

Miscellaneous Docket Sheet

Docket Number: 357 MD 2006

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May 24, 2017



CAPTION

Commonwealth of Pennsylvania,
Office of Attorney General,
Petitioner
v.
Heidelberg Township, Heidelberg
Township Board of Supervisors,
North Heidelberg Township,
North Heidelberg Township Board
of Supervisors, Borough of Robeson,
Robeson Borough Council, Borough
of Womelsdorf, and Womelsdorf
Borough Council,
Respondents

CASE INFORMATION

Initiating Document: Petition for Review
Case Status: Closed
Case Processing Status: September 6, 2016 Completed
Journal Number: 68-11-06
Case Category: Miscellaneous Case Type(s): Declaratory Judgment

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Petitioner Commonwealth of Pennsylvania
Pro Se: No
IFP Status:
Attorney: Bucknum, Susan L.
Law Firm: Office of Attorney General
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Harrisburg, PA 17120
Phone No: (717) 787-2944 Fax No: (717) 772-4526

Respondent Womelsdorf Borough Council
Pro Se: No
IFP Status:
Attorney: Council, Womelsdorf Borough
Address: 191 W High St
Womelsdorf, PA 19567

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Pro Se: No

IFP Status:

Attorney: George, Andrew Stephen
 Law Firm: Kozloff Stoudt, P.C.
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 2640 Westview Dr
 Wyomissing, PA 19610-3406

Phone No: (610) 670-2552 Fax No:

Respondent North Heidelberg Township Board of Supervisors

Pro Se: No

IFP Status:

Attorney: Board of Supervisors, North Heidelberg Township
 Address: 928 Charming Forge Rd
 Robesonia, PA 19551

Respondent North Heidelberg Township

Pro Se: No

IFP Status:

Attorney: Bellwoar, Andrew J.
 Law Firm: Siana, Bellwoar & McAndrew, L.L.P.
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 Chester Springs, PA 19425

Phone No: (610) 321-5500 Fax No: (610) 321-5531

Attorney: Crotty, Michael George
 Law Firm: Siana, Bellwoar & McAndrew, L.L.P.
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 Chester Springs, PA 19425

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Respondent Heidelberg Township

Pro Se: No

IFP Status:

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 Law Firm: Fox Rothschild, L.L.P.
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Respondent Borough of Womelsdorf

Pro Se: No

IFP Status:

Attorney: George, Andrew Stephen
 Law Firm: Kozloff Stoudt, P.C.
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Phone No: (610) 670-2552 Fax No:

