

Miscellaneous Docket Sheet

Docket Number: 104 MD 2016

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August 18, 2017



CAPTION

In Re: Nomination Petition of Deshawnda Williams as candidate for the Democratic nomination for Senator in the General Assembly from the 3rd Senatorial District

Petition of: Donna Price, Doris Sanders and Le Shae A. Hudson

CASE INFORMATION

Initiating Document: Objection to Nominating Petition
Case Status: Closed
Case Processing Status: March 11, 2016 Completed
Journal Number:
Case Category: Election Case Type(s): Objection to Nomination Papers

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Petitioner Sanders, Doris
Pro Se: No
IFP Status:
Attorney: Greenberg, Kevin Michael
Law Firm: Flaster Greenberg, P.C.
Address: 1600 John F Kennedy Blvd Ste 200 Philadelphia, PA 19103
Phone No: (215) 279-9912 Fax No: (215) 701-1151

Petitioner Price, Donna
Pro Se: No
IFP Status:
Attorney: Greenberg, Kevin Michael
Law Firm: Flaster Greenberg, P.C.
Address: 1600 John F Kennedy Blvd Ste 200 Philadelphia, PA 19103
Phone No: (215) 279-9912 Fax No: (215) 701-1151

Petitioner Hudson, Le Shae A.
Pro Se: No
IFP Status:
Attorney: Greenberg, Kevin Michael
Law Firm: Flaster Greenberg, P.C.
Address: 1600 John F Kennedy Blvd Ste 200 Philadelphia, PA 19103
Phone No: (215) 279-9912 Fax No: (215) 701-1151

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COUNSEL INFORMATION

Other Mathis, Jessica

Pro Se: No

IFP Status:

Attorney: Bailey, Caroline Avery
 Address: Office of Chief Counsel
 306 N. Office Building
 Harrisburg, PA 17120

Phone No: (717) 783-0736 Fax No:

Other Kotula, Kathleen

Pro Se: Yes

IFP Status:

Pro Se: Kotula, Kathleen
 Address: 301 North Office Building
 401 North Street
 Harrisburg, PA 17120

Phone No: (717) 783-0736 Fax No: (717) 214-9899

Respondent Williams, Deshawnda

Pro Se: Yes

IFP Status:

Pro Se: Deshawnda Williams
 Address: 1907 West Cayuga St
 Philadelphia, PA 19150

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
02/23/2016	Miscellaneous Docket Filing Fee	65.50	02/23/2016	2016-CMW-H-000436	65.50
03/09/2016	Subpoena	20.00	03/09/2016	2016-CMW-H-000605	20.00

AGENCY/TRIAL COURT INFORMATION

Court Below:

County:

Order Appealed From:

Documents Received: February 23, 2016

Order Type:

OTN(s):

Lower Ct Docket No(s):

Lower Ct Judge(s):

Division:

Judicial District:

Notice of Appeal Filed:

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
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Date of Remand of Record:

BRIEFING SCHEDULE

None

None

DOCKET ENTRY

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 23, 2016	Objection to Nominating Petition			
	Price, Donna		Petitioner	
	Sanders, Doris		Petitioner	
	Hudson, Le Shae A.		Petitioner	

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 24, 2016	Order Filed Per Curiam			02/24/2016
Document Name: SCHEDULING AND CASE MANAGEMENT ORDER:				



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
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Comment: Upon consideration of the petition to set aside nomination petition: 1. IT IS HEREBY ORDERED:

