

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 94 MD 2016**Page 1 of 4****April 23, 2018****CAPTION**

In Re: Nomination Petition of
 Brian K. Sims as candidate for the
 Democratic Nomination for Representative
 in the General Assembly for the
 182nd Legislative District

Petition of: Walter Spencer and Sunanda Ghosh

CASE INFORMATION

Initiating Document: Objection to Nominating Petition

Case Status: Closed

Case Processing Status: March 21, 2016 Completed

Journal Number:

Case Category: Election

Case Type(s): Objection to Nomination Papers

CONSOLIDATED CASES**RELATED CASES****COUNSEL INFORMATION****Petitioner Spencer, Walter**

Pro Se: No

IFP Status:

Attorney: Gibbs, Charles Matthew

Address: 100 South Broad Street Ste 1218
Philadelphia, PA 19103

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Fax No: (267) 423-4592

Petitioner Ghosh, Sunanda

Pro Se: No

IFP Status:

Attorney: Gibbs, Charles Matthew

Law Firm: Green, Schafle & Gibbs, LLC

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Other Kotula, Kathleen

Pro Se: Yes

IFP Status:

Pro Se: Kotula, Kathleen

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 24, 2016	Order Filed Per Curiam			02/24/2016

Document Name: SCHEDULING AND CASE MANAGEMENT ORDER:

Comment: Upon consideration of the petition to set aside nomination petition: 1. IT IS HEREBY ORDERED:

A. Hearing on the petition to set aside nomination petition is scheduled for Wednesday, March 23, 2016, at 9:30 a.m., in Courtroom Number 1, The Widener Building, 1339 Chestnut Street, One South Penn Square, Philadelphia, Pennsylvania. Objector is directed to secure the services of a court stenographer for the hearing. Failure of Objector to secure the services of a court stenographer may

result in the dismissal of this matter. B. If signature lines are challenged, Objector shall secure, by request or subpoena, the presence of a Statewide Uniform Registry of Electors (SURE) system operator at the hearing. C. A pre-trial conference may be scheduled at any time after March 14, 2016. D. No later than 5:00 p.m., Friday, March 11, 2016, Objector shall personally serve a copy of this order, a copy of the petition to set aside nomination petitions (if the petition to set aside has not previously been served) and, if signature

line challenges are at issue, one digital media device (CD or USB Flash Drive) containing the objections in spreadsheet format and a key to the codes used in the spreadsheet, on Brian K. Sims, Candidate, or an adult member of Candidate's family. Objector shall file a proof of service with the Chief Clerk promptly thereafter. E. Objector shall personally or by registered mail serve a copy of this order on the Secretary of the Commonwealth and promptly thereafter file a proof of service with the Chief Clerk.

F. At the time of hearing, Objector shall offer proof of timely service of the petition to set aside on the Secretary of the Commonwealth. G. All counsel are under a continuing obligation and are hereby ordered to serve a copy of this order upon all unrepresented parties, if any, and upon all counsel entering an appearance subsequent to the entry of this order. 2. It is FURTHER ORDERED: A. Objector shall file a

list of all witnesses to be called at the hearing and the curriculum vitae and expert reports of all expert witnesses. Any witness not identified shall be precluded from testifying except for good cause shown. B. Candidate shall file a list of all witnesses to be called at the hearing and the curriculum vitae and expert reports of all expert witnesses. Any witness not identified shall be precluded from testifying except for good cause shown. 3. If signature line challenges are at issue, it is FURTHER ORDERED: A. Objector

shall immediately arrange to meet with Candidate or Candidate's representative and, if appropriate, with a SURE system operator, to review before the hearing each and every challenged signature line identifies: B. Objector and Candidate shall file a stipulation of the parties that (a) the total number of completed signature lines submitted; (b) the total number of uncontested signature lines submitted; (c) the total number of signature lines challenged; (d) each and every signature line to which there

is an objection, identified by page number and line number, and the basis for the objection; (e) each and every signature line to be stricken as invalid or for which an objection is to be withdrawn, identified by page number and line number, if the parties can reach such a stipulation. C. Candidate shall file a list of all signature lines, identified by page number and line number, that are facially defective and that Candidate intends to rehabilitate. Candidate shall also state the manner in which Candidate intends to rehabilitate the signature lines. 4. Objector and Candidate may each file a memorandum of law in support

of their respective positions by the time and date specified in paragraph 5 of this order. No further memoranda will be permitted unless ordered by the Court. 5. Unless otherwise ordered, all filings required or permitted by paragraphs 2, 3 and 4 of this order shall be filed no later than 12:00 o'clock noon on March 21, 2016 with the Chief Clerk at the Pennsylvania Judicial Center, Suite 2100, 601 Commonwealth Avenue, P.O. Box 69185, Harrisburg, PA 17106-9185. Parties may file via PACFile (the Pennsylvania appellate court electronic filing system) but may NOT file by facsimile or e-mail without express prior permission from the Court. 6. Failure to comply with any provision of this order may preclude the

noncompliant party from entering any evidence, and may result in the imposition of monetary sanctions.

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 25, 2016	Certificate of Service Filed			
	Gibbs, Charles Matthew	Ghosh, Sunanda	Petitioner	
	Gibbs, Charles Matthew	Spencer, Walter	Petitioner	
February 29, 2016	Entry of Appearance			
	Bonin, Adam Craig	Sims, Brian K.	Respondent	
March 10, 2016	Order Filed			03/10/2016
	Per Curiam			
	Document Name: It is ordered that the hearing time set for March 23, 2016 at 9:30 a.m. has been changed			
	Comment: to 10:00 a.m., Courtroom Number 2, The Widener Building, 1339 Chestnut Street, Philadelphia, on the petition to set aside nomination petition in the above-referenced case. In all other respects, the provisions of the February 24, 2016 scheduling and case management order remain in effect.			
March 21, 2016	Praecepte for Discontinuance			
	Gibbs, Charles Matthew	Ghosh, Sunanda	Petitioner	
	Gibbs, Charles Matthew	Spencer, Walter	Petitioner	
March 21, 2016	Discontinued			03/21/2016
	Per Curiam			
	Document Name: Objector having filed a praecipe to discontinue, the hearing set for March 23, 2016, at 10:00 a.m.,			
	Comment: in Courtroom Number 1, The Widener Building, 1339 Chestnut Street, One South Penn Square, Philadelphia, Pennsylvania, is cancelled.			

DISPOSITION INFORMATION

Final Disposition: Yes

Related Journal No: Judgment Date:

Category: Disposed Before Decision Disposition Author: Per Curiam

Disposition: Discontinued Disposition Date: March 21, 2016

Disposition Comment: in Courtroom Number 1, The Widener Building, 1339 Chestnut Street, One South Penn Square, Philadelphia, Pennsylvania, is cancelled.

Dispositional Filing: Filing Author:

Filed Date: