

Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 159 MM 2017

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February 19, 2018

CAPTION

League of Women Voters of Pennsylvania, Carmen Febo San Miguel, James Solomon, John Greiner, John Capowski, Gretchen Brandt, Thomas Rentschler, Mary Elizabeth Lawn, Lisa Isaacs, Don Lancaster, Jordi Comas, Robert Smith, William Marx, Richard Mantell, Priscilla McNulty, Thomas Ulrich, Robert McKinstry, Mark Lichty, Lorraine Petrosky, Petitioners

v.

The Commonwealth of Pennsylvania; The Pennsylvania General Assembly; Thomas W. Wolf, In His Capacity As Governor of Pennsylvania; Michael J. Stack III, In His Capacity As Lieutenant Governor of Pennsylvania And President of the Pennsylvania Senate; Michael C. Turzai, In His Capacity As Speaker of the Pennsylvania House of Representatives; Joseph B. Scarnati III, In His Capacity As Pennsylvania Senate President Pro Tempore; Robert Torres, In His Capacity As Acting Secretary of the Commonwealth of Pennsylvania; Jonathan M. Marks, In His Capacity As Commissioner of the Bureau of Commissions, Elections, and Legislation of the Pennsylvania Department of State, Respondents

CASE INFORMATION

Initiating Document: Application for Extraordinary Relief

Case Status: Active

Journal Number: J-1-2018 January 17, 2018

Case Category: Civil Case Type(s): Civil Action Law

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

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Pro Se: No

IFP Status:

Attorney: Bergman, Andrew David
Pro Hac Vice

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Pro Se: No

IFP Status:

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COUNSEL INFORMATION

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Pro Se: No
IFP Status:

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Pro Se: No
IFP Status:

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IFP Status:

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Pro Se: No
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Pro Se: No

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Pro Se: No

IFP Status:

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Pro Se: No

IFP Status:

Supreme Court of Pennsylvania



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COUNSEL INFORMATION

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Pro Se:	No
IFP Status:	
Representing:	Torres, Robert, Respondent
Pro Se:	No
IFP Status:	
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IFP Status:	
Representing:	Turzai, Michael C., Respondent
Pro Se:	No
IFP Status:	
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IFP Status:	
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Pro Se:	No
IFP Status:	

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COUNSEL INFORMATION

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IFP Status:	
Representing:	Torres, Robert, Respondent
Pro Se:	No
IFP Status:	
Representing:	Wolf, Thomas W., Respondent
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IFP Status:	
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 Pro Se: No
 IFP Status:
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 IFP Status:

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 IFP Status:
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 IFP Status:

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 IFP Status:
 Representing: Torres, Robert, Respondent
 Pro Se: No
 IFP Status:
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 IFP Status:

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IFP Status:

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IFP Status:	
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IFP Status:	

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COUNSEL INFORMATION

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 IFP Status:
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 IFP Status:

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 IFP Status:

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 Pro Se: Yes
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Supreme Court of Pennsylvania



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COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:

Supreme Court of Pennsylvania



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February 19, 2018

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IFP Status:

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Pro Se: No
IFP Status:

Representing: Grofman, Bernard, Amicus Curiae
Pro Se: No
IFP Status:

Supreme Court of Pennsylvania



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COUNSEL INFORMATION

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Pro Se: No

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Representing: The Pittsburgh Foundation, Amicus Curiae

Pro Se: No

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 Representing: Gaddie, Ronald Keith, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: Grofman, Bernard, Amicus Curiae
 Pro Se: No
 IFP Status:

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 Pro Se: No
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 Pro Se: No
 IFP Status:

Supreme Court of Pennsylvania



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February 19, 2018

COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:

SUPREME COURT INFORMATION

Appeal From: the Extraordinary Jurisdiction Granted from the Commonwealth Court at No. 261 MD 2017.
 Appeal Filed Below:

Probable Jurisdiction Noted: Docketed Date: October 12, 2017
 Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:
 Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
10/11/2017	Extraordinary / Plenary Jurisdiction	65.50	10/12/2017	2017-SUP-M-001347	65.50

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Docket Number:
 Date of Order: Rearg/Recon Disp Date:
 Rearg/Recon Disposition:
 Judge(s):
 Intermediate Appellate Court Action:
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania
 County: Division: Commonwealth Court of Pennsylvania
 Date of Agency/Trial Court Order:
 Order Type:
 OTN(s):
 Lower Ct Docket No(s): 261 MD 2017 261 MD 2017
 261 MD 2017
 Lower Ct Judge(s): Brobson, P. Kevin Leavitt, Mary Hannah
 Judge President Judge
 Pellegrini, Dan
 Senior Judge

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Part(s)	December 29, 2017	19

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BRIEFING SCHEDULE

Amicus Curiae

The Brennan Center for Justice at New York University
School of Law
The Pittsburgh Foundation
Brief

Due: January 5, 2018 Filed: January 5, 2018

Petitioner

League of Women Voters of Pennsylvania, et al
Brief

Due: January 5, 2018 Filed: January 5, 2018

Reply Brief

Due: January 12, 2018 Filed: January 12, 2018

SESSION INFORMATION

Journal Number: J-1-2018
Listed/Submitted Date: January 17, 2018
Consideration Type: Oral Argument Supreme Ct.

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 11, 2017	Application for Extraordinary Relief	Petitioner	League of Women Voters of Pennsylvania, et al

Comments:

Intervenors are:

Brian McCann, Daphne Goggins, Carl Edward Pfeifer, Michael Baker, Cynthia Ann Robbins, Ginny Steese Richardson, Carol Lynne Ryan, Joel Sears, Kurtes D. Smith, C Arnold McClure, Karen C. Cahilly, Vicki Lightcap, Wayne Buckwalter, Ann Marshall Pilgreen, Ralph E. Wike, Martin CD Morgis, Richard J. Terns, James Taylor, Lisa V. Nancollas, Hugh H. Sides, Mark J. Harris, William P. Eggleston, Jacqueline D. Kulback, Timothy D. Cifelli, Ann M. Dugan, Patricia J. Felix, Scott Uehlinger, Brandon Robert Smith, Glen Beiler, Tegwyn Hughes, Thomas Whitehead, David Moylan, James R. Means, Barry O. Christenson and Kathleen Bowman and Bryan Leib.

Note: 1) Pedro A. Cortes, Secretary of the Commonwealth of PA has been replaced with Robert Torres, Acting Secretary of the Commonwealth of PA.

2) "Brian McCann, et al" are possible intervenors pending an order from Commonwealth Court.

3) Commonwealth Court granted application to Intervene on 11-13-17.

4) Commonwealth Court granted two more Intervenors via transcript 1456:23-1457:5.

October 16, 2017	Praecepto to Provide Supplemental Authority treated as Applic for Leave to Supplement Application	Petitioner	League of Women Voters of Pennsylvania, et al
October 16, 2017	Motion for Admission Pro Hac Vice of Timothy J. Ford, Esquire		
	Brian McCann, et al, Intervenors	Respondent	Warren, Rebecca Lee
	Brian McCann, et al, Intervenors	Respondent	Tabas, Lawrence J.

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 17, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of Timothy J. Ford, Esquire	Petitioner	League of Women Voters of Pennsylvania, et al
October 17, 2017	Application to be Admitted Pro Hac Vice of David P. Gersch, Esq. League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David
October 17, 2017	Application to be Admitted Pro Hac Vice of R. Stanton Jones, Esq. League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David
October 17, 2017	Application to be Admitted Pro Hac Vice of Elisabeth S. Theodore, Esq. League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David
October 17, 2017	Application to be Admitted Pro Hac Vice of John A. Freedman, Esq. League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David
October 17, 2017	Application to be Admitted Pro Hac Vice of Daniel F. Jacobson, Esq. League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David
October 18, 2017	No Answer Letter to Applications to be Admitted Pro Hac Vice of David P. Gersch, Esq., et al	Respondent	Brian McCann, et al, Intervenors
October 19, 2017	No Answer Letter to Applications to be Admitted Pro Hac Vice of David P. Gersch, Esq., et al	Respondent	Scarnati, Joseph B., III
October 19, 2017	Application to be Admitted Pro Hac Vice of Shawn Sheehy, Esq. Pennsylvania General Assembly Turzai, Michael C.	Respondent Respondent	Gallagher, Kathleen A. Gallagher, Kathleen A.
October 19, 2017	Application to be Admitted Pro Hac Vice of Jason Torchinsky, Esq. Pennsylvania General Assembly Turzai, Michael C.	Respondent Respondent	Gallagher, Kathleen A. Gallagher, Kathleen A.
October 19, 2017	No Answer Letter to Applications to be Admitted Pro Hac Vice of David P. Gersch, Esq., et al	Respondent Respondent	Pennsylvania General Assembly Turzai, Michael C.
October 20, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of Timothy J. Ford, Esquire	Respondent	Scarnati, Joseph B., III
October 20, 2017	Notice of Disclosure		Todd, Debra
October 20, 2017	Application for Leave to Supplement Application for Extraordinary Relief	Petitioner	League of Women Voters of Pennsylvania, et al

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 20, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of Jason Torchinsky & Shawn Sheehy	Petitioner	League of Women Voters of Pennsylvania, et al
October 20, 2017	Answer to Application for Extraordinary Relief	Respondent Respondent Respondent	Pennsylvania General Assembly Turzai, Michael C. Scarnati, Joseph B., III
October 20, 2017	Application for Oral Argument	Respondent Respondent Respondent	Pennsylvania General Assembly Turzai, Michael C. Scarnati, Joseph B., III
October 23, 2017	Answer to Application for Extraordinary Relief	Respondent	Brian McCann, et al, Intervenors
October 23, 2017	No Answer Letter to Application to Provide Supplemental Authority	Respondent	Brian McCann, et al, Intervenors
October 23, 2017	No Answer Letter to Application for Leave to Supplement Application for Extraordinary Relief	Respondent	Brian McCann, et al, Intervenors
October 23, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of Jason Torchinsky & Shawn Sheehy	Respondent	Brian McCann, et al, Intervenors
October 23, 2017	No Answer Letter to Application for Extraordinary Relief	Respondent Respondent	Torres, Robert Marks, Jonathan M.
October 23, 2017	No Answer Letter to All Motions for Admission Pro Hac Vice	Respondent	Stack, Michael J., III
October 23, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of Timothy J. Ford, Esquire	Respondent Respondent	Torres, Robert Marks, Jonathan M.
October 23, 2017	No Answer Letter to Application to Provide Supplemental Authority	Respondent Respondent	Torres, Robert Marks, Jonathan M.
October 23, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of ...	Respondent Respondent	Torres, Robert Marks, Jonathan M.

