

Jeffrey B. Albert, Esquire and
Nathan L. Posner, Esquire
~~XXXXXXXXXXXX~~
John A. Kane, Esquire

TOWN COURT NURSING CENTER, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

FORM C F 9

September 21, 1979 Case transferred from Fiscal Code Division to Arbitration Division. Complaint and filing fee filed.
Amount of claim: \$104,000.00.

September 26, 1979 Copies of Complaint forwarded to attorney for defendant and Deputy Attorney General.

October 3, 1979 Preliminary Objections filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

November 30, 1979 The Board rendered an Opinion and made the following Order: "AND NOW, this 30th day of November, 1979, upon review of the pleadings filed, the request of the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is hereby denied and Defendant is given thirty (30) days from the date of this Order to file a responsive pleading." Copies forwarded to attorney for plaintiff and attorney for defendant.

January 8, 1980 Answer and New Matter filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

February 7, 1980 Reply to New Matter filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

February 22, 1980 Notice of Deposition filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

May 27, 1980 Plaintiff's Interrogatories to Defendant (1st Set) as well as Request for Production of Documents filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

July 9, 1980 Motion for sanctions filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.

July 9, 1980 Defendant's Answers to Plaintiff's Interrogatories (1st Set) and Defendant's Response to Plaintiff's Request for Production of Documents (1st Set) filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

July 18, 1980 The Board rendered an Opinion and made the following Order: "AND NOW, this 18th day of July, 1980, after due consideration of Plaintiff's Motion for Sanctions and the circumstances attendant thereto as set forth above, the said Motion is hereby dismissed." Copies forwarded to attorney for plaintiff and attorney for defendant.

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VS.
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Docket No. 652

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- March 11, 1981 Motion for Judgment on the Pleadings or Alternatively for Summary Judgment filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
- April 16, 1981 Brief in Support of Defendant's Motion for Judgment on the Pleadings, etc. filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
- June 10, 1981 Answer to Motion for Judgment on the Pleadings and Brief in support filed by attorney for plaintiff. Copy forwarded to attorney for defendant by attorney for plaintiff.
- June 17, 1981 Motion for Leave to File Reply Brief and proposed Order filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.
- May 5, 1981 Hearing scheduled for September 15, 1981 through September 18, 1981, if necessary, in Board's Court Room at 10 a.m.
- July 1, 1981 Supplemental Motion for Summary Judgment and Memorandum in support filed by attorney for defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.
- July 9, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 9th day of July, 1981, the request of Defendant to file a Reply Brief is hereby denied." Copies forwarded to attorney for plaintiff and attorney for defendant.
- July 21, 1981 Plaintiff's Answer to Defendant's Supplemental Motion for Summary Judgment and Memorandum of Law filed by attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.
- July 27, 1981 The Board rendered an Opinion and made the following Order: "AND NOW, this 27th day of July, 1981, the above stated request of the Defendant in the nature of Motion for Judgment on the Pleadings or Alternatively for Summary Judgment, and Defendant's Supplemental Motion for Summary Judgment, are hereby denied. Copies forwarded to attorney for plaintiff and attorney for defendant."
- September 15, 1981 Hearing held in Board's Court Room at 10 a.m. Case continued at request of counsel for plaintiff.
- September 17, 1981 Testimony of hearing held September 15, 1981 filed. Copy forwarded to attorney for defendant.

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DEPARTMENT OF PUBLIC WELFARE

Jeffrey B. Albert, Esquire

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Docket No. 652

XXXXXXXXXXXXXXXXXXXX

Stanley Slipakoff, Esquire

CLOSED

MULTIPLE COPIES

FORM 30-FR

October 21, 1981 Notices of Depositions of Custodian of Records and Eugene Buross filed by attorney for plaintiff.
Copies forwarded to attorney for defendant by attorney for plaintiff.

January 6, 1982 Hearing scheduled for March 9, 1982 through March 12, 1982, if necessary, in Board's Court Room
at 10 a.m.

March 9, 1982 Hearing held in Board's Court Room at 10:00 a.m. Case concluded.

