

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 360 MD 2012**Page 1 of 13****September 19, 2017****CAPTION**

Borough of Catasauqua,
 Borough Council of the
 Borough of Catasauqua, Eugene
 L. Goldfeder in his official capacity as
 Borough Manager, Upper Saucon
 Township, Upper Saucon
 Township Board of Supervisors
 and Thomas F. Beil in his official
 capacity as Township Manager, on their
 own behalf and on behalf of all others
 similarly situated,
 Petitioners

v.

Commonwealth of Pennsylvania,
 Thomas W. Corbett in his official
 capacity as Governor of the Commonwealth
 of Pennsylvania, Daniel Meuser in his
 official capacity as Secretary of Revenue of
 the Commonwealth of Pennsylvania,
 Robert M. McCord in his official
 Capacity as State Treasurer of the
 Commonwealth of Pennsylvania and
 Charles Zogby in his official capacity
 as Secretary of the Budget of the
 Commonwealth of Pennsylvania, the
 Allentown Commercial and Industrial
 Development Authority, and the
 Allentown Neighborhood Improvement
 Zone Development Authority,
 Respondents

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Case Processing Status: September 5, 2012 Completed

Journal Number:

Case Category: Miscellaneous Case Type(s): Declaratory Judgment

CONSOLIDATED CASES**RELATED CASES**

Docket No / Reason	Type
281 MD 2012 Similar Issue(s)	Related
312 MD 2012 Similar Issue(s)	Related

COUNSEL INFORMATION**Petitioner Upper Saucon Township Board of Supervisors**

Miscellaneous Docket Sheet**Docket Number: 360 MD 2012****Page 2 of 13****September 19, 2017****COUNSEL INFORMATION****Petitioner Upper Saucon Township Board of Supervisors**

Pro Se: No

IFP Status:

Attorney: Dinkelacker, Thomas H.
 Law Firm: Dimmich & Dinkelacker, P.C.
 Address: 2987 Corporate Court, Suite 210
 Orefield, PA 18069
 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Attorney: Dimmich, Jeffrey R.
 Law Firm: Dimmich & Dinkelacker, P.C.
 Address: Dimmich & Dinkelacker, P.C.
 2987 Corporate Court, Suite 210
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 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Attorney: Stirba, Alfred , IV
 Law Firm: First Judicial District of Philadelphia
 Address: Dimmich & Dinkelacker PC
 2987 Corporate Ct Ste 210
 Orefield, PA 18069
 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Petitioner Upper Saucon Township

Pro Se: No

IFP Status:

Attorney: Dinkelacker, Thomas H.
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Attorney: Stirba, Alfred , IV
 Law Firm: First Judicial District of Philadelphia
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COUNSEL INFORMATION

Petitioner Goldfeder, Eugene L.

Pro Se: No

IFP Status:

Attorney: Dinkelacker, Thomas H.
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Attorney: Dimmich, Jeffrey R.
 Law Firm: Dimmich & Dinkelacker, P.C.
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Attorney: Stirba, Alfred , IV
 Law Firm: First Judicial District of Philadelphia
 Address: Dimmich & Dinkelacker PC
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 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Petitioner Borough of Catasauqua

Pro Se: No

IFP Status:

Attorney: Dinkelacker, Thomas H.
 Law Firm: Dimmich & Dinkelacker, P.C.
 Address: 2987 Corporate Court, Suite 210
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COUNSEL INFORMATION

Petitioner **Borough Council of the Borough of Catasauqua**

Pro Se: No

IFP Status:

Attorney: Dinkelacker, Thomas H.
 Law Firm: Dimmich & Dinkelacker, P.C.
 Address: 2987 Corporate Court, Suite 210
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 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Attorney: Dimmich, Jeffrey R.
 Law Firm: Dimmich & Dinkelacker, P.C.
 Address: Dimmich & Dinkelacker, P.C.
 2987 Corporate Court, Suite 210
 Orefield, PA 18069
 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Attorney: Stirba, Alfred , IV
 Law Firm: First Judicial District of Philadelphia
 Address: Dimmich & Dinkelacker PC
 2987 Corporate Ct Ste 210
 Orefield, PA 18069
 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Petitioner **Beil, Thomas F.**

Pro Se: No

IFP Status:

Attorney: Dinkelacker, Thomas H.
 Law Firm: Dimmich & Dinkelacker, P.C.
 Address: 2987 Corporate Court, Suite 210
 Orefield, PA 18069
 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Attorney: Dimmich, Jeffrey R.
 Law Firm: Dimmich & Dinkelacker, P.C.
 Address: Dimmich & Dinkelacker, P.C.
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 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Attorney: Stirba, Alfred , IV
 Law Firm: First Judicial District of Philadelphia
 Address: Dimmich & Dinkelacker PC
 2987 Corporate Ct Ste 210
 Orefield, PA 18069
 Phone No: (610) 398-1800 Fax No: (610) 398-8304

Miscellaneous Docket Sheet**Docket Number: 360 MD 2012****Page 5 of 13****September 19, 2017****COUNSEL INFORMATION****Intervenor City of Allentown**

Pro Se: No

IFP Status:

Attorney: Rodgers, James J.
 Law Firm: Dilworth Paxson, LLP
 Address: 1500 Market Street, Suite 3500E
 Philadelphia, PA 19102-2101
 Phone No: (215) 575-7143 Fax No: (215) 575-7200

Attorney: Lee, Sehyung Daniel
 Law Firm: Dilworth Paxson, L.L.P.
 Address: 1500 Market St Ste 3500 E
 Philadelphia, PA 19102
 Phone No: (215) 575-7088 Fax No: (215) 575-7200

Attorney: Rand, Jordan M.
 Law Firm: Dilworth Paxson, L.L.P.
 Address: 1500 Market St Ste 3500E
 Philadelphia, PA 19102
 Phone No: (215) 575-7183 Fax No: (215) 575-7200

Respondent Zogby, Charles

Pro Se: No

IFP Status:

Attorney: Aichele, Stephen S.
 Address: Office of General Counsel
 333 Market St, 17th Floor
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 Phone No: (717) 783-6563 Fax No: (717) 772-8570

Attorney: Dunlap, Gregory Eugene
 Law Firm: PA Office of General Counsel
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 Phone No: (717) 787-9336 Fax No: (717) 787-1788

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COUNSEL INFORMATION

Respondent Meuser, Daniel

Pro Se: No

IFP Status:

Attorney: Aichele, Stephen S.
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 Phone No: (717) 783-6563 Fax No: (717) 772-8570

Attorney: Dunlap, Gregory Eugene
 Law Firm: PA Office of General Counsel
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Respondent McCord, Robert M.

Pro Se: No

IFP Status:

Attorney: Aichele, Stephen S.
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Attorney: Craig, Christopher B.
 Address: Treasure Department
 127 Finance Building
 Harrisburg, PA 17120
 Phone No: (717) 787-2740 Fax No: (717) 772-0970

Attorney: Dunlap, Gregory Eugene
 Law Firm: PA Office of General Counsel
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 Phone No: (717) 787-9336 Fax No: (717) 787-1788

Attorney: Cerulli, Kathryn Maria
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 127 Finance Bldg
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 Phone No: (717) 772-3298 Fax No: (717) 772-0970

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COUNSEL INFORMATION

Respondent Corbett, Thomas W.

Pro Se: No

IFP Status:

Attorney: Aichele, Stephen S.
 Address: Office of General Counsel
 333 Market St, 17th Floor
 Harrisburg, PA 17101
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Attorney: Dunlap, Gregory Eugene
 Law Firm: PA Office of General Counsel
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 333 Market St 17th Fl
 Harrisburg, PA 17101
 Phone No: (717) 787-9336 Fax No: (717) 787-1788

Respondent Commonwealth of Pennsylvania

Pro Se: No

IFP Status:

Attorney: Kelly, Linda L.
 Address: Ofc of Attorney General
 1600 Strawberry Sq
 Harrisburg, PA 17120-0048
 Phone No: (717) 787-3391 Fax No: (717) 787-8242

Attorney: Craig, Christopher B.
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Attorney: Dunlap, Gregory Eugene
 Law Firm: PA Office of General Counsel
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 Phone No: (717) 787-9336 Fax No: (717) 787-1788

Attorney: Cerulli, Kathryn Maria
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 Phone No: (717) 772-3298 Fax No: (717) 772-0970

Miscellaneous Docket Sheet**Docket Number: 360 MD 2012****Page 8 of 13****September 19, 2017****COUNSEL INFORMATION****Respondent Allentown Neighborhood Improvement Zone Development Authority**