Comments:

...David Gersch, Esquire
R. Stanton Jones, Esquire
Elisabeth S. Theodore, Esquire
John A. Freedman, Esquire
Daniel F. Jacobson, Esquire

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 23, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of Jason Torchinsky & Shawn Sheehy	Respondent Respondent	Torres, Robert Marks, Jonathan M.
October 23, 2017	Answer to Application for Extraordinary Relief	Respondent	Stack, Michael J., III
October 23, 2017	Application for Leave to File a Reply in Support of Application for Extraordinary Relief	Petitioner	League of Women Voters of Pennsylvania, et al
October 23, 2017	No Answer Letter to Application for Leave to Supplement Application for Extraordinary Relief	Respondent Respondent	Torres, Robert Marks, Jonathan M.
October 23, 2017	No Answer Letter to Appl for Leave to Suppl Application & Application to Supl Application	Respondent	Scarnati, Joseph B., III
October 23, 2017	No Answer Letter to Application for Leave to Supplement Application	Respondent	Wolf, Thomas W.
October 23, 2017	No Answer Letter to Motion for Admission Pro Hac Vice of Timothy J. Ford, Esquire	Respondent	Wolf, Thomas W.
October 23, 2017	No Answer Letter to Application for Extraordinary Relief	Respondent	Wolf, Thomas W.
October 23, 2017	No Answer Letter to Motions for Admission Pro Hac Vice of ...	Respondent	Wolf, Thomas W.
Comments: ...David P. Gersch, Esquire R. Stanton Jones, Esquire Elisabeth S. Theodore, Esquire John A. Freedman, Esquire Daniel F. Jacobson, Esquire			
October 23, 2017	No Answer Letter to Motions for Admission Pro Hac Vice of Jason Torchinsky, Esq. & Shawn Sheehy, Esq	Respondent	Wolf, Thomas W.
October 23, 2017	No Answer Letter to Application for Oral Argument	Petitioner	League of Women Voters of Pennsylvania, et al
October 23, 2017	No Answer Letter to Appl for Leave to Suppl Application & Application to Supl Application	Respondent Respondent	Pennsylvania General Assembly Turzai, Michael C.

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 24, 2017	Order Granting Application to be Admitted Pro Hac Vice		Dreibelbis, Amy
Comments: AND NOW, this 24th day of October, 2017, the Application to be Admitted Pro Hac Vice of Timothy J. Ford, Esquire, on behalf of "Proposed Intervenors" is hereby granted.			
October 24, 2017	Order Granting Applications to be Admitted Pro Hac Vice		Dreibelbis, Amy
Comments: AND NOW, this 24th day of October, 2017, the Applications to be Admitted Pro Hac Vice of Shawn Sheehy, Esquire and Jason Torchinsky, Esquire on behalf of Respondents, are hereby granted.			
October 24, 2017	Order Granting Applications to be Admitted Pro Hac Vice		Dreibelbis, Amy
Comments: AND NOW, this 24th day of October, 2017, the Applications to be Admitted Pro Hac Vice of David P. Gersch, Esquire, R. Stanton Jones, Esquire, Elisabeth S. Theodore, Esquire, John A. Freedman, Esquire, and Daniel F. Jacobson, Esquire on behalf of Petitioners, are hereby granted.			
October 24, 2017	Orders Exited		Office of the Prothonotary
October 26, 2017	No Answer Letter to Application for Oral Argument	Respondent	Brian McCann, et al, Intervenors
October 26, 2017	No Answer Letter to Application for Leave to File a Reply	Respondent	Brian McCann, et al, Intervenors
October 27, 2017	No Answer Letter to Application for Leave to File a Reply	Respondent	Wolf, Thomas W.
October 27, 2017	No Answer Letter to Application for Leave to File a Reply	Respondent	Stack, Michael J., III
October 27, 2017	No Answer Letter to Application for Leave to File a Reply	Respondent Respondent	Torres, Robert Marks, Jonathan M.
October 27, 2017	No Answer Letter to Application for Oral Argument	Respondent Respondent	Torres, Robert Marks, Jonathan M.
October 27, 2017	Answer to Application for Leave to File a Reply in Support of Application for Extraordinary Relief	Respondent Respondent Respondent	Pennsylvania General Assembly Turzai, Michael C. Scarnati, Joseph B., III
October 27, 2017	Praecipe for Withdrawal of Appearance		
	Pennsylvania General Assembly	Respondent	Haverstick, Matthew Hermann
	Pennsylvania General Assembly	Respondent	Seiberling, Mark Edward
	Pennsylvania General Assembly	Respondent	Voss, Joshua John

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 2, 2017	Notice of Disclosure		Mundy, Sallie
November 3, 2017	Amended Notice of Disclosure		Mundy, Sallie
November 9, 2017	Order Granting Application for Extraordinary Relief - Jurisdiction Retained		Per Curiam

Comments:

AND NOW, this 9th day of November, 2017, this Honorable Court, having determined that the present case involves issues of immediate public importance requiring this Court's assumption of plenary jurisdiction, it is hereby ordered that Petitioners' Application for Extraordinary Relief is GRANTED.

On October 16, 2017, the Commonwealth Court granted an Application for Stay filed by Respondents Joseph B. Scarnati, President Pro Tempore of the Pennsylvania Senate, Michael C. Turzai, Speaker of the Pennsylvania House of Representatives, and the General Assembly of Pennsylvania. This stay is hereby vacated and the case will proceed expeditiously forthwith.

Under the continuing supervision of this Court, the case is hereby remanded to the Commonwealth Court and directed to President Judge Mary Hannah Leavitt for assignment to a commissioned judge of the Commonwealth Court with instructions to conduct all necessary and appropriate discovery, pre-trial and trial proceedings so as to create an evidentiary record on which Petitioners' claims may be decided. The Commonwealth Court shall file with the Prothonotary of this Court its findings of fact and conclusions of law no later than December 31, 2017.

Petitioners' Application for Leave to File a Reply in Support of Petitioner's Application for Extraordinary Relief, Application for Leave to Supplement the Application for Extraordinary Relief, and Praecepto to Provide Supplemental Authority in Support of Petitioners' Application for Extraordinary Relief, treated as an application for leave to supplement the Application for Extraordinary Relief, are hereby GRANTED. The Legislative Respondents' Motion for Oral Argument is hereby DENIED.