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 29, 2006	Respondent's Brief Filed North Heidelberg Township		Respondent	
	Document Name: Supporting Preliminary Objections			
September 29, 2006	Application for Relief North Heidelberg Township		Respondent	
	Document Name: Motion for Preliminary Objections in the Nature of a Demurrer of Respondent North			
	Comment: Heidelberg Township Pursuant to Pennsylvania Rule of Appellate Procedure 1516(B)			
October 2, 2006	Application for Relief Borough of Robesonia		Respondent	
	Document Name: Motion for Prel. Objections in the Nature of a Demurrer of Respondent Borough of Robesonia			
	Comment: Pursuant to Pennsylvania Rule of Appellate Procedure 1516(B)			
October 3, 2006	Argument Scheduled Hostutler, Charles R.			
	Document Name: Monday, November 13, 2006 at 1:00 p.m., Panel, En Banc Courtroom One, 9th floor,			
	Comment: Widener Building, Phila. #68			
October 3, 2006	Hearing Scheduled Hostutler, Charles R.			
	Document Name: Letter: Argument on Prel. Objections of North Heidelberg Twp. and the Bor. of Robesonia			
	Comment: will be heard on Monday, Nov. 13, 2006 at 1:00 p.m., En Banc Courtroom One, 9th Floor, Widener Building, Phila., PA. Briefs in support of the prel. objections (15) shall be filed by October 18, 2006. Briefs in opposition to the prel. objections (15) shall be filed by Nov. 1, 2006.			
October 30, 2006	Order Directing Submission on Brief Per Curiam			10/31/2006
	Document Name: The POs of Heidelberg Township shall be submitted on briefs. Briefs in support of POs (15 copies)			
	Comment: shall be filed by 11-17-06. Briefs in opposition to POs (15 copies) shall be filed by 12-1-06. Submission of THESE POs shall NOT affect the argument scheduled for 11-13-06.			
October 30, 2006	Preliminary Objections Heidelberg Township		Respondent	
	Document Name: POs in the Nature of a Demurrer of Respondent Heidelberg Twp. Pursuant to PA R.A.P. 1516(B)			
November 1, 2006	Plaintiff's Brief Filed Commonwealth of Pennsylvania		Petitioner	
	Document Name: In opposition to P.O.'s			
November 17, 2006	Joinder in Brief Heidelberg Township		Respondent	
	Document Name: of North Heidelberg Township			
December 12, 2006	Opinion Friedman, Rochelle S.			12/12/2006
	Document Name: MEMO OPIN (10 pages) The POs filed by Heidelberg Twp., the Heidelberg Twp. Board of			
	Comment: Supervisors, North Heidelberg Twp., the North Heidelberg Twp. Board of Supervisors, the Borough of Robesonia and Robesonia Borough Council are sustained, and the PFR seeking declaratory judgment and injunctive relief is dismissed without prejudice as to Defendants.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 27, 2006	Notice of Appeal to PA Supreme Court Filed Commonwealth of Pennsylvania		Petitioner	
	Document Name: 136 MAP 2006 Comment: Record Forwarded to The Supreme Court Of PA, Middle District on 2/12/2007.			
December 27, 2006	Notice of Appeal to PA Supreme Court Filed Commonwealth of Pennsylvania		Petitioner	
	Document Name: 137 MAP 2006			
November 21, 2007	Commonwealth Court Decision Affirmed Supreme Court of Pennsylvania			11/21/2007
	Document Name: 136 and 137 MAP 2006 Comment: Reconsideration granted 11/10/2009 and court order of 11/21/07 VACATED. The orders of the Commonwealth Court are REVERSED.			
November 10, 2009	Order Filed Supreme Court of Pennsylvania			11/10/2009
	Document Name: 136 MAP 2006 Comment: Comm. Court's orders which sustained the P.O.'s of Heidelberg township, et al., & Lower Oxfor Township, et al., & dismissed without prejudice the office of Attorney General's petitions for review are hereby REVERSED.			
December 30, 2009	Order Filed Feudale, Barry F.			12/31/2009
	Document Name: The Pa. Supreme Court, by order dated 11-10-09, having reversed this court's order of 12-12-06 that Comment: had sustained preliminary objections in this matter, it is ordered that defendants shall file answers to the complaint within 30 days of entry of this order.			
January 6, 2010	Entry of Appearance Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
January 6, 2010	Praecipe for Withdrawal of Appearance Forney, Susan Jane Neuhauser, Gregory R.	Commonwealth of Pennsylvania Commonwealth of Pennsylvania	Petitioner Petitioner	
January 25, 2010	Answer and New Matter Heidelberg Township Heidelberg Township Board of Supervisors		Respondent Respondent	
	Document Name: Answer to Petition for Review with New Matter			
January 27, 2010	Answer Filed Borough of Robesonia Robesonia Borough Council		Respondent Respondent	
	Document Name: Answer of Respondents Borough of Robesonia and the Robesonia Borough Council to Pet.'s PFR			
January 28, 2010	Answer to New Matter Commonwealth of Pennsylvania		Petitioner	
	Document Name: Response to New Matter			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 29, 2010	Answer Filed North Heidelberg Township North Heidelberg Township Board of Supervisors		Respondent Respondent	
	Document Name: Answer of Respondents North Heidelberg Township and the North Heidelberg Twp. Bd. of Supercvisors to Comment: Petitioner's PFR			
January 29, 2010	Answer Filed Borough of Womelsdorf Womelsdorf Borough Council		Respondent Respondent	
	Document Name: Joinder Answer of the Borough of Womelsdorf and the Womelsdorf Borough Council in the Answer Comment: of Respondents North Heidelberg Twp. and the North Heidelberg Twp. Bd. of Supervisors to Petitioner's PFR			
January 29, 2010	Answer to New Matter Commonwealth of Pennsylvania		Petitioner	
	Document Name: Petitioner's Response to New Matter of Respondents, Borough of Robesonia and Rob. Bor. Council			
January 29, 2010	Entry of Appearance Shollenberger, Allen Ray	Borough of Womelsdorf	Respondent	
February 1, 2010	Answer to New Matter Commonwealth of Pennsylvania		Petitioner	
	Document Name: Petitioner's Response to New Matter of Respondents, North Heidelberg Twp., North Heidelberg Twp. Comment: Bd. of Supervisors, Borough of Womelsdorf and the Womelsdorf Borough Council			
August 31, 2011	Application to Amend Bucknum, Susan L. Forney, Susan Jane	Commonwealth of Pennsylvania Commonwealth of Pennsylvania	Petitioner Petitioner	
	Document Name: Praecipe to Amend Caption to Conform with the Appointment of AG Linda L. Kelly			
November 16, 2011	Application for Relief Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
	Document Name: Petitioner's Submission of Respondents' Consent for Petitioner to Amend PFR			
November 16, 2011	Amended - Petition for Review Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
	Document Name: Amended PFR in the Nature of a Complaint for Declaratory Judgment and Injunctive Relief			
January 18, 2013	Praecipe Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
	Document Name: Praecipe to Amend Caption			
November 18, 2014	Order Directing Status Report Quigley, Keith B.			11/19/2014
	Document Name: This action having been dormant for an extended period of time, plaintiff shall file a report on the Comment: status of this case by 12-18-14. Plaintiff shall serve a copy of the report on defendants and shall so certify in the report. Failure of plaintiff to file a report by 12-18-14, the chief clerk is directed to dismiss the case.			
December 17, 2014	Status Report Filed Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
	Document Name: Petitioner's Case Status Report			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 29, 2014	Order Directing Status Report Quigley, Keith B.			12/30/2014
	Document Name: Plaintiff shall file a status report by 4-30-15 discussing the extent of the ordinance enactment Comment: process in the respective municipalities and an anticipated date upon which this matter will be resolved. In the alternative, plaintiff may request a status conference so that this court can establish deadlines for discovery and dispositive motions.			
April 28, 2015	Status Report Filed Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
	Document Name: Petitioner's April 2015 Case Status Report			
April 29, 2015	Order Directing Status Report Oler, J. Wesley, Jr.			04/30/2015
	Document Name: No later than 8-31-15, plaintiff shall file a status report discussing the extent of the ordinance Comment: enactment process in the respective municipalities and an anticipated date upon which this matter will be resolved. In the alternative, plaintiff may request a status conference so that the court can establish deadlines for discovery and dispositive motions.			
August 20, 2015	Status Report Filed Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
August 24, 2015	Order Directing Further Status Report Quigley, Keith B.			08/25/2015
	Document Name: No later than 12-31-15, plaintiff shall file a praecipe to discontinue this action or a further Comment: status report in the event enactment of the ordinance amendments has not been completed. In the alternative, plaintiff may request a status conference so that this court can establish deadlines for discovery and dispositive motions.			
November 2, 2015	Application to Amend Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
	Document Name: Praecipe to Amend Caption			
November 4, 2015	Order Granting Application to Amend Oler, J. Wesley, Jr.			11/05/2015
	Document Name: Plaintiff's praecipe to amend caption is granted and the caption is amended.			
November 5, 2015	Order Filed Oler, J. Wesley, Jr.			11/06/2015
	Document Name: The 11-5-15 order is amended to reflect petitioner and respondents in the caption.			
December 21, 2015	Status Report Filed Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
December 28, 2015	Order Directing Further Status Report Quigley, Keith B.			12/29/2015
	Document Name: no later than March 31, 2016, petitioner shall file a praecipe to discontinue this action or a Comment: further status report... In the alternative, petitioner may request a status conference so that this Court can establish deadlines for discovery and dispositive motions			
January 5, 2016	Letter George, Andrew Stephen	Borough of Robesonia	Respondent	
	Document Name: Change of Address			