March 30, 1982 Testimony of hearing held Tuesday, March 9, 1982 filed.

April 7, 1982 Copies of testimony of hearing held Tuesday, March 9, 1982 forwarded to attorney for defendant.

May 19, 1982 Proposed Findings of Fact, Proposed Conclusions of Law and Brief and Proposed Order filed by
attorney for plaintiff. Copies forwarded to attorney for defendant by attorney for plaintiff.

July 14, 1982 Findings of Fact, Conclusions of Law and Post-Trial Memorandum filed by attorney for
defendant. Copies forwarded to attorney for plaintiff by attorney for defendant.

March 2, 1983 The Board rendered an Opinion and made the following Order: "AND NOW, this 2nd day of March, 1983,
we find that the Plaintiff, Town Court Nursing Center, Inc. has rendered services for the Defendant,
Commonwealth of Pennsylvania, Department of Public Welfare from September 3, 1975 to April 14, 1976
and we further ORDER that the Plaintiff be reimbursed for those services together with interest at
the legal rate of six (6%) per cent per annum beginning from September 3, 1975. Each party to bear
its own costs."

March 8, 1983 Copies of Opinion and Order dated March 2, 1983 forwarded to attorney for plaintiff and attorney for
defendant.

April 1, 1983 Petition for Review received from Commonwealth Court. (appeal by defendant) (No. 858
C. D. 1983)

March 31, 1983 Copy of Petition for Review as filed in Commonwealth Court received from attorney
for defendant.

over

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Stanley Slipskoff, Esquire

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CLOSED

May 11, 1983 File transmitted to Commonwealth Court.

June 22, 1984 Copy of Order received from Commonwealth Court. Order as follows: "NOW, September 19, 1983, upon consideration of respondent's motion to quash petition for review and petitioner's answer in opposition thereto with new matter and respondent's reply to new matter, and after hearing oral argument and reviewing respondent's brief and petitioner's response thereto, said motion is granted."

June 7, 1984 File received from Commonwealth Court.

March 18, 1985 Proposed Rule to Show Cause filed by attorney for defendant. Copy forwarded to attorney for plaintiff by attorney for defendant.

March 29, 1985 The Board made the following Rule to Show Cause: "AND NOW, this 29th day of March, 1985, the Board issues this Rule to Show Cause why judgment shall not be entered in this matter for the sum of \$101,000.00, with legal interest from April 14, 1976. The Board notes that an Order was entered on March 2, 1983, in favor of Claimant as to liability only, and that, on March 12, 1985, counsel for defendant, while continuing to dispute liability, did not dispute that the amount of damages was as claimed, without prejudice to Defendant's rights of appeal from any final judgment in this matter. This Rule shall become absolute and judgment entered within thirty (30) days of the date of this Rule unless counsel for Claimant shall earlier file with this Board an Answer with justification as to why this Rule shall not become final." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

May 22, 1985 The Board rendered an opinion and made the following Order: "AND NOW, this 22th day of May, 1985, the Rule entered the 29th day of March, 1985 to show Cause why judgment \$104,000.00 with legal interest from April 14, 1976 is made absolute and said judgment is final from which an appeal may be lodged. The Defendant, the Commonwealth of Pennsylvania, Department of Public Welfare has preserved its right to appeal from this final judgment." Copies for to attorney for Plaintiff and attorney for Defendant.

May 31, 1985 Copy of Petition for Review as filed in Commonwealth Court filed by attorney for defendant.

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CLOSED

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APR 1985



June 7, 1985 Petition for Review received from Commonwealth Court. (No. 1473 C.D. 1985)

July 10, 1985 File transmitted to Commonwealth Court.

May 21, 1986 Copy of Opinion and Order received from Commonwealth Court. Order as follows: "NOW, May 21, 1986, the order of the Board of Claims, dated May 22, 1985, is affirmed."

July 7, 1987 Petition for Allowance of Appeal from Commonwealth Court denied June 4, 1987 (802 Allocatur DK. 1986).

July 7, 1987 File received from Commonwealth Court.