

BEVERLY ENTERPRISES, INC., et al.,
LEADER NURSING CENTERS, INC. et al.,
* and ~~WILME CORPORATION, et al.~~

Joel M. Hamme, Esquire and
Charles O. Barto, Jr., Esquire

Docket No. 971

CLOSED

John A. Kane, Chief Counsel
Bruce G. Baron, Assistant Counsel (Co-counsel)

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE,
VS.

FORM 38-PR
1-78

November 29, 1984	Complaint and filing fee filed. Amount of Claim: \$300.00+.
December 3, 1984	Copies of Complaint forwarded to attorney for Defendant and Deputy Attorney General.
January 3, 1985	Respondent's Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.
January 18, 1985	Petitioners Opposition to Respondent's Preliminary Objections and Proposed Order filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.
February 8, 1985	Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.
March 11, 1985	Petitioners' Reply Brief in Opposition to Respondent's Brief in Support of Its Preliminary Objections filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.
April 21, 1985	The Board rendered an Opinion and made the following Order: "AND NOW, this 24th day of April, 1985, the Preliminary Objections as filed by the Defendant are DENIED. The Defendant is given thirty (30) days from the date of this Order in which to file a Responsive pleading."
April 25, 1985	Copies of Opinion and Order dated April 24, 1985, forwarded to attorney for Plaintiffs and attorney for Defendant.
May 13, 1985	Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for defendant. Entry of Appearance filed by Bruce Baron as co-counsel.
June 3, 1985	Petitioners' Answer to Respondent's New Matter filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.
June 25, 1985	Respondent's Request for Admissions, Answers to Interrogatories, and Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

Joel M. Hamme, Esquire and
Charles O. Barto, Jr., Esquire

BEVERLY ENTERPRISES, INC., et al.,
LEADER NURSING CENTERS, INC., et al.,
and ~~WELFARE CORPORATION~~, et al.

CLOSED

John A. Kane, Chief Counsel
~~Robert C. Besser, Assistant Counsel (66-00000001)~~

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

July 24, 1985 Claimants' Answer to Respondent's request for Admissions under Pa. R.C.P. No. 4014 filed by attorney for Plaintiffs. Copy forwarded to attorney for defendant by attorney for Plaintiffs.

July 24, 1985 Motion for Extension of Time for Claimants to Respond to Respondent's Interrogatories and Respondent's Request for Production of Documents filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

July 30, 1985 The board rendered an Opinion and made the following Order: "AND NOW, this 30th day of July, 1985, upon consideration of Claimants' Motion for Extension of Time to Answer Respondent's Interrogatories and Request for Production of Documents; and in view of the matters set forth in the above Opinion, it is hereby ORDERED and DECREED that the time for responding to Respondent's Interrogatories and Request for Production of Documents be and hereby is EXTENDED to August 16, 1985." Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

August 21, 1985 Claimants' Request to Respondent for Answers to Interrogatories and Claimants' First Request for Production of Documents, Claimants' Request for Admissions of Fact and Second Request for Production of Documents and Claimants' Response to Respondent's Request for Answers to Interrogatories and Production of Documents filed by attorney for Plaintiffs. Copies forwarded to attorney for Defendant by attorney for Plaintiffs.

September 27, 1985 Extension of time to file Answers to Claimants' First Set of Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

October 1, 1985 Respondent's Answers to Claimants' Request for Admissions of Fact and Second Request for Production of Documents filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

October 2, 1985 The Board rendered an Opinion and made the following Order: "AND NOW, this 2nd day of October, 1985, upon review of Respondent's Request for Extension of Time and in accordance with PA Rules of Civil Procedure §248, the Request is GRANTED and Respondent is DIRECTED to file its Answers to Claimants' Interrogatories on or before

BEVERLY ENTERPRISES, INC., et al.,
LEADER NURSING CENTERS, INC., et al.,
* and ~~WING CORPORATION, et al.~~

Joel M. Hamme, Esquire and
Charles O. Barto, Jr., Esquire

Docket No. 971

CLOSED

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kates, Chief Counsel
Bruce G. Bares, Assistant Counsel (Co-counsel)~~

DOAN
REGISTERED
50-FR

October 2, 1985
(Continued)

the 1st day of December, 1985. It is so ORDERED." Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

August 8, 1986

Request for a Stay filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

September 24, 1986

The Board rendered an Opinion and made the following Order: "AND NOW, THIS 24th day of September, 1986, it is ORDERED and DIRECTED by the Board of Claims that a Stay issues concerning all proceedings in these matters until October 31, 1986, that the parties furnish to the Board a status of the discussions currently underway between the parties and if a settlement is reached, within a reasonable period of time thereafter." Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

September 29, 1986

Acceptance of Service of Opinion and Order dated September 24, 1986 received from Plaintiff (Hamme). Receipt of same acknowledged by Plaintiff (Hamme) September 26, 1986.

September 30, 1986

Acceptance of Service of Opinion and Order dated September 24, 1986 received from Defendant. Receipt of same acknowledged by Defendant September 25, 1986.

February 19, 1987

Application for Extension of Stay filed by attorney for Defendant. Copy forwarded to attorney for Plaintiffs by attorney for Defendant.

February 25, 1987

Präcipe for Discontinuance of Wilmac Corporation, One of Three Claimants filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

February 27, 1987

Opposition to Application for Extension of Stay filed by attorney for Plaintiffs. Copy forwarded to attorney for Defendant by attorney for Plaintiffs.

March 2, 1987

The Board rendered an Opinion and made the following Order: "AND NOW, this 2nd day of March, 1987, upon consideration of the Präcipe for Discontinuance of Wilmac Corporation, One of Three named Claimants in the above two Claims, Docket No. 971 and

BEVERLY ENTERPRISES, INC., et al.,
LEADER NURSING CENTERS, INC., et al.,
and ~~WILMAC CORPORATION, et al.~~

VS.
COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

Joel M. Hamme, Esquire and
Charles O. Barto, Jr., Esquire

~~John A. Kane, Chief Counsel
Bruce G. Baron, Assistant Counsel (co-counsel)~~

CLOSED

March 2, 1987 Docket No. 725, it is ORDERED and DECREED that the Wilmac Corporation is permitted to withdraw, discontinue and end all of its claims with respect to these matters with prejudice." Copies forwarded to attorney for Plaintiffs and attorney for Defendant.

March 4, 1987 The board rendered an Opinion and made the following Order: "AND NOW, this 4th day of March, 1987, upon request of Bruce G. Baron, Esquire, Department of Public Welfare, relative to an Application for Extension of Stay, the Board hereby GRANTS a Stay of all proceedings in the matter through April 30, 1987 and seeks from counsel on or before May 15, 1987, a status report." Copies forwarded to attorneys for Plaintiffs and attorney for Defendant.

March 6, 1987 Acceptance of Service of Opinion and Order dated March 2, 1987, received from Defendant. Receipt of same acknowledged by Defendant March 3, 1987.

March 10, 1987 Acceptance of Service of Opinion and Order dated March 4, 1987, received from Defendant (Baron). Receipt of same acknowledged by Defendant (Baron) March 5, 1987.

March 20, 1987 Acceptance of Service of Opinion and Order dated March 4, 1987, received from Plaintiff (Hamme). Receipt of same acknowledged by Plaintiff (Hamme) March 6, 1987.

March 20, 1987 Acceptance of Service of Opinion and Order dated March 2, 1987, received from Plaintiff (Hamme). Receipt of same acknowledged by Plaintiff (Hamme) March 5, 1987.

March 20, 1987 Acceptance of Service of Opinion and Order dated March 4, 1987, received from Plaintiff (Barto). Receipt of same acknowledged by Plaintiff (Barto) March 17, 1987.

March 20, 1987 Acceptance of Service of Opinion and Order dated March 2, 1987, received from Plaintiff (Barto). Receipt of same acknowledged by Plaintiff (Barto) March 17, 1987.

July 23, 1987 Praecipe of Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

-DUEL-

BEVERLY ENTERPRISES, INC. et al.
LEADER NURSING CENTERS, INC., et al.
vs.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF PUBLIC WELFARE

Charles O. Barto, Jr., Esquire

Docket No. 971

Bruce G. Baron, Assistant Counsel



July 31, 1987

The Board made the following Order: "AND NOW, this 31st day of July, 1987, upon receipt of Praecept of Discontinuance to mark the above-captioned matter "Withdrawn, ended and discontinued with prejudice", executed by Charles O. Barto, Jr., Esquire, on behalf of Plaintiff, same of which is docketed with this Board under date of July 23, 1987, it is ORDERED and DIRECTED that said case be marked settled, discontinued and ended with prejudice."

August 3, 1987

Copies of Order dated July 31, 1987 forwarded to attorney for Plaintiff and attorney for Defendant.

August 7, 1987

Acceptance of Service of Order dated July 31, 1987 received from Defendant. Receipt of same acknowledged by Defendant August 4, 1987.

August 14, 1987

Proposed Order relative to Praecept of Discontinuance filed July 21, 1987. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 13, 1987

Motion for a Rule to Show Cause and Proposed Rule to Show Cause filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 9, 1988

Praecept of Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 23, 1989

The Board made the following Order: "AND NOW, this 23rd day of February, 1989, upon receipt of Praecept of Discontinuance to mark the above-captioned matter "Withdrawn, ended and discontinued with prejudice", executed by Charles C. Barto, Jr., Esquire on behalf of Plaintiff, same of which is docketed with the Board under date of December 9, 1988, it is ORDERED AND DIRECTED that said case be marked withdrawn, discontinued and ended with prejudice." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

March 1, 1989

Acceptance of Service of Order dated February 23, 1989 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 27, 1989.

March 1, 1989

Acceptance of Service of Order dated February 23, 1989 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 24, 1989.