

**Commonwealth Docket Sheet**

**Docket Number: 814 CD 2010**

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**January 21, 2018**



**CAPTION**

In the matter of:  
Kenneth M. Silberstein  
Appeal from Grant of  
Open Record Request

Commonwealth of Pennsylvania,  
Office of Open Records,  
York Township, and Stacey MacNeal,  
Esquire

Appeal of: Stacey MacNeal

**CASE INFORMATION**

Initiating Document:	Notice of Appeal		
Case Status:	Closed		
Case Processing Status:	March 7, 2011	Completed	
Journal Number:	27-12-2010		
Case Category:	Civil	Case Type(s):	Right to Know Act

**CONSOLIDATED CASES**

**RELATED CASES**

**COUNSEL INFORMATION**

**Appellant**            **MacNeal, Stacey**

Pro Se:                    No

IFP Status:

Attorney:	Kaplin, Marc B.	
Law Firm:	Kaplin Stewart Meloff Reiter & Stein, P.C.	
Address:	910 Harvest Dr PO Box 3037 Blue Bell, PA 19422-0765	
Phone No:	(610) 260-6000	Fax No: (610) 260-1240

Attorney:	Anisko, Barbara	
Law Firm:	Kaplin Stewart Meloff Reiter & Stein, P.C.	
Address:	910 Harvest Dr PO Box 3037 Blue Bell, PA 19422-3037	
Phone No:	(610) 260-6000	Fax No: (610) 684-2002

Attorney:	Farrell, Ameer Smith	
Law Firm:	Kaplin Stewart Meloff Reiter & Stein, P.C.	
Address:	910 Harvest Dr PO Box 3037 Blue Bell, PA 19422-3037	
Phone No:	(610) 260-6000	Fax No: (610) 684-2010

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## COUNSEL INFORMATION

**Amicus Curiae**      **The Pennsylvania School Boards Association, Inc Et al**  
 Pro Se:                      No  
 IFP Status:  
     Attorney:                      Fields, Sean Ashley  
     Law Firm:                      PA School Boards Association, Inc.  
     Address:                      400 Bent Creek Blvd  
     PO Box 2042  
     Mechanicsburg, PA 17055  
     Phone No:                      (717) 506-2450    x:3348                      Fax No: (717) 506-4716

**Appellee**                      **York Township**  
 Pro Se:                      No  
 IFP Status:  
     Attorney:                      Hovis, Steven Mark  
     Law Firm:                      Stock and Leader, LLP  
     Address:                      221 W Philadelphia St., Ste 6090  
     York, PA 17401  
     Phone No:                      (717) 846-9800                      Fax No: (717) 843-6134

**Appellee**                      **Silberstein, Kenneth M.**  
 Pro Se:                      Yes  
 IFP Status:  
     Pro Se:                      Kenneth M. Silberstein  
     Address:

**Appellee**                      **Office of Open Records**  
 Pro Se:                      No  
 IFP Status:  
     Attorney:                      Byerly, Nathanael J.  
     Law Firm:                      Office of Open Records  
     Address:                      Commonwealth Keystone Building  
     400 North St 4th Fl  
     Harrisburg, PA 17120-0225  
     Phone No:                      (717) 346-9903                      Fax No: (717) 425-5343

    Attorney:                      Schnee, J Chadwick  
     Address:                      PA Office of Open Records  
     400 N St Fl 4 Keystone Bldg  
     Harrisburg, PA 17120-0225  
     Phone No:                      (717) 346-9903                      Fax No: (717) 425-5343

## FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
05/04/2010	Notice of Appeal	73.50	05/06/2010	2010-CMW-H-001175	73.50
			05/19/2010	2010-CMW-H-001278	73.50
06/07/2010	Fax Orders Account	50.00	06/07/2010	2010-CMW-H-001430	50.00
08/16/2010	2nd Motion for Extension of Time	10.00	08/16/2010	2010-CMW-H-002098	10.00
09/28/2010	Copy Work (Per Page)	24.50	09/28/2010	2010-CMW-H-002496	24.50
09/28/2010	Copy Work (Per Page)	10.50	09/28/2010	2010-CMW-H-002499	10.50