Pro Se: No

IFP Status:

Attorney: Rodgers, James J.
 Law Firm: Dilworth Paxson, LLP
 Address: 1500 Market Street, Suite 3500E
 Philadelphia, PA 19102-2101
 Phone No: (215) 575-7143 Fax No: (215) 575-7200

Attorney: Lee, Sehyung Daniel
 Law Firm: Dilworth Paxson, L.L.P.
 Address: 1500 Market St Ste 3500 E
 Philadelphia, PA 19102
 Phone No: (215) 575-7088 Fax No: (215) 575-7200

Attorney: Rand, Jordan M.
 Law Firm: Dilworth Paxson, L.L.P.
 Address: 1500 Market St Ste 3500E
 Philadelphia, PA 19102
 Phone No: (215) 575-7183 Fax No: (215) 575-7200

Respondent Allentown Commercial and Industrial Development Authority

Pro Se: No

IFP Status:

Attorney: Rodgers, James J.
 Law Firm: Dilworth Paxson, LLP
 Address: 1500 Market Street, Suite 3500E
 Philadelphia, PA 19102-2101
 Phone No: (215) 575-7143 Fax No: (215) 575-7200

Attorney: Lee, Sehyung Daniel
 Law Firm: Dilworth Paxson, L.L.P.
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Attorney: Rand, Jordan M.
 Law Firm: Dilworth Paxson, L.L.P.
 Address: 1500 Market St Ste 3500E
 Philadelphia, PA 19102
 Phone No: (215) 575-7183 Fax No: (215) 575-7200

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
05/18/2012	Miscellaneous Docket Filing Fee	53.50	05/18/2012	2012-CMW-H-001347	53.50
06/22/2012	Fax Orders Account	50.00	06/22/2012	2012-CMW-H-001625	50.00

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AGENCY/TRIAL COURT INFORMATION

Court Below:

County:

Order Appealed From:

Documents Received: May 18, 2012

Order Type:

OTN(s):

Lower Ct Docket No(s):

Lower Ct Judge(s):

Division:

Judicial District:

Notice of Appeal Filed:

ORIGINAL RECORD CONTENT

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

BRIEFING SCHEDULE

None

None

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 18, 2012	Petition for Review Filed Borough of Catasauqua Borough Council of the Borough of Catasauqua Goldfeder, Eugene L. Upper Saucon Township Upper Saucon Township Board of Supervisors Beil, Thomas F.		Petitioner Petitioner Petitioner Petitioner Petitioner	
Document Name: In the Nature of a Complaint seeking Declaratory Judgment and Other Relief				
May 21, 2012	Notice Exited Commonwealth Court Filing Office			05/21/2012
May 24, 2012	Entry of Appearance Dunlap, Gregory Eugene Dunlap, Gregory Eugene Dunlap, Gregory Eugene Dunlap, Gregory Eugene Dunlap, Gregory Eugene	Meuser, Daniel Zogby, Charles McCord, Robert M. Corbett, Thomas W. Commonwealth of Pennsylvania	Respondent Respondent Respondent Respondent Respondent	
May 24, 2012	Certificate of Service Filed Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV	Borough of Catasauqua Beil, Thomas F. Goldfeder, Eugene L. Upper Saucon Township Upper Saucon Township Board of S Borough Council of the Borough of C	Petitioner Petitioner Petitioner Petitioner Petitioner	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 11, 2012	Entry of Appearance			
	Cerulli, Kathryn Maria	Commonwealth of Pennsylvania	Respondent	
	Craig, Christopher B.	Commonwealth of Pennsylvania	Respondent	
	Cerulli, Kathryn Maria	McCord, Robert M.	Respondent	
June 11, 2012	Craig, Christopher B.	McCord, Robert M.	Respondent	
	Cerulli, Kathryn Maria	McCord, Robert M.	Respondent	
June 15, 2012	Entry of Appearance			
	Lee, Sehyung Daniel	City of Allentown	Intervenor	
	Lee, Sehyung Daniel	Allentown Commercial and Industrial	Respondent	
June 15, 2012	Lee, Sehyung Daniel	Allentown Neighborhood Improvmen	Respondent	
	Entry of Appearance			
	Rand, Jordan M.	City of Allentown	Intervenor	
June 15, 2012	Rand, Jordan M.	Allentown Commercial and Industrial	Respondent	
	Rand, Jordan M.	Allentown Neighborhood Improvmen	Respondent	
	June 15, 2012	Application for Intervention (Pa.R.A.P. 1531b)		
June 15, 2012	Lee, Sehyung Daniel	Allentown Commercial and Industrial	Respondent	
	Lee, Sehyung Daniel	City of Allentown	Intervenor	
	Lee, Sehyung Daniel	Allentown Neighborhood Improvmen	Respondent	
	Rand, Jordan M.	City of Allentown	Intervenor	
	Rand, Jordan M.	Allentown Commercial and Industrial	Respondent	
	Rand, Jordan M.	Allentown Neighborhood Improvmen	Respondent	
	Rodgers, James J.	City of Allentown	Intervenor	
	Rodgers, James J.	Allentown Commercial and Industrial	Respondent	
	Rodgers, James J.	Allentown Neighborhood Improvmen	Respondent	
Document Name: Application for Leave to Intervene				
June 18, 2012	Application for Extension of Time to File			
	Dunlap, Gregory Eugene	Meuser, Daniel	Respondent	
	Dunlap, Gregory Eugene	Zogby, Charles	Respondent	
	Dunlap, Gregory Eugene	McCord, Robert M.	Respondent	
	Dunlap, Gregory Eugene	Corbett, Thomas W.	Respondent	
June 18, 2012	Dunlap, Gregory Eugene	Commonwealth of Pennsylvania	Respondent	
	Document Name: In the form of a Letter			
June 18, 2012	Order Filed			06/18/2012
	Per Curiam			
Document Name: Upon consideration of the application for leave to intervene of the City of Allentown Commercial				
Comment: and Industrial Development Authority, and the Allentown Neighborhood Improvement Zone Development Authority, any responses to the application for leave to intervene as respondents shall be filed and served on or before 6-25-2012.				

