

Commonwealth Docket Sheet

Docket Number: 1229 CD 2015

Page 1 of 13

March 24, 2018



CAPTION

Delaware Riverkeeper Network,
Clean Air Council, David Denk,
Jennifer Chomicki and Joann Groman

v.

Middlesex Township Zoning
Hearing Board

v.

R.E. Gas Development, LLC and
Middlesex Township

Appeal of: R.E. Gas Development, LLC

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Decided/Active

Case Processing Status: June 7, 2017 Filing of Decision or Opinion

Journal Number: 13-11-2016

Case Category: Civil Case Type(s): Zoning/Land Use

CONSOLIDATED CASES

RELATED CASES

| Docket No / Reason | Type | Docket No / Reason | Type |
|---------------------------------------|--------------|----------------------------------|---------|
| 1323 CD 2015 Ct Order - Sua Sponte | Consolidated | 2609 CD 2015 Similar Issue(s) | Related |
| 2609 CD 2015 Ct Order - Sua Sponte | Consolidated | | |

COUNSEL INFORMATION

Designated Appellant Groman, Joann

Pro Se: No

IFP Status:

Attorney: Yeager, Jordan Berson
Law Firm: Curtin & Heefner LLP
Address: Curtin & Heefner LLP
2005 S Easton Rd Ste 100
Doylestown, PA 18901

Phone No: (267) 898-0570

Fax No:

Attorney: Minott, Joseph Otis
Law Firm: Clean Air Council
Address: 135 S 19TH St Ste 300
Philadelphia, PA 19103-4920

Phone No: (215) 567-4004

Fax No:

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 2 of 13

March 24, 2018



COUNSEL INFORMATION

Designated Appellant **Groman, Joann**

Pro Se: No

IFP Status:

Attorney: Williams, Lauren M.
 Law Firm: Curtin & Heefner LLP
 Address: 2005 S Easton Rd Ste 100
 Doylestown, PA 18901-7103
 Phone No: (267) 898-0570 Fax No:

Attorney: Jacobs-Smith, Aaron Russell
 Law Firm: Clean Air Council
 Address: Clean Air Council
 135 S 19TH St Ste 300
 Philadelphia, PA 19147
 Phone No: (215) 567-4004 Fax No: (215) 567-5791

Designated Appellant **Denk, David**

Pro Se: No

IFP Status:

Attorney: Yeager, Jordan Berson
 Law Firm: Curtin & Heefner LLP
 Address: Curtin & Heefner LLP
 2005 S Easton Rd Ste 100
 Doylestown, PA 18901
 Phone No: (267) 898-0570 Fax No:

Attorney: Minott, Joseph Otis
 Law Firm: Clean Air Council
 Address: 135 S 19TH St Ste 300
 Philadelphia, PA 19103-4920
 Phone No: (215) 567-4004 Fax No:

Attorney: Williams, Lauren M.
 Law Firm: Curtin & Heefner LLP
 Address: 2005 S Easton Rd Ste 100
 Doylestown, PA 18901-7103
 Phone No: (267) 898-0570 Fax No:

Attorney: Jacobs-Smith, Aaron Russell
 Law Firm: Clean Air Council
 Address: Clean Air Council
 135 S 19TH St Ste 300
 Philadelphia, PA 19147
 Phone No: (215) 567-4004 Fax No: (215) 567-5791

Commonwealth Docket Sheet

Docket Number: 1229 CD 2015

Page 3 of 13

March 24, 2018



COUNSEL INFORMATION

Designated Appellant **Delaware Riverkeeper Network**

Pro Se: No

IFP Status:

Attorney: Yeager, Jordan Berson
 Law Firm: Curtin & Heefner LLP
 Address: Curtin & Heefner LLP
 2005 S Easton Rd Ste 100
 Doylestown, PA 18901

Phone No: (267) 898-0570 Fax No:

Attorney: Minott, Joseph Otis
 Law Firm: Clean Air Council
 Address: 135 S 19TH St Ste 300
 Philadelphia, PA 19103-4920

Phone No: (215) 567-4004 Fax No:

Attorney: Williams, Lauren M.
 Law Firm: Curtin & Heefner LLP
 Address: 2005 S Easton Rd Ste 100
 Doylestown, PA 18901-7103

Phone No: (267) 898-0570 Fax No:

Attorney: Jacobs-Smith, Aaron Russell
 Law Firm: Clean Air Council
 Address: Clean Air Council
 135 S 19TH St Ste 300
 Philadelphia, PA 19147