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## AGENCY/TRIAL COURT INFORMATION

Court Below: York County Court of Common Pleas  
 County: York Division: York County Civil Division  
 Order Appealed From: April 5, 2010 Judicial District: 19  
 Documents Received: May 6, 2010 Notice of Appeal Filed: May 4, 2010  
 Order Type: Order Dated  
 OTN(s):  
 Lower Ct Docket No(s): 2009-SU-004714-08  
 Lower Ct Judge(s): Renn, Richard K.  
 President Judge

## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
trial court record	June 08, 2010	1
supp rec	June 18, 2010	w/record

Date of Remand of Record: March 7, 2011

## BRIEFING SCHEDULE

Amicus Curiae	Appellee
<b>The Pennsylvania School Boards Association, Inc Et al</b>	<b>Office of Open Records</b>
<b>Brief</b>	<b>Brief</b>
Due: Filed: September 27, 2010	Due: September 27, 2010 Filed: August 17, 2010
<b>Appellant</b>	<b>Silberstein, Kenneth M.</b>
<b>MacNeal, Stacey</b>	<b>Brief</b>
<b>Brief</b>	Due: September 27, 2010 Filed: September 24, 2010
Due: July 28, 2010 Filed: August 25, 2010	
<b>Reply Brief</b>	<b>York Township</b>
Due: October 12, 2010 Filed: October 12, 2010	<b>Brief</b>
	Due: September 27, 2010 Filed: September 24, 2010
<b>Reproduced Record</b>	
Due: August 25, 2010 Filed: August 25, 2010	

## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>May 4, 2010</b>	Notice of Appeal Filed MacNeal, Stacey		Appellant	
<b>May 14, 2010</b>	Send Back for Correction Commonwealth Court Filing Office Document Name: \$13.50 due. NOA lacks service on court reporter and lacks req. for transcript			
<b>May 18, 2010</b>	Complied with Sendback MacNeal, Stacey Document Name: Filing fee bal. of \$13.50, corrected NOA w/ corresponding cert. of service filed in compliance w/ Comment: sendback.		Appellant	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>May 18, 2010</b>	Amended MacNeal, Stacey Document Name: Corrected Notice of Appeal		Appellant	
<b>May 19, 2010</b>	Notice Exited Commonwealth Court Filing Office			05/19/2010
<b>May 28, 2010</b>	Letter Krimmel, Michael Document Name: to A. Farrell returning docketing statement for filing/attaching certificate of service w/in 5 days			
<b>June 2, 2010</b>	Docketing Statement Filed Farrell, Amee Smith Document Name: Filed by Amee S. Farrell, Esq. w/ required attachments.	MacNeal, Stacey	Appellant	
<b>June 3, 2010</b>	Praecipe for Withdrawal of Appearance Bagley, Joseph Michael	Silberstein, Kenneth M.	Appellee	
<b>June 8, 2010</b>	Trial Court Record Received York County Court of Common Pleas			
<b>June 17, 2010</b>	Application for Extension of Time to File Brief - First Request MacNeal, Stacey		Appellant	
<b>June 17, 2010</b>	Order Granting Application for Extension of Time to File Appellant Brief Krimmel, Michael Document Name: Appellant's briefs (15 copies) shall be filed by 8/18/2010.			06/18/2010
<b>June 18, 2010</b>	Supplemental Record York County Court of Common Pleas Document Name: 10/21/09 TRANSCRIPTS			
<b>June 23, 2010</b>	Certificate of Service Filed MacNeal, Stacey Document Name: Certificate of Service filed re: Order dated 6/17/2010 served on appellees.		Appellant	
<b>July 19, 2010</b>	Designation of Contents of Reproduced Record MacNeal, Stacey Document Name: Appellant's Designation of the Contents of the Reproduced Record.		Appellant	
<b>July 26, 2010</b>	Amended Certificate of Service MacNeal, Stacey		Appellant	
<b>August 16, 2010</b>	Application for Extension of Time to File Brief - Second Request MacNeal, Stacey Document Name: Motion for Extension of Time to File Brief		Appellant	
<b>August 17, 2010</b>	Order Granting Application for Extension of Time to File Brief and Reproduced Record Brown, Kristen W. Document Name: Appellant's brief (15 copies) shall be filed by 8/25/2010.			08/17/2010