Jurisdiction retained.

Chief Justice Saylor, Justice Baer and Justice Mundy note their dissent.

November 9, 2017	Order Exited		Office of the Prothonotary
November 10, 2017	Order Filed		Commonwealth Court of Pennsylvania

Comments:

AND NOW, this 10th day of November, 2017, in accordance with the Order of the Supreme Court of Pennsylvania entered on November 9, 2017, the above-captioned matter is hereby assigned to the Honorable P. Kevin Brobson to conduct all necessary and appropriate discovery, pre-trial and trial proceedings so as to create an evidentiary record on which the Petitioners' claims may be decided. Judge Brobson's findings of fact and conclusions of law shall be completed on or before December 31, 2017, for filing with the Prothonotary of the Supreme Court of Pennsylvania.

November 15, 2017	Praecepto for Appearance		
	Scarnati, Joseph B., III	Respondent	Haverstick, Matthew Hermann
	Scarnati, Joseph B., III	Respondent	Seiberling, Mark Edward
	Scarnati, Joseph B., III	Respondent	Voss, Joshua John
November 15, 2017	Notice of Filing of Notice of Removal by Respondent Joseph B. Scarnati, III		
		Respondent	Scarnati, Joseph B., III

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 15, 2017	Order Filed		Commonwealth Court of Pennsylvania
Comments: AND NOW, this 15th day of November, 2017, in light of the Notice of Filing of Notice of Removal by Respondent Joseph B. Scarnati, III, and it appearing this matter has been removed to the United States District Court for the Eastern District of Pennsylvania, the pre-trial conference scheduled for Thursday, November 16, 2017, is hereby CANCELLED. The Chief Clerk is directed to send a copy of this Order to the Prothonotary of the Supreme Court of Pennsylvania.			
November 16, 2017	Order Filed		US District Court
Comments: AND NOW, this 16th day of November, 2017, upon consideration of Defendant Senator Joseph B. Scarnati, III's Emergency Motion to Withdraw Notice of Removal (ECF 9), the Motion is by GRANTED and it is further ORDERED that this matter is REMANDED back to the Pennsylvania Supreme Court with prejudice. Any request for fees or costs should be filed within fourteen (14) days. /s/ Michael M. Baylson United States District Court Judge			
November 16, 2017	Order Filed		Commonwealth Court of Pennsylvania
December 19, 2017	Praeipce for Withdrawal of Appearance Wolf, Thomas W.	Respondent	Barrett, Linda Cadden
December 29, 2017	Recommended Findings of Fact and Conclusions of Law		Commonwealth Court of Pennsylvania
December 29, 2017	Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
December 29, 2017	Order Granting Application for Oral Argument		Per Curiam
Comments: AND NOW, this 29th day of December, 2017, this matter is listed for oral argument at 9:30 a.m., Wednesday, January 17, 2018, in Harrisburg, Pennsylvania.			
December 29, 2017	Order Exited		Office of the Prothonotary
January 2, 2018	Praeipce for Appearance Wolf, Thomas W. Marks, Jonathan M. Torres, Robert	Respondent Respondent Respondent	Aronchick, Mark Alan Aronchick, Mark Alan Aronchick, Mark Alan

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 2, 2018	Praecepte for Appearance		
	Wolf, Thomas W.	Respondent	Hangley, Michele D.
	Marks, Jonathan M.	Respondent	Hangley, Michele D.
	Torres, Robert	Respondent	Hangley, Michele D.
January 2, 2018	Praecepte for Appearance		
	Wolf, Thomas W.	Respondent	De Palma, Claudia
	Marks, Jonathan M.	Respondent	De Palma, Claudia
	Torres, Robert	Respondent	De Palma, Claudia
January 4, 2018	Praecepte for Withdrawal of Appearance		
	Wolf, Thomas W.	Respondent	Concannon, Sean Martin
January 5, 2018	Amicus Curiae Brief	Amicus Curiae	Grofman, Bernard
		Amicus Curiae	Gaddie, Ronald Keith
January 5, 2018	Amicus Curiae Brief		
		Amicus Curiae	Political Science Professors
January 5, 2018	Application to be Admitted Pro Hac Vice Received & Returned		
	Arceneaux, Kevin	Amicus Curiae	Yeager, Jordan Berson
	Beveridge, Andrew	Amicus Curiae	Yeager, Jordan Berson
	Burden, Barry	Amicus Curiae	Yeager, Jordan Berson
	Fraga, Bernard	Amicus Curiae	Yeager, Jordan Berson
	Green, Donald	Amicus Curiae	Yeager, Jordan Berson
	Handley, Lisa	Amicus Curiae	Yeager, Jordan Berson
	Harrison, Allison	Amicus Curiae	Yeager, Jordan Berson
	Hojnacki, Marie	Amicus Curiae	Yeager, Jordan Berson
	Hopkins, Daniel	Amicus Curiae	Yeager, Jordan Berson
	Kanthak, Kristin	Amicus Curiae	Yeager, Jordan Berson
	Kimball, David	Amicus Curiae	Yeager, Jordan Berson
	Lelkes, Yphtach	Amicus Curiae	Yeager, Jordan Berson
	Meredith, Marc	Amicus Curiae	Yeager, Jordan Berson
	Nall, Clayton	Amicus Curiae	Yeager, Jordan Berson
	Rohde, David	Amicus Curiae	Yeager, Jordan Berson
	Schickler, Eric	Amicus Curiae	Yeager, Jordan Berson
	Shineman, Victoria	Amicus Curiae	Yeager, Jordan Berson
	White, Ariel	Amicus Curiae	Yeager, Jordan Berson
	Vander Wielen, Ryan	Amicus Curiae	Yeager, Jordan Berson
	Woon, Jonathan	Amicus Curiae	Yeager, Jordan Berson
Zorn, Christopher	Amicus Curiae	Yeager, Jordan Berson	
Comments: Pro Hac Vice Motion not required for Amicus Brief			
January 5, 2018	Amicus Curiae Brief		
		Amicus Curiae	The Pittsburgh Foundation
January 5, 2018	Amicus Curiae Brief		
		Amicus Curiae	AFSCME Council 13, et al