A. Hearing on the petition to set aside nomination petition is scheduled for Thursday, March 10, 2016, at 9:30 a.m., in Courtroom Number 2, The Widener Building, 1339 Chestnut Street, One South Penn Square, Philadelphia, Pennsylvania. Objector is directed to secure the services of a court stenographer for the hearing. Failure of Objector to secure the services of a court stenographer may result in the dismissal of this matter. B. If signature lines are challenged, Objector shall secure, by request or subpoena, the presence of a Statewide Uniform Registry of Electors (SURE) system operator at the hearing. C. A pre-trial conference may be scheduled at any time after February 29, 2016. D. No later than Monday, February 29, 2016, 5:00 p.m., Objector shall personally serve a copy of this order, a copy of the petition to set aside nomination petitions (if the petition to set aside has not previously been served) and, if signature line challenges are at issue, one digital media device (CD or USB Flash Drive) containing the objections in spreadsheet format and a key to the codes used in the spreadsheet, on Deshawnda Williams, Candidate, or an adult member of Candidate's family. Objector shall file a proof of service with the Chief Clerk promptly thereafter. E. Objector shall personally or by registered mail serve a copy of this order on the Secretary of the Commonwealth and promptly thereafter file a proof of service with the Chief Clerk.

F. At the time of hearing, Objector shall offer proof of timely service of the petition to set aside on the Secretary of the Commonwealth. G. All counsel are under a continuing obligation and are hereby ordered to serve a copy of this order upon all unrepresented parties, if any, and upon all counsel entering an appearance subsequent to the entry of this order. 2. It is FURTHER ORDERED: A. Objector shall file a list of all witnesses to be called at the hearing and the curriculum vitae and expert reports of all expert witnesses. Any witness not identified shall be precluded from testifying except for good cause shown. B. Candidate shall file a list of all witnesses to be called at the hearing and the curriculum vitae and expert reports of all expert witnesses. Any witness not identified shall be precluded from testifying except for good cause shown. 3. If signature line challenges are at issue, it is FURTHER ORDERED: A. Objector shall immediately arrange to meet with Candidate or Candidate's representative and, if appropriate, with a SURE system operator, to review before the hearing each and every challenged signature line identifies: B. Objector and Candidate shall file a stipulation of the parties that (a) the total number of completed signature lines submitted; (b) the total number of uncontested signature lines submitted; (c) the total number of signature lines challenged; (d) each and every signature line to which there is an objection, identified by page number and line number, and the basis for the objection; (e) each and every signature line to be stricken as invalid or for which an objection is to be withdrawn, identified by page number and line number, if the parties can reach such a stipulation. C. Candidate shall file a list of all signature lines, identified by page number and line number, that are facially defective and that Candidate intends to rehabilitate. Candidate shall also state the manner in which Candidate intends to rehabilitate the signature lines. 4. Objector and Candidate may each file a memorandum of law in support of their respective positions by the time and date specified in paragraph 5 of this order. No further memoranda will be permitted unless ordered by the Court. 5. Unless otherwise ordered, all filings required or permitted by paragraphs 2, 3 and 4 of this order shall be filed no later than 12:00 o'clock noon on March 8, 2016 with the Chief Clerk at the Pennsylvania Judicial Center, Suite 2100, 601 Commonwealth Avenue, P.O. Box 69185, Harrisburg, PA 17106-9185. Parties may file via PACFile (the Pennsylvania appellate court electronic filing system) but may NOT file by facsimile or e-mail without express prior permission from the Court.

6. Failure to comply with any provision of this order may preclude the noncompliant party from entering any evidence, and may result in the imposition of monetary sanctions.

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 25, 2016	Certificate of Service Filed			
	Greenberg, Kevin Michael	Hudson, Le Shae A.	Petitioner	
	Greenberg, Kevin Michael	Price, Donna	Petitioner	
	Greenberg, Kevin Michael	Sanders, Doris	Petitioner	
February 26, 2016	Certificate of Service Filed			
	Greenberg, Kevin Michael	Hudson, Le Shae A.	Petitioner	
	Greenberg, Kevin Michael	Price, Donna	Petitioner	
	Greenberg, Kevin Michael	Sanders, Doris	Petitioner	
Document Name: 2/24/16 Scheduling Order served by registered mail upon Sec. of Cmwlth.				
March 4, 2016	Order Filed			03/04/2016
	Per Curiam			
Document Name: It appearing that Candidate Deshawnda Williams did not file her Statement of Financial Interest with				
Comment: the Secretary of State, see 65 Pa. C.S. § 1104(b)(1), (3), a pre-trial telephone conference call to discuss this issue will be scheduled for March 7, 2016, at 11:00 a.m. and shall originate in the chambers of a judge designated by the Commonwealth Court and shall be made to the offices of counsel of record. CELL PHONES MAY NOT BE USED.				
March 9, 2016	Application for Relief			
	Greenberg, Kevin Michael	Hudson, Le Shae A.	Petitioner	
	Greenberg, Kevin Michael	Price, Donna	Petitioner	
	Greenberg, Kevin Michael	Sanders, Doris	Petitioner	
Document Name: Motion to Preclude Offering of Evidence and to Compel Compliance with the Scheduling Order				
March 9, 2016	Filed - Other			
	Greenberg, Kevin Michael	Hudson, Le Shae A.	Petitioner	
	Greenberg, Kevin Michael	Price, Donna	Petitioner	
	Greenberg, Kevin Michael	Sanders, Doris	Petitioner	
Document Name: Objector's Witness List				
March 9, 2016	Filed - Other			
	Greenberg, Kevin Michael	Hudson, Le Shae A.	Petitioner	
	Greenberg, Kevin Michael	Price, Donna	Petitioner	
	Greenberg, Kevin Michael	Sanders, Doris	Petitioner	
Document Name: Motion to Allow Additional Challenges to Lines Subject to Notary Fraud				
March 9, 2016	Application for Relief			
	Bailey, Caroline Avery	Mathis, Jessica	Other	
Document Name: App. of the Sec. of the Cmwlth's Designee Jessica Mathis, Chief of the Division of Commissions and				
Comment: and Elections to Participate by Telephone				
March 9, 2016	Order Granting Application for Relief			03/09/2016
	Per Curiam			
Document Name: The Application of the Commonwealth's Designee, Jessica Mathis, Chief of the Division of Commissions				
Comment: and Elections, to participate by telephone at the hearing in the above-captioned matter scheduled for March 10, 2016 at 9:30 a.m. in Courtroom No. 2, Widener Building, in Philadelphia, is GRANTED. Ms. Mathis shall report to the Commonwealth Court Filing Office, Suite 2100, Pennsylvania Judicial Center at 10:30 a.m. where she will be directed to a conferencing facility. It is further ORDERED that Ms. Mathis shall be accompanied by Department of State employee Elissa Daberman.				

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 11, 2016	Nom. Papers Set Aside Cohn Jubelirer, Renee			03/11/2016

Document Name: Following a hearing on the "Objection to Nomination petition of Deshawnda Williams" (Candidate) in

Comment: the above-captioned matter, during which the parties agreed that Candidate's Nomination Petition shall be set aside and her name be stricken from the Primary Election ballot, it is hereby ORDERED:

1. The Secretary of the Commonwealth is directed to REMOVE the name of Deshawnda Williams as Democratic candidate for the 3rd Senatorial District in the Primary Election to be held on April 26, 2016.
2. The Chief Clerk shall send a copy of this order to the Secretary of the Commonwealth.
3. The parties shall pay their own costs.

DISPOSITION INFORMATION

Final Disposition:	Yes	Judgment Date:	
Related Journal No:		Disposition Author:	Cohn Jubelirer, Renee
Category:	Disposed Before Decision	Disposition Date:	March 11, 2016
Disposition:	Nom. Papers Set Aside		
Disposition Comment:	the above-captioned matter, during which the parties agreed that Candidate's Nomination Petition shall be set aside and her name be stricken from the Primary Election ballot, it is hereby ORDERED:		
	1. The Secretary of the Commonwealth is directed to REMOVE the name of Deshawnda Williams as Democratic candidate for the 3rd Senatorial District in the Primary Election to be held on April 26, 2016.		
	2. The Chief Clerk shall send a copy of this order to the Secretary of the Commonwealth.		
	3. The parties shall pay their own costs.		
Dispositional Filing:		Filing Author:	
Filed Date:			