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>August 17, 2010</b>	Appellee's Brief Filed Byerly, Nathanael J. Document Name: In support of Appellant Stacy MacNeal	Office of Open Records	Appellee	
<b>August 17, 2010</b>	Entry of Appearance Schnee, J Chadwick	Office of Open Records	Appellee	
<b>August 25, 2010</b>	Appellant's Brief Filed Kaplin, Marc B. Farrell, Amee Smith Anisko, Barbara	MacNeal, Stacey MacNeal, Stacey MacNeal, Stacey	Appellant Appellant Appellant	
<b>August 25, 2010</b>	Appellant's Reproduced Record Filed Anisko, Barbara Farrell, Amee Smith Kaplin, Marc B.	MacNeal, Stacey MacNeal, Stacey MacNeal, Stacey	Appellant Appellant Appellant	
<b>September 24, 2010</b>	Appellee's Brief Filed Silberstein, Kenneth M. York Township		Appellee Appellee	
<b>September 27, 2010</b>	Amicus Curiae Brief Fields, Sean Ashley	The Pennsylvania School Boards As Amicus Curiae		
<b>September 29, 2010</b>	Entry of Appearance Fields, Sean Ashley	The Pennsylvania School Boards As Amicus Curiae		
<b>September 30, 2010</b>	Tentative Argument Krimmel, Michael Document Name: Dec. 2010 (Harrisburg)			
<b>October 12, 2010</b>	Appellant's Reply Brief MacNeal, Stacey		Appellant	
<b>October 29, 2010</b>	Argument Scheduled Krimmel, Michael Document Name: TUES., 12/7/2010 at 1:00 p.m., Panel, CR 5001, PJC, Hbg., PA - NO. 27 ON THE LIST.			10/29/2010
<b>November 9, 2010</b>	Application for Relief Office of Open Records Document Name: Application to Present Oral Argument by Amicus Curae		Appellee	
<b>December 1, 2010</b>	Order Granting Application for Relief Per Curiam Document Name: The OOR is hereby permitted to present oral argument in this matter.			12/01/2010
<b>January 6, 2011</b>	Affirmed Quigley, Keith B. Document Name: Opinion (10 pages) Comment: The order of the Court of Common Pleas of York County is AFFIRMED in accordance with the foregoing opinion.			01/06/2011

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 7, 2011	Remitted Commonwealth Court Filing Office			
March 9, 2011	Acknowledgement of Record Remittal York County Court of Common Pleas			

## SESSION INFORMATION

Journal Number: 27-12-2010  
 Consideration Type: Oral Argument - Panel  
 Listed/Submitted Date: December 7, 2010

## Panel Composition:

The Honorable Renee Cohn Jubelirer	Judge
The Honorable Johnny J. Butler	Judge
The Honorable Keith B. Quigley	Senior Judge

## DISPOSITION INFORMATION

Final Disposition: Yes

Related Journal No: Judgment Date:

Category: Decided Disposition Author: Quigley, Keith B.

Disposition: Affirmed Disposition Date: January 6, 2011

Disposition Comment: The order of the Court of Common Pleas of York County is AFFIRMED in accordance with the foregoing opinion.

Dispositional Filing: **Opinion** Filing Author:

Filed Date: 1/6/2011 12:00:00AM

## REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date:

Disposition:

Disposition Date:

Record Remittal: March 7, 2011