

G & S DENTAL SERVICE, INC.
VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

Leo M. Stepanian, Esquire

~~Leo M. Stepanian, Esquire~~
Bruce G. Barton, Assistant Counsel

Docket No. 905

CLOSED



October 14, 1983 By Order of Court of Common Pleas, case filed. Order as follows: "AND NOW, this 14th day of October, 1983, IT IS ORDERED: That this case is transferred to the Board of Claims. That the Prothonotary shall certify a copy of the record to the Board of Claims, Commonwealth of Pennsylvania, 707 Transportation & Safety Building, Harrisburg, PA 17120."

THE FOLLOWING FILED IN COURT OF COMMON PLEAS:

- June 15, 1983 Complaint in Assumpsit filed.
- July 13, 1983 Praecipe For Appearance is hereby entered on behalf of the Defendant, Pennsylvania, Department of Public Welfare.
- July 13, 1983 Preliminary Objections of Defendant, Department of Public Welfare and Certificate of Service filed.
- July 20, 1983 Order of Court scheduling oral argument on Preliminary Objections filed by Defendant set for October 11, 1983.
- September 9, 1983 Motion to Quash filed by Defendant.
- September 9, 1983 Motion to Produce Documents filed by Plaintiff.
- September 9, 1983 Order of Court scheduling oral argument on the Motion to Quash filed by Defendant set for October 11, 1983.
- October 11, 1983 Motion to Submit on Briefs filed by Defendant.
- October 13, 1983 Order of Court scheduling oral argument or Briefs set for October 11, 1983.
- October 17, 1983 Order rendered by Court of Common Pleas. (See previous October 14, 1983).
- (undated) Defendant's Brief in Support of Preliminary Objections and Motion to Quash Plaintiff's Motion to Produce Documents filed by Defendant.

G & S DENTAL SERVICE, INC.
VS.
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Leo M. Stepanian, Esquire
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Bruce G. Baron, Esquire (Co-Counsel)

Docket No. 905

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October 20, 1983 File received from Court of Common Pleas.

August 8, 1983 Complaint filed. Requested six additional copies and filing fee.

August 22, 1983 Six additional copies of Complaint and filing fee filed. Amount of Claim: \$31,901.00+.

August 22, 1983 Copies of Complaint forwarded to attorney for Defendant and Deputy Attorney General.

September 21, 1983 Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 29, 1983 Answer to Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 13, 1983 Letter received from attorney for Plaintiff stating: "Please consider the Plaintiff's Answer to Preliminary Objections as its Brief." Copy of letter forwarded to attorney for Defendant by attorney for Plaintiff.

November 1, 1983 Defendant's Brief in support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 8, 1984 The Board rendered an Opinion and made the following Order: "AND NOW, this 8th day of March, 1984, the Preliminary Objections as filed by the Defendant are hereby DENIED. Defendant is given thirty (30) days from the date of this Order in which to file a responsive pleading." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

May 4, 1984 Entry of Appearance of Bruce G. Baron as co-counsel. Answer, New Matter and Counterclaim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

-DIER-

Leo M. Stepanian, Esquire
~~Jean A. Craybill, Esquire.~~
Bruce G. Baron, Esquire (Co-Counsel)

G & S DENTAL SERVICE, INC.
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MULTIPLE CO. MAIL



June 13, 1984	Reply to New Matter and Answer to Counterclaim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.
June 25, 1984	Respondent's Interrogatories (First Set) and Request for Admissions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
September 12, 1984	Motion to Compel More Specific Answers to Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
September 21, 1984	Reply by Claimants to Department's Motion to Compel More Specific Answers to Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.
October 1, 1984	Answer to Claimant's Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
May 6, 1985	Copy of Answers by Claimant to Respondent's Interrogatories (First Set) and Request for Admissions dated September 5, 1984 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.
May 6, 1985	Copy of Interrogatories to Respondent dated September 18, 1984 filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.
October 4, 1985	Letter and Proposed Rule to Show Cause filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.
May 6, 1987	The Board rendered an Opinion and made the following Order: "AND NOW, this 6th day of May, 1987, Plaintiff in this action, G & S Dental Service, Inc., is ORDERED to file complete responses to Interrogatory No. 2 and No. 7 contained in Defendant's Interrogatories (First Set) and Request for Admissions within thirty (30) days of this Order. The Plaintiff need not respond further to Interrogatory No. 3, and the Motion to Compel relative to that number is hereby denied. Defendant's objections to the Interrogatories filed on behalf of the Plaintiff are hereby sustained and the Defendant need not reply to the Interrogatories for the reasons set forth in the Opinion accompanying this Order." Copies forwarded to attorney for Plaintiff and attorneys for Defendant.

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CLOSED

May 14, 1987 Acceptance of Service of Opinion and Order, dated May 6, 1987, received from Plaintiff. Receipt of same acknowledged by Plaintiff May 11, 1987.

May 19, 1987 Acceptance of Service of Opinion and Order, dated May 6, 1987, received from Defendant. Receipt of same acknowledged by Defendant May 7, 1987.

