

Miscellaneous Docket Sheet

Docket Number: 125 MD 2016

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August 18, 2017



CAPTION

In Re: The Nomination Petitions of Brian Sims as a Democratic Candidate for State Representative in the 182nd Legislative District

Petition of: Michael T. Connor and Andrew Allison

CASE INFORMATION

Initiating Document: Objection to Nominating Petition
Case Status: Closed
Case Processing Status: March 21, 2016 Completed
Journal Number:
Case Category: Election Case Type(s): Objection to Nomination Papers

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Petitioner Connor, Michael T.
Pro Se: No
IFP Status:
Attorney: Otter, Lawrence M.
Address: PO Box 575 Silverdale, PA 18962-0575
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Phone No: (215) 230-5330

Petitioner Allison, Andrew
Pro Se: No
IFP Status:
Attorney: Otter, Lawrence M.
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Phone No: (267) 261-2948 Fax No:
Phone No: (215) 230-5330

Other Kotula, Kathleen M.
Pro Se: No
IFP Status:
Attorney: Kotula, Kathleen Marie
Law Firm: Pennsylvania Department of State
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COUNSEL INFORMATION

Respondent Sims, Brian
Pro Se: No
IFP Status:
Attorney: Bonin, Adam Craig
Law Firm: The Law Office of Adam C. Bonin
Address: 1900 Market Street, 4th Floor Philadelphia, PA 19103
Phone No: (215) 864-8002 Fax No: (215) 701-2321

FEE INFORMATION

Table with 6 columns: Fee Dt, Fee Name, Fee Amt, Receipt Dt, Receipt No, Receipt Amt. Row 1: 02/23/2016, Miscellaneous Docket Filing Fee, 65.50, 02/23/2016, 2016-CMW-H-000458, 65.50

AGENCY/TRIAL COURT INFORMATION

Court Below:
County: Division:
Order Appealed From: Judicial District:
Documents Received: February 23, 2016 Notice of Appeal Filed:
Order Type:
OTN(s):
Lower Ct Docket No(s):
Lower Ct Judge(s):

ORIGINAL RECORD CONTENT

Table with 3 columns: Original Record Item, Filed Date, Content Description

Date of Remand of Record:

BRIEFING SCHEDULE

None None

DOCKET ENTRY

Table with 5 columns: Filed Date, Docket Entry / Filer, Representing, Participant Type, Exit Date. Rows include entries for February 23, 2016 and February 24, 2016.

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
	Comment: 1. IT IS HEREBY ORDERED:			
	A. Hearing on the petition to set aside nomination petition is scheduled for Wednesday, March 23, 2016, at 9:30 a.m., in Courtroom Number 1, 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 March 14, 2016.			
	D. No later than 5:00 p.m., Friday, March 11, 2016, 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 Brian Sims, 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			

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## DOCKET ENTRY

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	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 21, 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 P ACFile (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.			
<b>February 29, 2016</b>	Entry of Appearance Bonin, Adam Craig	Sims, Brian	Respondent	
<b>March 10, 2016</b>	Order Filed Per Curiam			03/10/2016
	Document Name: It is ordered that the hearing time set for March 23, 2016 at 9:30 a.m. has been changed Comment: to 10:00 a.m., Courtroom Number 2, The Widener Building, 1339 Chestnut Street, Philadelphia, on the petition to set aside nomination petition in the above-referenced case. In all other respects, the provisions of the February 24, 2016 scheduling and case management order remain in effect.			

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**DOCKET ENTRY**

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 14, 2016	Hearing Rescheduled Per Curiam			03/14/2016

Document Name: it is ordered that based upon the parties' joint request, the hearing scheduled for March 23, 2016

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
	<p>Comment: at 10:00 a.m. on the petition to set aside the nomination petition in the above-referenced case is rescheduled to April 4, 2016 at 10:00 a.m., in Courtroom Number 2, The Widener Building, 1339 Chestnut Street, Philadelphia, Pennsylvania. IT IS FURTHER ORDERED:</p> <p>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.</p> <p>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.</p> <p>C. If signature line challenges are at issue:</p> <ol style="list-style-type: none"> <li>1. Objector and Candidate shall file a stipulation of the parties that identifies:           <ol style="list-style-type: none"> <li>(a) the total number of completed signature lines submitted;</li> <li>(b) the total number of uncontested signature lines submitted;</li> <li>(c) the total number of signature lines challenged;</li> <li>(d) each and every signature line to which there is an objection identified by page number, and the basis for the objection; and</li> <li>(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.</li> </ol> </li> <li>2. 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.</li> </ol> <p>D. Objector and Candidate may each file a memorandum of law in support of their respective positions by the time and date specified in this order. No further memoranda will be permitted unless ordered by the Court.</p> <p>All filings required or permitted by this order shall be filed no later than 12:00 o'clock noon on April 1, 2016 with the Clerk at the Pennsylvania Judicial Center, Suite 2100, 601 Commonwealth Avenue, P.O. Box 69185, Harrisburg, PA 17106-9185.</p> <p>Parties may file via PACFile (the Pennsylvania appellate court electronic filing system) but NOT file by facsimile or e-mail without express prior permission from the court.</p> <p>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 sanctions.</p>			

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**DOCKET ENTRY**

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	In all other respects, the provisions of the February 24, 2016 scheduling and case management order remain in effect.			
<b>March 20, 2016</b>	Praeceptum for Discontinuance			
	Otter, Lawrence M.	Allison, Andrew	Petitioner	
	Otter, Lawrence M.	Connor, Michael T.	Petitioner	
<b>March 21, 2016</b>	Discontinued Per Curiam			03/21/2016
	Document Name: objector having filed a praecipe to discontinue, the hearing set for 4/4/16 at 10:00 a.m.			
	Comment: in Courtroom Number 1, The Widener Building, 1339 Chestnut Street, One South Penn Square, Phila., Pa. is cancelled. The Chief Clerk shall mark this matter closed and discontinued.			

**DISPOSITION INFORMATION**

Final Disposition:	Yes		
Related Journal No:		Judgment Date:	
Category:	Disposed Before Decision	Disposition Author:	Per Curiam
Disposition:	Discontinued	Disposition Date:	March 21, 2016
Disposition Comment:	in Courtroom Number 1, The Widener Building, 1339 Chestnut Street, One South Penn Square, Phila., Pa. is cancelled. The Chief Clerk shall mark this matter closed and discontinued.		
Dispositional Filing:		Filing Author:	
Filed Date:			