Phone No: (215) 567-4004 Fax No: (215) 567-5791

Designated Appellant **Clean Air Council**

Pro Se: No

IFP Status:

Attorney: Yeager, Jordan Berson
 Law Firm: Curtin & Heefner LLP
 Address: Curtin & Heefner LLP
 2005 S Easton Rd Ste 100
 Doylestown, PA 18901

Phone No: (267) 898-0570 Fax No:

Attorney: Minott, Joseph Otis
 Law Firm: Clean Air Council
 Address: 135 S 19TH St Ste 300
 Philadelphia, PA 19103-4920

Phone No: (215) 567-4004 Fax No:

Attorney: Jacobs-Smith, Aaron Russell
 Law Firm: Clean Air Council
 Address: Clean Air Council
 135 S 19TH St Ste 300
 Philadelphia, PA 19147

Phone No: (215) 567-4004 Fax No: (215) 567-5791

Commonwealth Docket Sheet

Docket Number: 1229 CD 2015

Page 4 of 13

March 24, 2018



COUNSEL INFORMATION

Designated Appellant**Chomicki, Jennifer**

Pro Se: No

IFP Status:

Attorney: Yeager, Jordan Berson
 Law Firm: Curtin & Heefner LLP
 Address: Curtin & Heefner LLP
 2005 S Easton Rd Ste 100
 Doylestown, PA 18901

Phone No: (267) 898-0570 Fax No:

Attorney: Minott, Joseph Otis
 Law Firm: Clean Air Council
 Address: 135 S 19TH St Ste 300
 Philadelphia, PA 19103-4920

Phone No: (215) 567-4004 Fax No:

Attorney: Williams, Lauren M.
 Law Firm: Curtin & Heefner LLP
 Address: 2005 S Easton Rd Ste 100
 Doylestown, PA 18901-7103

Phone No: (267) 898-0570 Fax No:

Attorney: Jacobs-Smith, Aaron Russell
 Law Firm: Clean Air Council
 Address: Clean Air Council
 135 S 19TH St Ste 300
 Philadelphia, PA 19147

Phone No: (215) 567-4004 Fax No: (215) 567-5791

Designated Appellee**R.E. Gas Development, LLC**

Pro Se: No

IFP Status:

Attorney: Colosimo, Kevin L.
 Law Firm: Frost Brown Todd LLC
 Address: Union Trust Building
 501 Grant Street, Suite 800
 Pittsburgh, PA 15219

Phone No: (412) 513-4300 Fax No: (412) 513-4299

Attorney: Craig, Daniel Patrick
 Law Firm: Frost Brown Todd LLC
 Address: One PPG Place, 2800
 Pittsburgh, PA 15222

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 5 of 13

March 24, 2018



COUNSEL INFORMATION

Designated Appellee Middlesex Township Zoning Hearing Board

Pro Se: No

IFP Status:

Attorney: Gallagher, Michael D.
 Law Firm: Murrin, Taylor, Flach Gallagher & May
 Address: Murrin Taylor Flach ET AL
 110 E Diamond St
 Butler, PA 16001-5999
 Phone No: (724) 282-3141 Fax No:

Attorney: Gallagher, Sean Michael
 Law Firm: Murrin, Taylor, Flach & Gallagher
 Address: Murrin Taylor ET AL
 110 E Diamond St LL
 Butler, PA 16001
 Phone No: (724) 282-3141 Fax No:

Designated Appellee Middlesex Township

Pro Se: No

IFP Status:

Attorney: Hnath, Michael David
 Law Firm: Dillon McCandless King Coulter & Graham L.L.P.
 Address: Dillon Mccandless King ET AL
 128 W Cunningham St
 Butler, PA 16001-5742
 Phone No: (724) 283-2200 Fax No:

Designated Appellee Geyer, Robert

Pro Se: No

IFP Status:

Attorney: Linn, Douglas G., II
 Law Firm: Jennifer R. Linn & Associates
 Address: 20280 Route 19
 Ste 6
 Cranberry Township, PA 16066
 Phone No: (724) 591-8263 Fax No:

FEE INFORMATION

| Fee Dt | Fee Name | Fee Amt | Receipt Dt | Receipt No | Receipt Amt |
|------------|------------------|---------|------------|-------------------|-------------|
| 07/17/2015 | Notice of Appeal | 85.50 | 07/20/2015 | 2015-CMW-H-001603 | 85.50 |

AGENCY/TRIAL COURT INFORMATION

Court Below: Butler County Court of Common Pleas
 County: Butler Division: Butler County Civil Division
 Order Appealed From: July 9, 2015 Judicial District: 50
 Documents Received: July 20, 2015 Notice of Appeal Filed: July 17, 2015
 Order Type: Decision
 OTN(s):
 Lower Ct Docket No(s): AD15-10429

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 6 of 13

March 24, 2018

Lower Ct Judge(s): Yeager, S. Michael
Judge

ORIGINAL RECORD CONTENT

| Original Record Item | Filed Date | Content Description |
|----------------------|--------------------|---------------------|
| Trial Court Record | September 17, 2015 | 4 boxes |

Date of Remand of Record: October 1, 2015

BRIEFING SCHEDULE

| Designated Appellant | Designated Appellee |
|--|---|
| Chomicki, Jennifer Brief | Geyer, Robert Brief |
| Due: March 28, 2016 Due: June 20, 2016 | Due: May 12, 2016 Filed: May 19, 2016 |
| Clean Air Council Brief | Middlesex Township Brief |
| Due: March 28, 2016 Due: June 20, 2016 | Due: May 12, 2016 Filed: May 12, 2016 |
| Delaware Riverkeeper Network Brief | Middlesex Township Zoning Hearing Board Brief |
| Due: March 28, 2016 Due: June 20, 2016 | R.E. Gas Development, LLC Brief |
| Reproduced Record | Supplemental Reproduced Record |
| Due: March 28, 2016 | Due: Filed: May 12, 2016 |
| Denk, David Brief | |
| Due: March 28, 2016 | |
| Groman, Joann Brief | |
| Due: March 28, 2016 | |

DOCKET ENTRY

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|----------------------|---|--------------|--|------------|
| July 17, 2015 | Notice of Appeal Filed Delaware Riverkeeper Network Clean Air Council Denk, David Chomicki, Jennifer Groman, Joann | | Designated Appellant Designated Appellant Designated Appellant Designated Appellant Designated Appellant | |
| July 21, 2015 | Notice of Docketing Appeal Exited Commonwealth Court Filing Office | | | 07/21/2015 |

Commonwealth Docket Sheet

Docket Number: 1229 CD 2015

Page 7 of 13

March 24, 2018



DOCKET ENTRY

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|------------------------|---|-----------------------------------|----------------------|------------|
| July 31, 2015 | Docketing Statement Filed Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| August 12, 2015 | Order Filed Pellegrini, Dan | | | 08/13/2015 |
| | Document Name: upon review of this matter, and it appearing that | | | |
| | Comment: appellant seeks review of the July 9, 2015 order of the Court of Common Pleas of Butler County that imposed a stay of Middlesex Township Ordinance No. 127 and "all activity relative to unconventional natural gas development as presently being conducted at 451 Denny Road, Middlesex Township, Butler County, Pennsylvania, pending final adjudication of this proceeding" pursuant to Section 1003-A(d) of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, added by the Act of December 21, 1988, P.L. 1329, 53 P.S. §11003-A(d), the parties shall address the appealability of the July 9, 2015 order in their principal briefs on the merits. See Pa. R.A.P. 311; 313; 20 West's Pennsylvania Appellate Practice, §311:48. | | | |
| August 14, 2015 | Application to Expedite Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| August 17, 2015 | Order Filed Simpson, Robert E. | | | 08/17/2015 |
| | Document Name: upon review of appellant R.E. Gas Development, | | | |
| | Comment: LLC's "Application for Expedited Briefing Schedule and Advancement of Argument," it is hereby ordered that appellees shall file and serve answers to the Application no later than 12:00 pm, on Friday, August 21. | | | |
| August 20, 2015 | Entry of Appearance Gallagher, Sean Michael | Middlesex Township Zoning Hearing | Designated Appellee | |
| August 20, 2015 | Answer to Application to Expedite Jacobs-Smith, Aaron Russell | Chomicki, Jennifer | Designated Appellant | |
| | Jacobs-Smith, Aaron Russell | Clean Air Council | Designated Appellant | |
| | Jacobs-Smith, Aaron Russell | Delaware Riverkeeper Network | Designated Appellant | |
| | Jacobs-Smith, Aaron Russell | Denk, David | Designated Appellant | |
| | Jacobs-Smith, Aaron Russell | Groman, Joann | Designated Appellant | |
| August 21, 2015 | Answer Filed Gallagher, Sean Michael | Middlesex Township Zoning Hearing | Designated Appellee | |
| August 25, 2015 | Order Denying Application to Expedite Quigley, Keith B. | | | 08/26/2015 |
| | Document Name: upon consideration of appellant's | | | |
| | Comment: Application for Expedited Briefing Schedule and Advancement of Argument and the answer thereto filed on behalf of appellees Delaware Riverkeeper Network, Clean Air Council, David Denk, Jennifer Chomicki, and Joann Groman, and the answer filed on behalf of appellee Middlesex Township Zoning Hearing Board, the Application for Expedited Briefing Schedule and Advancement of Argument is denied. | | | |