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 5, 2018	Amicus Curiae Brief	Amicus Curiae	The Brennan Center for Justice at New York University School of Law
January 5, 2018	Amicus Curiae Brief	Amicus Curiae	Common Cause
January 5, 2018	Petitioner's Brief - PUBLIC VERSION	Petitioner	League of Women Voters of Pennsylvania, et al
January 5, 2018	Amicus Curiae Brief	Amicus Curiae Amicus Curiae	American Civil Liberties Union of Pennsylvania American Civil Liberties Union, National
January 5, 2018	Amicus Curiae Brief	Amicus Curiae	Campaign Legal Center
January 5, 2018	Sealed Petitioner's Brief SEALED (NOT FOR THE PUBLIC)	Petitioner	League of Women Voters of Pennsylvania, et al
January 8, 2018	Application to be Admitted Pro Hac Vice of Patrick T. Lewis Turzai, Michael C.	Respondent	Gallagher, Kathleen A.
Comments: Action not required as Patrick Lewis was granted Pro Hac Vice in Commonwealth Court on 11-30-17 and applies with this Court under Extraordinary Relief			
January 8, 2018	Application to be Admitted Pro Hac Vice of Robert J. Tucker Turzai, Michael C.	Respondent	Gallagher, Kathleen A.
Comments: Action not required as Robert Tucker was granted Pro Hac Vice in Commonwealth Court on 11-30-17 and applies with this Court under Extraordinary Relief			

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 8, 2018	Acknowledgement of Argument Notice		
	League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David
	Brian McCann, et al, Intervenor	Respondent	Ford, Timothy James
	Turzai, Michael C.	Respondent	Gallagher, Kathleen A.
	Pennsylvania General Assembly	Respondent	Gallagher, Kathleen A.
	Torres, Robert	Respondent	Gates, Timothy Eugene
	Marks, Jonathan M.	Respondent	Gates, Timothy Eugene
	Wolf, Thomas W.	Respondent	Howell, Thomas Paul
	Turzai, Michael C.	Respondent	McGee, Carolyn Batz
	Pennsylvania General Assembly	Respondent	McGee, Carolyn Batz
	Stack, Michael J., III	Respondent	Palnick, Lazar Melton
	League of Women Voters of Pennsylvania, et al	Petitioner	Churchill, Michael
	Torres, Robert	Respondent	Everhart, Ian Blythe
	Marks, Jonathan M.	Respondent	Everhart, Ian Blythe
	Torres, Robert	Respondent	Kotula, Kathleen Marie
	Marks, Jonathan M.	Respondent	Kotula, Kathleen Marie
	Stack, Michael J., III	Respondent	Lacey, Alex Michael
	Stack, Michael J., III	Respondent	Levine, Clifford B.
	Stack, Michael J., III	Respondent	Mitinger, Alice Birmingham
	Brian McCann, et al, Intervenor	Respondent	Tabas, Lawrence J.
	Pennsylvania General Assembly	Respondent	Torchinsky, Jason
	Pennsylvania General Assembly	Respondent	Myers, Karl Stewart
	League of Women Voters of Pennsylvania, et al	Petitioner	Freedman, John Arak
	Pennsylvania General Assembly	Respondent	Haverstick, Matthew Hermann
	Scarnati, Joseph B., III	Respondent	Haverstick, Matthew Hermann
	Scarnati, Joseph B., III	Respondent	Paszamant, Brian S.
	Brian McCann, et al, Intervenor	Respondent	Warren, Rebecca Lee
	League of Women Voters of Pennsylvania, et al	Petitioner	Jones, R. Stanton
	League of Women Voters of Pennsylvania, et al	Petitioner	Gersch, David Paul
	League of Women Voters of Pennsylvania, et al	Petitioner	McKenzie, Mary M.
	Scarnati, Joseph B., III	Respondent	Wixted, John Patrick
January 9, 2018	Application to be Admitted Pro Hac Vice of John Robinson		
	League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David

Comments:

Action not required as John Robinson was granted Pro Hac Vice in Commonwealth Court on 8-22-17 and applies with this Court under Extraordinary Relief