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 18, 2012	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Cerulli, Kathryn Maria	McCord, Robert M.	Respondent	
	Cerulli, Kathryn Maria	Commonwealth of Pennsylvania	Respondent	
	Document Name: In the form of a letter (Pa Treasurer Robert M. McCord does not object to the Application for Leave Comment: to Intervene)			
June 19, 2012	Order Granting Application for Extension of Time to File			06/20/2012
	Oler, J. Wesley, Jr.			
	Document Name: The application is granted. Resp. Corbett, Zogby and Meuser shall respond to the PFR not later than Comment: 7-2-2012			
June 20, 2012	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Dunlap, Gregory Eugene	Meuser, Daniel	Respondent	
	Dunlap, Gregory Eugene	Zogby, Charles	Respondent	
	Dunlap, Gregory Eugene	McCord, Robert M.	Respondent	
	Dunlap, Gregory Eugene	Corbett, Thomas W.	Respondent	
	Dunlap, Gregory Eugene	Commonwealth of Pennsylvania	Respondent	
	Document Name: In form of a letter (Respondent's Cmwlth of Pa, Gov. Corbett, Sec. of Rev. Meuser and Sec. Comment: of the Budget Zogby SUPPORT the application)			
June 22, 2012	Amended - Petition for Review			
	Dinkelacker, Thomas H.	Borough of Catasauqua	Petitioner	
	Stirba, Alfred , IV	Borough of Catasauqua	Petitioner	
	Dimmich, Jeffrey R.	Upper Saucon Township Board of Si	Petitioner	
	Dimmich, Jeffrey R.	Borough Council of the Borough of C	Petitioner	
	Dinkelacker, Thomas H.	Beil, Thomas F.	Petitioner	
	Dinkelacker, Thomas H.	Goldfeder, Eugene L.	Petitioner	
	Dinkelacker, Thomas H.	Upper Saucon Township	Petitioner	
	Dinkelacker, Thomas H.	Upper Saucon Township Board of Si	Petitioner	
	Dinkelacker, Thomas H.	Borough Council of the Borough of C	Petitioner	
	Stirba, Alfred , IV	Beil, Thomas F.	Petitioner	
	Stirba, Alfred , IV	Goldfeder, Eugene L.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township Board of Si	Petitioner	
	Stirba, Alfred , IV	Borough Council of the Borough of C	Petitioner	
	Document Name: In the Nature of a Compliant Seeking Declaratory Judgment and Other Relief			
June 25, 2012	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Stirba, Alfred , IV	Borough of Catasauqua	Petitioner	
	Stirba, Alfred , IV	Goldfeder, Eugene L.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township Board of Si	Petitioner	
	Stirba, Alfred , IV	Beil, Thomas F.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township	Petitioner	
	Stirba, Alfred , IV	Borough Council of the Borough of C	Petitioner	
	Document Name: In the form of a letter (Petitioners do not object to the application for leave to intervene) Comment: However please ont that on 6-22-2012 Pet.'s filed an amended PFR joining the ACIDA and the ANIZDA as Respondents.			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 25, 2012	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Stirba, Alfred , IV	Borough of Catasauqua	Petitioner	
	Stirba, Alfred , IV	Beil, Thomas F.	Petitioner	
	Stirba, Alfred , IV	Goldfeder, Eugene L.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township Board of Si	Petitioner	
	Stirba, Alfred , IV	Borough Council of the Borough of C	Petitioner	