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 8 of 13

March 24, 2018



DOCKET ENTRY

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|---------------------------|---|---|--|-----------|
| September 17, 2015 | Trial Court Record Received Butler County Court of Common Pleas | | | |
| September 25, 2015 | Designation of Contents of Reproduced Record Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| September 25, 2015 | Designation of Contents of Reproduced Record Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| September 25, 2015 | Application for Remand Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson | Chomicki, Jennifer Clean Air Council Delaware Riverkeeper Network Denk, David Groman, Joann | Designated Appellant Designated Appellant Designated Appellant Designated Appellant Designated Appellant | |
| September 28, 2015 | Designation of Contents of Reproduced Record Hnath, Michael David Document Name: Statement of Issues R.E. Gas Development, LLC | Middlesex Township | Designated Appellee | |

Commonwealth Docket Sheet

Docket Number: 1229 CD 2015

Page 9 of 13

March 24, 2018



DOCKET ENTRY

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|--------------------|---|--|---|------------|
| September 30, 2015 | Order Filed McCullough, Patricia A. | | | 10/01/2015 |
| | Document Name: upon consideration of the parties' joint | | | |
| | Comment: application for relief, it appears that these actions are appeals from the trial court's order granting a stay of the effect of a Township ordinance pursuant to Section 1003-A of the Pennsylvania Municipalities Planning Code, 53 P.S. §11003-A. It further appears that appellants have appealed the stay order, asserting it has the practical effect of granting a preliminary injunction and is therefore appealable pursuant to Pa. R.A.P. 311. | | | |
| | Following the certification of the record to this Court, the trial court scheduled an argument on the merits of the underlying land use appeal. See Pa. R.A.P. 311(h) (providing that Pa. R.A.P. 1701(a), which prohibits a trial court from proceeding further in a matter after an appeal is taken, is not applicable when interlocutory appeal as of right is taken from an order granting an injunction). However, the parties aver that the trial court canceled the hearing because the trial court required "the full hard copy record to consider the case." (Joint application for relief at paragraph 6.) | | | |
| | The parties now ask this Court to remand the certified record to the trial court so the trial court can "rule on the merits of Appellees' land use appeal in advance of this Court's consideration of the appeal from the stay order." (Joint application at paragraph 13.) In light of the parties' agreement to remand the certified record in this action and the trial court's expressed desire to utilize the certified record from the stay proceedings in its disposition of the land use appeal, the joint application for relief is granted. The Chief Clerk is directed to remit the certified record to the trial court. | | | |
| | It appearing, however, that this Court will be unable to perform its appellate function in the absence of the certified record, these consolidated actions shall be stayed pending the trial court's return of the certified record to this Court. The parties shall file a status report with this Court within 30 days of the trial court's disposition of the land use appeal or by December 30, 2015, whichever is earlier. | | | |
| | Jurisdiction retained. | | | |
| October 1, 2015 | Remitted Commonwealth Court Filing Office | | | |
| | Document Name: SEE 9/30/15 ORDER | | | |
| December 29, 2015 | Praecipe Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| | Document Name: (Change of address) | | | |
| December 29, 2015 | Status Report Filed Colosimo, Kevin L. Craig, Daniel Patrick Hnath, Michael David | R.E. Gas Development, LLC R.E. Gas Development, LLC Middlesex Township | Designated Appellee Designated Appellee Designated Appellee | |
| | Document Name: Joint | | | |

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 10 of 13

March 24, 2018



DOCKET ENTRY

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|-------------------------|---|---|--|------------|
| February 2, 2016 | Order Sua Sponte for Consolidation Colins, James G. | | | 02/03/2016 |
| | Document Name: NOW, February 2, 2016, upon consideration of the parties' joint status report, and it appearing that Comment: the trial court has issued an opinion and order on the merits of the underlying land use appeal, and it further appearing that the trial court's merits order was appealed to this Court and is docketed at number 2609 C.D. 2015, the Court directs the following: * It appearing that the case at docket number 1230 C.D. 2015 was discontinued on January 7, 2016, the cases at docket numbers 1229 C.D. 2015, 1323 C.D. 2015 and 2609 C.D. 2015 shall be consolidated and the caption shall be as set forth above. * The stay entered in the cases at docket numbers 1229 C.D. 2015 and 1323 C.D. 2015 is vacated. * The Chief Clerk is directed to obtain the certified record for the abovecaptioned actions. * Upon receipt of the certified record, the Chief Clerk shall issue a briefing schedule. * The Delaware Riverkeeper Network, Clean Air Council, David Denk, Jennifer Chomicki and Joann Groman are designated appellants under Pa. R.A.P. 2136. * With regard to the appeals at docket numbers 1229 C.D. 2015 and 1323 C.D. 2015, it appearing that designated appellees seek review of the July 9, 2015 order of the trial court that imposed a stay of Middlesex Township Ordinance No. 127 and "all activity relative to unconventional natural gas development as presently being conducted at 451 Denny Road, Middlesex Township, Butler County, Pennsylvania, pending final adjudication of this proceeding" pursuant to Section 1003-A(d) of the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, added by the Act of December 21, 1988, P.L. 1329, 53 P.S. §11003-A(d), the parties shall address the appealability of the July 9, 2015 order in their principal briefs on the merits. See Pa. R.A.P. 311; 313; 20 West's Pennsylvania Appellate Practice, §311:48. | | | |
| February 3, 2016 | Trial Court Record Received Butler County Court of Common Pleas | | | |
| February 3, 2016 | Briefing Schedule Issued Commonwealth Court Filing Office | | | |
| March 9, 2016 | Application for Extension of Time to File Jacobs-Smith, Aaron Russell | Clean Air Council | Designated Appellant | |
| | Document Name: 1st brief ext. request | | | |
| March 10, 2016 | Order Granting Application for Extension of Time to File Appellant Brief Krimmel, Michael | | | 03/11/2016 |
| | Document Name: Designated Appellants' brief and RR shall be filed by 3-28-16. | | | |
| March 17, 2016 | Designation of Contents of Reproduced Record Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| March 28, 2016 | Designated Appellant's Reproduced Record Filed Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson | Chomicki, Jennifer Clean Air Council Delaware Riverkeeper Network Denk, David Groman, Joann | Designated Appellant Designated Appellant Designated Appellant Designated Appellant Designated Appellant | |
| | Document Name: 4 volumes | | | |

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 11 of 13

March 24, 2018



| DOCKET ENTRY | | | | |
|-----------------------|---|-----------------------------------|----------------------|------------|
| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
| March 28, 2016 | Designated Appellant's Brief Filed | | | |
| | Yeager, Jordan Berson | Chomicki, Jennifer | Designated Appellant | |
| | Yeager, Jordan Berson | Clean Air Council | Designated Appellant | |
| | Yeager, Jordan Berson | Delaware Riverkeeper Network | Designated Appellant | |
| | Yeager, Jordan Berson | Denk, David | Designated Appellant | |
| | Yeager, Jordan Berson | Groman, Joann | Designated Appellant | |
| March 28, 2016 | Application for Relief | | | |
| | Delaware Riverkeeper Network | | Designated Appellant | |
| | Clean Air Council | | Designated Appellant | |
| | Denk, David | | Designated Appellant | |
| | Chomicki, Jennifer | | Designated Appellant | |
| | Groman, Joann | | Designated Appellant | |
| | Document Name: Designated Appellant's Unopposed Application to File Overlength Brief | | | |
| March 29, 2016 | Entry of Appearance | | | |
| | Williams, Lauren M. | Chomicki, Jennifer | Designated Appellant | |
| | Williams, Lauren M. | Delaware Riverkeeper Network | Designated Appellant | |
| | Williams, Lauren M. | Denk, David | Designated Appellant | |
| | Williams, Lauren M. | Groman, Joann | Designated Appellant | |
| April 4, 2016 | Order Granting Application for Relief | | | 04/05/2016 |
| | Colins, James G. | | | |
| | Document Name: Upon consideration of designated appellants' unopposed application for leave to file overlength | | | |
| | Comment: brief, the application is granted and the brief received on March 28, 2016 shall be docketed as designated appellants' principal brief in these matters. | | | |
| April 20, 2016 | Application for Extension of Time to File Brief - First Request | | | |
| | Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| | Craig, Daniel Patrick | R.E. Gas Development, LLC | Designated Appellee | |
| | Gallagher, Michael D. | Middlesex Township Zoning Hearing | Designated Appellee | |
| | Gallagher, Sean Michael | Middlesex Township Zoning Hearing | Designated Appellee | |
| | Hnath, Michael David | Middlesex Township | Designated Appellee | |
| | Linn, Douglas G., II | Geyer, Robert | Designated Appellee | |
| April 22, 2016 | Order Granting Application for Extension of Time to File | | | 04/25/2016 |
| | Krimmel, Michael | | | |
| | Document Name: Designated Appellees' brief shall be filed by 5-12-16. | | | |
| May 12, 2016 | Designated Appellee's Brief Filed | | | |
| | Middlesex Township | | Designated Appellee | |
| May 12, 2016 | Designated Appellee's Brief Filed | | | |
| | Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| May 12, 2016 | Appellee's Supplemental Reproduced Record Filed | | | |
| | Colosimo, Kevin L. | R.E. Gas Development, LLC | Designated Appellee | |
| May 19, 2016 | Joinder in Brief | | | |
| | Geyer, Robert | | Designated Appellee | |