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 9, 2018	Application to be Admitted Pro Hac Vice of Andrew Bergman League of Women Voters of Pennsylvania, et al	Petitioner	Geffen, Benjamin David
Comments: Action not required as Andrew Bergman was granted Pro Hac Vice in Commonwealth Court on 8-22-17 and applies with this Court under Extraordinary Relief			
January 9, 2018	Praecipe for Appearance Pennsylvania General Assembly Pennsylvania General Assembly	Respondent Respondent	Myers, Karl Stewart Bloom, Jonathan F.
January 9, 2018	Praecipe for Withdrawal of Appearance Pennsylvania General Assembly Pennsylvania General Assembly Pennsylvania General Assembly Pennsylvania General Assembly	Respondent Respondent Respondent Respondent	Gallagher, Kathleen A. Hall, John E. Sheehy, Shawn Torchinsky, Jason
January 10, 2018	Intervenor's Brief	Respondent	Brian McCann, et al, Intervenors
January 10, 2018	Respondent's Brief	Respondent	Stack, Michael J., III
January 10, 2018	Respondent's Brief	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
January 10, 2018	Respondent's Brief	Respondent Respondent Respondent	Wolf, Thomas W. Torres, Robert Marks, Jonathan M.
January 11, 2018	Notice of Disclosure		Donohue, Christine
January 12, 2018	Motion for Admission Pro Hac Vice of E. Mark Braden Turzai, Michael C.	Respondent	Gallagher, Kathleen A.
January 12, 2018	Order Granting Application to Be Admitted Pro Hac Vice of E. Mark Braden		Dreibelbis, Amy
Comments: AND NOW, this 12th day of January, 2018, the Application to be Admitted Pro Hac Vice of E. Mark Braden, Esquire is hereby granted.			
January 12, 2018	Order Exited		Office of the Prothonotary
January 12, 2018	Petitioner's Reply Brief - PUBLIC VERSION	Petitioner	League of Women Voters of Pennsylvania, et al

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 12, 2018	Sealed Petitioner's Reply Brief SEALED (NOT FOR THE PUBLIC)	Petitioner	League of Women Voters of Pennsylvania, et al
January 17, 2018	Argued		Supreme Court of Pennsylvania
January 19, 2018	Post-Submission Communication Pa.R.A.P. 2501B - Change in Status	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
January 22, 2018	Order Regarding Petition for Review/Jurisdiction Retained		Per Curiam

Comments:

AND NOW, this 22nd day of January, 2018, upon consideration of the Petition for Review, the Commonwealth Court's proposed findings of fact and conclusions of law, the briefs of the parties, intervenors, and amici curiae, and the oral argument presented on January 17, 2018, the Court orders as follows:

First, the Court finds as a matter of law that the Congressional Redistricting Act of 2011 clearly, plainly and palpably violates the Constitution of the Commonwealth of Pennsylvania, and, on that sole basis, we hereby strike it as unconstitutional. Accordingly, its further use in elections for Pennsylvania seats in the United States House of Representatives, commencing with the upcoming May 15, 2018 primary, is hereby enjoined.

Second, should the Pennsylvania General Assembly choose to submit a congressional districting plan that satisfies the requirements of the Pennsylvania Constitution, it shall submit such plan for consideration by the Governor on or before February 9, 2018. If the Governor accepts the General Assembly's congressional districting plan, it shall be submitted to this Court on or before February 15, 2018.

Third, should the General Assembly not submit a congressional districting plan on or before February 9, 2018, or should the Governor not approve the General Assembly's plan on or before February 15, 2018, this Court shall proceed expeditiously to adopt a plan based on the evidentiary record developed in the Commonwealth Court. In anticipation of that eventuality, the parties shall have the opportunity to be heard; to wit, all parties and intervenors may submit to the Court proposed remedial districting plans on or before February 15, 2018.

Fourth, to comply with this Order, any congressional districting plan shall consist of: congressional districts composed of compact and contiguous territory; as nearly equal in population as practicable; and which do not divide any county, city, incorporated town, borough, township, or ward, except where necessary to ensure equality of population.

Fifth, the Executive Branch Respondents are advised to anticipate that a congressional districting plan will be available by February 19, 2018, and are directed to take all measures, including adjusting the election calendar if necessary, to ensure that the May 15, 2018 primary election takes place as scheduled under that remedial districting plan.

Sixth, as acknowledged by the parties, the March 13, 2018 special election for Pennsylvania's 18th Congressional District, which will fill a vacancy in an existing congressional seat for which the term of office ends in 11 months, shall proceed under the Congressional Redistricting Act of 2011 and is unaffected by this Order.

Opinion to follow.

Jurisdiction is retained.

Justice Baer files a Concurring and Dissenting Statement.

Chief Justice Saylor files a Dissenting Statement in which Justice Mundy joins.

Justice Mundy files a Dissenting Statement.

January 22, 2018	Judgment Entered		Office of the Prothonotary
January 23, 2018	Application for Stay of Court's Order of January 22, 2018	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 23, 2018	Application for Relief to Stay the Court's January 22, 2018 Order	Respondent	Brian McCann, et al, Intervenors
January 24, 2018	Praecipe for Withdrawal of Appearance		
	Scarnati, Joseph B., III	Respondent	Haverstick, Matthew Hermann
	Scarnati, Joseph B., III	Respondent	Seiberling, Mark Edward
	Scarnati, Joseph B., III	Respondent	Voss, Joshua John
January 24, 2018	No Answer Letter to Intervenor's Application for Relief to Stay the Court's January 22, 2018 Order	Respondent	Scarnati, Joseph B., III
January 24, 2018	No Answer Letter to Intervenor's Application for Relief to Stay the Court's January 22, 2018 Order	Respondent	Turzai, Michael C.
January 24, 2018	Answer to Applications for Stay	Respondent	Stack, Michael J., III
January 24, 2018	No Answer Letter to Respondent's Application for Stay	Respondent	Brian McCann, et al, Intervenors
January 25, 2018	Answer to Application for Stay	Petitioner	League of Women Voters of Pennsylvania, et al
January 25, 2018	Answer to Application for Stay	Respondent	Wolf, Thomas W.
		Respondent	Torres, Robert
		Respondent	Marks, Jonathan M.
January 25, 2018	Praecipe for Withdrawal of Appearance		
	Turzai, Michael C.	Respondent	Tochinsky, Jason
	Turzai, Michael C.	Respondent	Torchinsky, Jason
January 25, 2018	Praecipe for Withdrawal of Appearance		
	Turzai, Michael C.	Respondent	Sheehy, Shawn
January 25, 2018	Order Denying Applications for Stay		Per Curiam
Comments:			
AND NOW, this 25th day of January, 2018, the Application for Stay filed by Respondents Michael C. Turzai, in his Official Capacity as Speaker of the Pennsylvania House of Representatives, and Joseph B. Scarnati III, in his Official Capacity as Pennsylvania Senate President Pro Tempore, is hereby DENIED, and the Application for Stay filed by Intervenors is hereby DENIED.			
Chief Justice Saylor and Justices Baer and Mundy dissent.			
January 25, 2018	Order Exited		Office of the Prothonotary