	Document Name: Petitioner's Reply to the Application for Leave to Intervene			
June 25, 2012	Order Granting Application for Intervention			06/26/2012
	Leavitt, Mary Hannah			
	Document Name: The application for leave to intervene is granted as to the City of Allentown and dismissed as moot			
	Comment: moot to the ACIDA and ANIZDA. The CC is directed to change the caption on the docket to what is shown above.			
	All respondents shall file response pleadings to the amended PFR on or before 7-23-2012. Any PO's filed in response shall be accompanied with briefs in support (15 copies). In the event PO's are filed pursuant to this order, a single brief in opposition to all sets of POs (15 copies) shall be filed and served on or before 8-20-2012.			
	The CC is directed to list any POs filed in this matter on the 8-2012 argument list seriatim with arguments on POs at Nos. 281 and 312 MD 2012.			
June 28, 2012	Certificate of Service Filed			
	Rodgers, James J.	City of Allentown	Intervenor	
	Rodgers, James J.	Allentown Commercial and Industrial	Respondent	
	Rodgers, James J.	Allentown Neighborhood Improvmen	Respondent	
	Document Name: Acceptance of Service Of APFR			
July 6, 2012	Application for Stay			
	Dunlap, Gregory Eugene	Zogby, Charles	Respondent	
	Dunlap, Gregory Eugene	Meuser, Daniel	Respondent	
	Dunlap, Gregory Eugene	McCord, Robert M.	Respondent	
	Dunlap, Gregory Eugene	Corbett, Thomas W.	Respondent	
	Dunlap, Gregory Eugene	Commonwealth of Pennsylvania	Respondent	
July 9, 2012	Order Granting Application for Stay			07/10/2012
	Per Curiam			
	Document Name: Upon consideration of the application for stay, in which pet.'s concur, the application is granted			
	Comment: and proceedings in this matter are stayed. On or before 9-7-2012, Pet.s shall discontinue this matter or file a motion to lift the stay, advising the court why these matters are not moot given enactment of act 87 of 2012.			
September 5, 2012	Praecipe for Discontinuance			
	Stirba, Alfred , IV	Beil, Thomas F.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township	Petitioner	
	Stirba, Alfred , IV	Borough Council of the Borough of C	Petitioner	
	Stirba, Alfred , IV	Borough of Catasauqua	Petitioner	
	Stirba, Alfred , IV	Goldfeder, Eugene L.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township Board of Si	Petitioner	

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 5, 2012	Notice of Discontinuance Krimmel, Michael			09/05/2012
September 5, 2012	Discontinued			09/05/2012
	Stirba, Alfred , IV	Beil, Thomas F.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township	Petitioner	
	Stirba, Alfred , IV	Borough Council of the Borough of C	Petitioner	
	Stirba, Alfred , IV	Borough of Catasauqua	Petitioner	
	Stirba, Alfred , IV	Goldfeder, Eugene L.	Petitioner	
	Stirba, Alfred , IV	Upper Saucon Township Board of Si	Petitioner	

DISPOSITION INFORMATION

Final Disposition:	Yes	Judgment Date:	
Related Journal No:		Disposition Author:	Stirba, Alfred , IV
Category:	Disposed Before Decision	Disposition Date:	September 5, 2012
Disposition:	Discontinued	Filing Author:	
Dispositional Filing:			
Filed Date:			