

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
CIVIL TRIAL DIVISION

SHERRILL ATKINS, Administratrix :  
of the Estate of RICHARD :  
ATKINS, JR., Deceased, :

Plaintiff, :

v. :

GGNSC PHILADELPHIA, LP d/b/a :  
GOLDEN LIVING CENTER- :  
STENTON; GGNSC EQUITY :  
HOLDINGS, LLC; GGNSC :  
PHILADELPHIA GP, LLC; GOLDEN :  
GATE NATIONAL SENIOR CARE, :  
LLC; GGNSC HOLDINGS, LLC; :  
BEVERLY ENTERPRISES- :  
PENNSYLVANIA, INC. d/b/a :  
BEVERLY HEALTHCARE-STENTON :  
BEVERLY HEALTH AND :  
REHABILITATION SERVICES, INC.; :  
BEVERLY ENTERPRISES, INC.; :  
ERICA MOSS, N.H.A.; CAROL :  
SHROUDER, N.H.A; RHEA :  
GOODWIN, NJ-LA., :

Defendants. :

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

SEPTEMBER TERM, 2008

No. 05060

DOCKETED  
COMPLEX LIT CENTER

MAR 24 2010

J. STEWART

Atkins Vs Ggnscc Phila Lp Et Al-ORDER



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ORDER

AND NOW, this *JHS* day of *March*, 2010, upon consideration of the plaintiff's motion to compel discovery and the defendants' response thereto, and the recommendation of the Discovery Master after a discovery conference, it is hereby ORDERED that the motion is GRANTED in part and DENIED in part.

1. Within ten (10) days of the date of this order, defendants

shall provide verified supplemental responses to plaintiff's interrogatory number 44 and identify the direct care providers for whom plaintiff seeks this information and provide termination information for those direct care providers identified. The time period shall be limited to February 28, 2007 to February 28, 2008 upon good cause shown, plaintiff may seek additional information.

2. Within ten (10) days of the date of this order defendants shall provide verified supplemental responses to the requests for production of documents as follows:

- a. Upon good cause shown, incident reports responsive to request for production of documents number 6 as to Atkins and other residents of Golden Living Center-Stenton, from February 28, 2007 to February 28, 2008 for similar incidents. Similar incidents are those involving falls and cellulitis.
- b. A ruling on requests numbers 11, 46, and 67 is deferred, pending a showing by plaintiff of good cause to seek this information.
- c. Plaintiff's request as to number 28 is moot, because defendants have been unable to locate such documents related to plaintiff's family. If defendants locate responsive documents, they shall produce documents limited to plaintiffs' family council meetings for the period November 28, 2007 to February 28, 2008. Upon good cause shown after review of those documents, plaintiff may request up to one year total of those documents.

- d. This motion with respect to number 34 is withdrawn without prejudice and with respect to number 43 is withdrawn as moot.
- e. The motion is granted as to requests 35-42, and defendants shall produce the following documents for all deponent and all primary caregivers regularly assigned to Atkins for the period July 1, 2007 through February 28, 2008 as well as primary caregivers involved in specific incidents on July 31, 2007; February 3, 2008 and February 26, 2008:

- (1) Criminal background checks
- (2) Licensing and certification documents
- (3) Disciplinary actions
- (4) Performance Evaluations
- (5) Exit interviews and forms
- (6) Resignation letters
- (7) Termination Letters

Defendants shall provide a description of information redacted in accordance with statutory requirements, and the plaintiff shall not disclose or disseminate the documents produced except for the purposes of this and related litigation.

- f. The defendants shall produce the following documents responsive to requests number 53-54 for the period October 2, 2006 to February 28, 2008:

- (1) Criminal background checks

- (2) Licensing and certification documents
- (3) Disciplinary actions
- (4) Performance Evaluations
- (5) Exit interviews and forms
- (6) Resignation letters
- (7) Termination Letters

Defendants shall provide a description of information redacted in accordance with statutory requirements, and the plaintiff shall not disclose or disseminate the documents produced except for the purposes of this and related litigation.

- g. The motion is denied as to request number 77.
- h. Defendants shall produce hotline reports as to request number 79 for falls and cellulitis for the period February 28, 2007 to February 28, 2008.

BY THE COURT:

  
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Sandra Mazer Moss, J.