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 12 of 13

March 24, 2018



DOCKET ENTRY

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|------------------------|--|---|--|------------|
| May 19, 2016 | No Brief to be Filed Middlesex Township Zoning Hearing Board Document Name: Letter dated 5/19/2016 | | Designated Appellee | |
| June 14, 2016 | Designated Appellant's Reply Brief Filed Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson Yeager, Jordan Berson | Clean Air Council Delaware Riverkeeper Network Denk, David Chomicki, Jennifer Groman, Joann | Designated Appellant Designated Appellant Designated Appellant Designated Appellant Designated Appellant | |
| June 24, 2016 | Tentative Session Date Krimmel, Michael Document Name: November 2016 (Pittsburgh) | | | |
| October 5, 2016 | Argument Scheduled Krimmel, Michael Document Name: Notice is hereby given that argument is fixed for Monday, November 14, 2016 at 1:00 p.m. Before a Comment: panel of judges sitting in Courtroom 313, Allegheny County Courthouse, 436 Grant Street, Pittsburgh, PA. Case No. 13-13b | | | 10/05/2016 |
| April 7, 2017 | Filed - Other Colosimo, Kevin L. Document Name: Change of Address | R.E. Gas Development, LLC | Designated Appellee | |
| June 7, 2017 | Affirmed Wojcik, Michael H. Document Name: Memorandum Opinion (45 pages) Comment: The order of the Butler County Court of Common Pleas docketed at 2609 CD 2015 is AFFIRMED. The appeals docketed at 1229 & 1323 CD 2015 are dismissed as moot. | | | 06/07/2017 |
| July 10, 2017 | Petition for Allowance of Appeal to PA Supreme Court Filed Delaware Riverkeeper Network Clean Air Council Denk, David Groman, Joann Document Name: 270 WAL 2017 | | Designated Appellant Designated Appellant Designated Appellant Designated Appellant | |

SESSION INFORMATION

Journal Number: 13-11-2016
 Consideration Type: Oral Argument - Panel
 Listed/Submitted Date: November 14, 2016

Panel Composition:

| | |
|--|--------------|
| The Honorable Patricia A. McCullough | Judge |
| The Honorable Michael H. Wojcik | Judge |
| The Honorable Bonnie Brigance Leadbetter | Senior Judge |

DISPOSITION INFORMATION

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1229 CD 2015

Page 13 of 13

March 24, 2018



DISPOSITION INFORMATION

| | | | |
|-----------------------|---|---------------------|-------------------------|
| Final Disposition: | Yes | Judgment Date: | |
| Related Journal No: | | Disposition Author: | Wojcik, Michael H. |
| Category: | Decided | Disposition Date: | June 7, 2017 |
| Disposition: | Affirmed | | |
| Disposition Comment: | The order of the Butler County Court of Common Pleas docketed at 2609 CD 2015 is AFFIRMED. The appeals docketed at 1229 & 1323 CD 2015 are dismissed as moot. | | |
| Dispositional Filing: | Memorandum Opinion | Filing Author: | Wojcik, Michael H. |
| Filed Date: | 6/7/2017 12:00:00AM | | |
| Dispositional Filing: | Concurring Statement | Filing Author: | McCullough, Patricia A. |
| Filed Date: | 6/7/2017 12:00:00AM | | |

REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date:
Disposition:
Disposition Date:
Record Remittal: October 1, 2015