

**Miscellaneous Docket Sheet**

**Docket Number: 360 MD 2012**

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**May 24, 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**

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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, 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 Upper Saucon Township

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, 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

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COUNSEL INFORMATION

**Petitioner** Goldfeder, Eugene L.

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  
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** Borough of Catasauqua

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  
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

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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, 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, 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., 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

**Miscellaneous Docket Sheet****Docket Number: 360 MD 2012****Page 5 of 13****May 24, 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  
 Harrisburg, PA 17101  
 Phone No: (717) 783-6563 Fax No: (717) 772-8570

Attorney: Dunlap, Gregory Eugene  
 Law Firm: PA Office of General Counsel  
 Address: PA Ofc of Gen Counsel  
 333 Market St 17th Fl  
 Harrisburg, PA 17101  
 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.
Address: Office of General Counsel
333 Market St, 17th Floor
Harrisburg, PA 17101
Phone No: (717) 783-6563 Fax No: (717) 772-8570

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

Respondent McCord, Robert M.

Pro Se: No

IFP Status:

Attorney: Aichele, Stephen S.
Address: Office of General Counsel
333 Market St, 17th Floor
Harrisburg, PA 17101
Phone No: (717) 783-6563 Fax No: (717) 772-8570

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
Address: PA Ofc of Gen Counsel
333 Market St 17th Fl
Harrisburg, PA 17101
Phone No: (717) 787-9336 Fax No: (717) 787-1788

Attorney: Cerulli, Kathryn Maria
Address: PA Treasury Department
127 Finance Bldg
Harrisburg, PA 17120
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
Phone No: (717) 783-6563 Fax No: (717) 772-8570

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

Attorney: Cerulli, Kathryn Maria
Address: PA Treasury Department
127 Finance Bldg
Harrisburg, PA 17120
Phone No: (717) 772-3298 Fax No: (717) 772-0970

**Miscellaneous Docket Sheet****Docket Number: 360 MD 2012****Page 8 of 13****May 24, 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.  
 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

**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
<b>May 18, 2012</b>	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				
<b>May 21, 2012</b>	Notice Exited Commonwealth Court Filing Office			05/21/2012
<b>May 24, 2012</b>	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	
<b>May 24, 2012</b>	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 Petitioner	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 11, 2012</b>	Entry of Appearance			
	Cerulli, Kathryn Maria	Commonwealth of Pennsylvania	Respondent	
	Craig, Christopher B.	Commonwealth of Pennsylvania	Respondent	
	Cerulli, Kathryn Maria	McCord, Robert M.	Respondent	
	Craig, Christopher B.	McCord, Robert M.	Respondent	
<b>June 11, 2012</b>	Preliminary Objections			
	Craig, Christopher B.	McCord, Robert M.	Respondent	
	Cerulli, Kathryn Maria	McCord, Robert M.	Respondent	
<b>June 15, 2012</b>	Entry of Appearance			
	Lee, Sehyung Daniel	City of Allentown	Intervenor	
	Lee, Sehyung Daniel	Allentown Commercial and Industrial	Respondent	
	Lee, Sehyung Daniel	Allentown Neighborhood Improvmen	Respondent	
<b>June 15, 2012</b>	Entry of Appearance			
	Rand, Jordan M.	City of Allentown	Intervenor	
	Rand, Jordan M.	Allentown Commercial and Industrial	Respondent	
	Rand, Jordan M.	Allentown Neighborhood Improvmen	Respondent	
<b>June 15, 2012</b>	Application for Intervention (Pa.R.A.P. 1531b)			
	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				
<b>June 18, 2012</b>	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	
	Dunlap, Gregory Eugene	Commonwealth of Pennsylvania	Respondent	
Document Name: In the form of a Letter				
<b>June 18, 2012</b>	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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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 18, 2012</b>	Answer to Application for Intervention (Pa.R.A.P. 1531b) Cerulli, Kathryn Maria Cerulli, Kathryn Maria	McCord, Robert M. Commonwealth of Pennsylvania	Respondent 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)			
<b>June 19, 2012</b>	Order Granting Application for Extension of Time to File Oler, J. Wesley, Jr.			06/20/2012
	Document Name: The application is granted. Resp. Corbett, Zogby and Meuser shall respond to the PFR not later than Comment: 7-2-2012			
<b>June 20, 2012</b>	Answer to Application for Intervention (Pa.R.A.P. 1531b) 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	
	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)			
<b>June 22, 2012</b>	Amended - Petition for Review Dinkelacker, Thomas H. Stirba, Alfred , IV Dimmich, Jeffrey R. Dimmich, Jeffrey R. Dinkelacker, Thomas H. Dinkelacker, Thomas H. Dinkelacker, Thomas H. Dinkelacker, Thomas H. Dinkelacker, Thomas H. Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV	Borough of Catasauqua Borough of Catasauqua Upper Saucon Township Board of Si Borough Council of the Borough of C Beil, Thomas F. Goldfeder, Eugene L. Upper Saucon Township Upper Saucon Township Board of Si Borough Council of the Borough of C Beil, Thomas F. Goldfeder, Eugene L. Upper Saucon Township Upper Saucon Township Board of Si Borough Council of the Borough of C	Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner	
	Document Name: In the Nature of a Compliant Seeking Declaratory Judgment and Other Relief			
<b>June 25, 2012</b>	Answer to Application for Intervention (Pa.R.A.P. 1531b) Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV Stirba, Alfred , IV	Borough of Catasauqua Goldfeder, Eugene L. Upper Saucon Township Board of Si Beil, Thomas F. Upper Saucon Township Borough Council of the Borough of C	Petitioner Petitioner Petitioner Petitioner Petitioner 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
<b>June 25, 2012</b>	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			
<b>June 25, 2012</b>	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.			
<b>June 28, 2012</b>	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			
<b>July 6, 2012</b>	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	
<b>July 9, 2012</b>	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.			
<b>September 5, 2012</b>	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:			