are **SUSTAINED**. Accordingly, pursuant to 42 Pa. C.S.A. §5103(a) and Pa.R.C.P. 213, this matter will be **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant.

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**October 22, 2003**

Board transferred file to Department of Public Welfare, Bureau of  
Hearings and Appeals per Board Order of October 16, 2003.

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**CLOSED**