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 26, 2018	Order in Furtherance of this Court's January 22, 2018 Order		Per Curiam
<p>Comments:</p> <p>AND NOW, this 26th day of January, 2018, in furtherance of this Court's Order of January 22, 2018, and in anticipation of the possible eventuality that the General Assembly and the Governor do not enact a remedial congressional districting plan by the time periods specified in that Order, the Court orders as follows.</p> <p>Pursuant to Paragraph "Third" of our Order of January 22, 2018:</p> <p>First, this Court appoints Professor Nathaniel Persily as an advisor to assist the Court in adopting, if necessary, a remedial congressional redistricting plan.</p> <p>Second, the Pennsylvania General Assembly shall submit to the Court, or direct the Legislative Data Processing Center to submit to the Court, no later than January 31, 2018 at noon, ESRI shape files that contain the current boundaries of all Pennsylvania municipalities and precincts.</p> <p>Third, any redistricting plan the parties or intervenors choose to submit to the Court for its consideration shall include the following:</p> <ol style="list-style-type: none"> A 2010 Census block equivalency and ESRI shape file expressing the plan. A report detailing the compactness of the districts according to each of the following measures: Reock; Schwartzberg; Pilsby-Popper; Population Polygon; and Minimum Convex Polygon. A report detailing the number of counties split by each district and split in the plan as a whole. A report detailing the number of municipalities split by each district and the plan as a whole. A report detailing the number of precincts split by each district and the plan as a whole. A statement explaining the proposed plan's compliance with this Court's Order of January 22, 2018. <p>Fourth, the parties and intervenors shall submit to the Court, no later than January 31, 2018 at noon, a 2010 Census block equivalency and ESRI shape file for the maps which formed the basis for the expert testimony and reports offered into evidence in the proceedings before the Commonwealth Court. All such maps shall be labeled consistently with the parties' or intervenors' exhibits and descriptions therein.</p> <p>Justice Baer files a Concurring and Dissenting Statement.</p> <p>Chief Justice Saylor and Justice Mundy dissent.</p>			
January 26, 2018	Order Exited		Office of the Prothonotary
January 29, 2018	Letter stating that No Census block equivalency or ESRI shape files are to be submitted	Respondent	Brian McCann, et al, Intervenors
January 30, 2018	Letter stating that No Census block equivalency or ESRI shape files are to be submitted	Respondent Respondent Respondent	Wolf, Thomas W. Torres, Robert Marks, Jonathan M.
January 31, 2018	Census block equivalency and ESRI shape files, with Letter, Filed	Petitioner	League of Women Voters of Pennsylvania, et al
<p>Comments:</p> <p>Letter with USB Drive</p>			
January 31, 2018	Letter Regarding Census block equivalency and ESRI shape files	Respondent	Pennsylvania General Assembly



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Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 31, 2018	Census block equivalency and ESRI shape files, with Letter, Filed	Respondent	Stack, Michael J., III
Comments: Letter with flash drive			
January 31, 2018	Letter Regarding Census block equivalency and ESRI shape files	Respondent	Scarnati, Joseph B., III
January 31, 2018	Letter stating that No Census block equivalency or ESRI shape files are to be submitted	Respondent	Turzai, Michael C.
February 2, 2018	Application for Disqualification of Justice Wecht and for Full Disclosure by Justice Donohue	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
February 4, 2018	Application to File Amicus Brief Nunc Pro Tunc	Amicus Curiae	Concerned Citizens for Democracy
Comments: Amicus Brief received with Application is on hold pending Nunc Pro Tunc Application			
February 4, 2018	Application for a Hearing on the Application for Disqualification and for Full Disclosure	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
February 5, 2018	Concurrence to Application for Disqualification	Respondent	Brian McCann, et al, Intervenors
February 5, 2018	Answer to Application for Disqualification and for Full Disclosure	Respondent	Stack, Michael J., III
February 5, 2018	Notice of Disclosure		Mundy, Sallie
February 5, 2018	Answer to Application for Disqualification and for Full Disclosure	Petitioner	League of Women Voters of Pennsylvania, et al
February 5, 2018	Answer to Application for Disqualification and for Full Disclosure	Respondent Respondent Respondent	Wolf, Thomas W. Torres, Robert Marks, Jonathan M.