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March 31, 2016	Status Report Filed Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
April 4, 2016	Order Directing Status Report Colins, James G.			04/05/2016
	Document Name: petitioner shall file a report no later than September 6, 2016, advising the Court of the status Comment: of the municipalities' adoption of the ordinance amendments if a praecipe to discontinue has not been filed by that time. In the event the matter has not been discontinued as to any municipality, the Court may schedule a telephone conference call to establish a case management order.			
July 14, 2016	Entry of Appearance George, Andrew Stephen George, Andrew Stephen	Borough of Womelsdorf Womelsdorf Borough Council	Respondent Respondent	
July 14, 2016	Praecipe for Withdrawal of Appearance Shollenberger, Allen Ray	Borough of Womelsdorf	Respondent	
September 6, 2016	Praecipe for Discontinuance Bucknum, Susan L.	Commonwealth of Pennsylvania	Petitioner	
September 7, 2016	Discontinued Per Curiam			09/08/2016
	Document Name: Upon consideration of petitioner's Praecipe to Voluntarily Discontinue Action, the chief clerk shall Comment: mark this matter as closed and discontinued.			

SESSION INFORMATION

Journal Number: 68-11-06
 Consideration Type: Oral Argument - Panel
 Listed/Submitted Date: November 13, 2006

DISPOSITION INFORMATION

Final Disposition: Yes
 Related Journal No:
 Category: Disposed Before Decision
 Disposition: Discontinued
 Disposition Comment: mark this matter as closed and discontinued.
 Dispositional Filing:
 Filed Date:

Judgment Date:
 Disposition Author: Per Curiam
 Disposition Date: September 7, 2016
 Filing Author: