

Docket Number: 3637

WEST PENN ALLEGHENY HEALTH SYSTEM

Sean P. Audley, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

~~Michael A. Farnan, Esquire~~
Michael J. McGovern, Assistant Counsel

VS.

*COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane~~
Kimberley L. Thomas, Assistant Counsel

CLOSED

May 30, 2003

Plaintiff filed Claim and filing fee. Amount of Claim:
\$362,000.00+

June 4, 2003

Board forwarded copies of Claim to Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT JULY 14, 2003.**

June 12, 2003

Chief Deputy Attorney General filed Acceptance of Service of Claim dated June 9, 2003. Receipt of same acknowledged by Chief Deputy Attorney General June 9, 2003.

August 4, 2003

Defendant filed Praecipe to Join Additional Defendant, Department of Public Welfare. Copy forwarded to Plaintiff and Additional Defendant.

***August 22, 2003**

Joinder Complaint Pursuant to Pennsylvania Rule of Civil Procedure 2255 filed by Defendant (Corrections). Copy forwarded to Plaintiff and Additional Defendant (Welfare).

August 22, 2003

Defendant (Corrections) filed Answer to Plaintiff's Complaint. Copy forwarded to Plaintiff and Additional Defendant (Welfare).

September 17, 2003

Chief Deputy Attorney General filed Acceptance of Service. Receipt of same acknowledged September 15, 2003.

September 22, 2003

Additional Defendant (Welfare) filed letter requesting a 30-day extension of time in which to respond to Defendant's (Corrections) Joinder Complaint.

September 22, 2003

Board forwarded letter granting Additional Defendant's (Welfare) request for a 30-day extension of time in which to respond to Defendant's (Corrections) Joinder Complaint.

October 3, 2003

Plaintiff filed Motion for Judgment on the Pleadings and Brief. Copy forwarded to Defendant (Corrections) and Additional Defendant (Welfare).

October 21, 2003

Defendant (Welfare) filed letter via fascimile advising that it will not be filing a responsive pleading to Joinder Complaint of Defendant (Corrections) because Defendant (Welfare) believes it will be able to resolve this matter without the need for litigation.

October 23, 2003

Defendant (Welfare) filed letter via fascimile advising that it will not be filing a responsive pleading to Joinder Complaint of Defendant (Corrections) because Defendant (Welfare) believes it will be able to resolve this matter without the need for litigation.

October 24, 2003

Defendant (Corrections) filed Brief in Opposition to Plaintiff's Motion for Judgment on the Pleadings. Copy forwarded to Plaintiff and Additional Defendant (Welfare).

November 14, 2003

Plaintiff's Brief in Reply to Defendant's (Department of Corrections and Department of Public Welfare) Brief in Opposition to Plaintiff's Motion for Judgment on the Pleadings. Copy forwarded to Defendants (Department of Corrections and Department of Public Welfare).

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 Plaintiff's Motion for Judgment on the Pleadings is hereby **DENIED**.@ Copy forwarded to Plaintiff and Defendants (DOC & DPW).

January 7, 2004

Plaintiff filed Acceptance of Service of Opinion and Order.
Receipt of same acknowledged by Plaintiff December 22, 2003.

August 9, 2004

Board forward letter to parties requesting status.

February 10, 2005

Plaintiff filed a Praecipe to Discontinue. Copy forwarded to Defendant.

March 2, 2005

Board rendered the following Order: "**AND NOW**, this 2nd day of March, 2005, upon receipt of a Praecipe to Discontinue, requesting the Board to 'Please mark the above-referenced matter Settled and Discontinued.', executed by Sean P. Audley, Esquire, attorney for Plaintiff, and docketed with this Board under date of February 10, 2005, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice.'" Copy forwarded to Plaintiff and Defendant.

March 8, 2005

Defendant filed Acceptance of Service of Opinion and Order dated March 2, 2005. Receipt of same acknowledged by Defendant March 4, 2005.

March 11, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated March 2, 2005. Receipt of same acknowledged by Defendant March 7, 2005.