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 5, 2018	Response of Justice Christine Donohue to Application for for Full Disclosure		Donohue, Christine
Comments:			
Although disquieted by the untimely and irregular nature of the Application, nonetheless file this response in the interest of public clarification.			
First, I never made any pledges, promises or commitments other than to faithfully apply the law. Throughout the 2015 campaign, I confined my speeches to personal background and experience, the Court's constitutional roles and to the importance of the Court's non-adjudicatory functions. I spoke regularly about the Court's role in appointments to boards and disciplinary bodies, the Court's function in the supervision of the judicial system and the Court's appointment duty under Article 2, Section 17 of the Pennsylvania Constitution. That provision requires the Court to appoint the fifth member of the Legislative Reapportionment Commission in the case of deadlock. The Commission and the Court's appointment duty relate solely to state, not federal, legislative districts. None of these subjects bear any relationship to the case at hand.			
February 5, 2018	Order Denying Application for a Hearing on the Application Full Disclosure		Donohue, Christine
Comments:			
AND NOW, this 5th day of February, 2018, the Application of Respondents Michael C. Turzai, in his Official Capacity as Speaker of the Pennsylvania House of Representatives, and Joseph B. Scarnati, III, in his Official Capacity as Pennsylvania Senate President Pro Tempore for a Hearing on Their Application for Full Disclosure by Justice Christine Donohue is hereby DENIED.			
February 5, 2018	Application for Leave to File Reply Brief in Support of Applic for Disqualification and Disclosure	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
February 5, 2018	Orders Exited		Office of the Prothonotary
February 5, 2018	Order Granting Application for Leave to File Reply Brief in Support		Wecht, David N.
Comments:			
AND NOW, this 5th day of February, 2018, the Application of Respondents Michael C. Turzai, in his Official Capacity as Speaker of the Pennsylvania House of Representatives, and Joseph B. Scarnati, III, in his Official Capacity as Pennsylvania Senate President Pro Tempore for Leave to File Reply Brief in Support of their Application for Disqualification of Justice David N. Wecht is hereby GRANTED			
February 5, 2018	Reply Brief in Support of Applic for Disqualification and Disclosure	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
February 5, 2018	Memorandum Opinion and Order Denying Application for Disqualification		Wecht, David N.
Comments:			
AND NOW, this 5th day of February, 2018, the February 2, 2018 Application of Respondents for Disqualification of Justice David Wecht and for Full Disclosure by Justice Christine Donohue is denied, to the extent it seeks the undersigned Justice's disqualification.			

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 5, 2018	Order Denying Application for a Hearing on the Application for Disqualification		Wecht, David N.
Comments: AND NOW, this 5th day of February, 2018, the Application of Respondents Michael C. Turzai, in his Official Capacity as Speaker of the Pennsylvania House of Representatives, and Joseph B. Scarnati, III, in his Official Capacity as Pennsylvania Senate President Pro Tempore for a Hearing on their Application for Disqualification of Justice David N. Wecht is hereby DENIED.			
February 5, 2018	Orders Exited		Office of the Prothonotary
February 7, 2018	Opinion(s) Filed		Todd, Debra
Comments: For all of these reasons, the Court entered its Order of January 22, 2018, striking as unconstitutional the Congressional Redistricting Act of 2011, and setting forth a process assuring that a remedial redistricting plan would be in place in time for the 2018 Primary Elections. Justices Donohue, Dougherty and Wecht join the opinion. Justice Baer files a concurring and dissenting opinion. Chief Justice Saylor files a dissenting opinion in which Justice Mundy joins. Justice Mundy files a dissenting opinion			
February 7, 2018	Opinion(s) Exited		Office of the Prothonotary
February 7, 2018	Amicus Curiae Brief	Amicus Curiae	Concerned Citizens for Democracy
Comments: Amicus Brief granted to be filed nunc pro tunc pursuant to 2-7-18 opinion (page 89, footnote #60)			
February 8, 2018	Application for Leave to File Reply Brief in Support of Disclosure Dismissed as Moot		Office of the Prothonotary
February 9, 2018	Brief of Respondents in Support of Proposed Remedial Congressional Districting Map	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
February 13, 2018	Letter Regarding General Assembly's Congressional Districting Plan	Respondent	Wolf, Thomas W.
February 13, 2018	Letter Response to Gov. Wolf's Letter Regarding General Assembly's Congressional Districting Plan	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
February 15, 2018	Proposed Districting Plans	Participant	Democratic Caucus House of Representatives
Comments: with shapefiles and data			

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 15, 2018	Proposed Districting Plans	Respondent	Brian McCann, et al, Intervenors
Comments: shapefiles emailed separately			
February 15, 2018	Application for Leave to File Amicus Brief Nunc Pro Tunc	Amicus Curiae	Fair Democracy
February 15, 2018	Proposed Districting Plans	Participant	Democratic Caucus of the Senate of PA
Comments: shapefiles emailed separately			
February 15, 2018	Motion of Amici Curiae Seeking Leave of Court to Submit Brief in Support of Proposed Dist. Plans	Amicus Curiae	Schneider, Adele & Wolf, Stephen
February 15, 2018	Petition to File Amicus Curiae Brief Nunc Pro Tunc	Amicus Curiae	American Civil Rights Union
February 15, 2018	Proposed Districting Plans	Respondent	Stack, Michael J., III
Comments: shapefiles emailed separately			
February 15, 2018	Application for Leave to File Amicus Brief	Amicus Curiae	Concerned Citizens for Democracy
February 15, 2018	Brief in Support of Proposed Remedial Plan	Petitioner	League of Women Voters of Pennsylvania, et al
Comments: Shapefiles emailed separately			
February 15, 2018	Statement in Support of Proposed Remedial Congressional Map	Respondent	Wolf, Thomas W.
February 15, 2018	Application for Approval of Election Calendar Adjustments	Respondent Respondent	Torres, Robert Marks, Jonathan M.
February 18, 2018	Brief in Opposition to Proposed Plans of Petitioners, Gov., Lt. Gov., and House and Senate Dem Cauc.	Respondent Respondent	Turzai, Michael C. Scarnati, Joseph B., III
February 18, 2018	Letter with link to data for proposed amicus brief	Amicus Curiae	American Civil Rights Union

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 18, 2018	Application for Leave to Reply in Support of Proposed Remedial Plans	Petitioner	League of Women Voters of Pennsylvania, et al

CROSS COURT ACTIONS

Docket Number: 261 MD 2017