May 15, 1987 Acceptance of Service of Opinion and Order, dated May 6, 1987, received from Defendant. Receipt of same acknowledged by Defendant May 7, 1987.

June 25, 1987 Response to Interrogatory No. 2 and Interrogatory No. 7 (computer printouts and Account Summary-2) as requested by Board's Opinion and Order of May 6, 1987 received from attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 2, 1987 Respondent's Motion for Sanctions and DPW's Memorandum of Law in Support of Motion for Sanctions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 9, 1987 Answer by Claimant to Respondent's Motion for Sanctions and New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 10, 1987 Respondent's Reply to the New Matter in Claimant's Answer to DPW's Motion for Sanctions filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 23, 1987 Brief for Claimant in Opposition to Respondent's Motion for Sanctions filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 10, 1987 The Board rendered an Opinion and made the following Order: "AND NOW, this 10th day of September, 1987, the Plaintiff in this action, G & S Dental Service, Inc., is ORDERED to file a summarization of the computer print-outs filed in response to Interrogatory Nos. 2 and 7. The Summary shall be essentially in the form submitted to this Board as "Account Summary - 2" by the Plaintiff. The Summary shall be filed

DFE

Leo M. Stepanian, Esquire

~~Alan A. Crabbili, Esquire~~
Bruce G. Baron, Esquire (Co-Counsel)

G & S DENTAL SERVICE, INC.
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CLOSED

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

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September 10, 1987 with the Board and provided to DPW within thirty (30) days of the date of this Order.
(Cont'd.)
If the event Plaintiff fails to provide this summary, appropriate Sanctions will be imposed by this Board. DPW's requests in the Motion for Sanctions filed with this Board July 1, 1987, are hereby DENIED. It is ORDERED that Plaintiff is permitted to amend its original Complaint to include all of its claims totalling \$41,401.50. The Amendment shall be deemed as having been filed pursuant to the Answer filed by Plaintiff in response to the Motion for sanctions filed by DPW, said Answer having been filed with this Board on July 9, 1987."

September 14, 1987 Copies of opinion and Order dated September 10, 1987 forwarded to attorney for Plaintiff and attorneys for Defendant.

September 18, 1987 Acceptance of Service of Opinion Order dated September 10, 1987 received from Defendants. Receipt of same acknowledged by Defendants September 15, 1987.

October 5, 1987 Production of Documents by Plaintiff filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 20, 1987 Hearing scheduled for December 16, 17 and 18, 1987, if necessary, before the Western District, to be held at the Pittsburgh State Office Building, Room 1604, commencing at 10:00 a.m.

December 16, 1987 Hearing held at Pittsburgh State Office Building, Room 1604, Western District, commencing at 10:15 a.m. Case continued.

December 17, 1987 Hearing held in Pittsburgh State Office Building, Room 1604, Western District, commencing at 10:00 a.m. Case completed.

January 20, 1988 Testimony for hearing held December 16 and 17, 1987 filed.

January 21, 1988 Copy of testimony for hearing held December 16 and 17, 1987 forwarded to attorney for Defendant.

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Bruce G. Baron, Esquire

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January 26, 1988 Acceptance of Service of testimony for hearing held December 16 and 17, 1987 received from Defendant. Receipt of same acknowledged by Defendant January 22, 1988.

February 1, 1988 Proposed Findings of Fact and Conclusions of Law on behalf of Plaintiff and Brief filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 2, 1988 Respondent's Brief and Suggested Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 3, 1988 Amendment (Page 22a) to Respondent's Brief and Suggested Findings of Fact and Conclusions of Law filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 6, 1988 Supplemental Brief for Plaintiff-Claimant filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 6, 1988 Western District Panel Hearing Report filed.

April 11, 1989 The Board rendered an Opinion and made the following Order: "AND NOW, this 11th day of April, 1989, it is hereby ORDERED and DECREED that the Claim of the Plaintiff, G & S Dental Service, Inc. is hereby DENIED. Further, it is hereby ORDERED and DECREED that the Counterclaim of the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is hereby DENIED."

April 12, 1989 copies of Opinion and Order dated April 11, 1989 forwarded to attorney for Plaintiff and attorney for Defendant.

April 18, 1989 acceptance of Service of Opinion and Order dated April 11, 1989, received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 13, 1989.

April 18, 1989 Application for An Award of Costs and Attorney Fees filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

over

DOCKET NO. 905

Leo M. Stepanian, Esquire

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Bruce G. Baron, Esquire

CLOSED

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May 4, 1989 Answer to Application for Award of Costs and Attorney Fees filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 6, 1989 The Board rendered an Opinion and made the following Order: "AND NOW, this 6th day of July, 1989, upon consideration of the Application for an Award of Costs and Attorney Fees, filed on behalf of Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, and against the Plaintiff, G & S Dental Services, Inc., it is hereby ORDERED that the application is denied. Each party to bear its own costs pertaining to this matter." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 11, 1989 Acceptance of Service of Opinion and Order dated July 6, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 7, 1989.

July 13, 1989 Acceptance of Service of Opinion and Order dated July 6, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 10, 1989.