



CAPTION

Center for Coalfield Justice, Washington Branch NAACP, Bruce Jacobs, Jeffrey Marks, June Devaughn Hython, Erika Worobec, Sandra Macioce, Kenneth Elliott, and David Dean

v.

Washington County Board of Elections, Republican National Committee and Republican Party of Pennsylvania

Appeal of: Republican National Committee and Republican Party of Pennsylvania

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Active

Journal Number: J-95-2024 October 11, 2024

Case Category: Election Case Type(s): Election

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney: Gallagher, Kathleen A.
The Gallagher Firm, LLC

Address: The Gallagher Firm LLC
436 Seventh Ave 31st Fl
Pittsburgh, PA 15219

Phone No: (412) 308-5512

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Republican National Committee, Appellant

Pro Se: No

IFP Status:

Representing: Republican Party of Pennsylvania, Appellant

Pro Se: No

IFP Status:

Attorney: Breth, Thomas E.
Dillon, McCandless, King, Coulter & Graham, LLP

Address: Dillon Mccandless King Coulter & Graham Llp
128 W Cunningham St
Butler, PA 16001-5742

Phone No: (724) 283-2200

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Republican National Committee, Appellant

Pro Se: No

IFP Status:

Representing: Republican Party of Pennsylvania, Appellant

Pro Se: No

IFP Status:



COUNSEL INFORMATION

Attorney: King, Thomas W., III
 Dillon, McCandless, King, Coulter & Graham, LLP
 Address: Dillon Mccandless Et Al
 128 W Cunningham St
 Butler, PA 16001-5742
 Phone No: (724) 283-2200
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Republican National Committee, Appellant
 Pro Se: No
 IFP Status:
 Representing: Republican Party of Pennsylvania, Appellant
 Pro Se: No
 IFP Status:

Attorney: Berardinelli, David John
 DeForest Koscelnik & Berardinelli
 Address: Koppers Building, 30th Floor
 436 Seventh Avenue
 Pittsburgh, PA 15219
 Phone No: (412) 227-3135
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Washington County Board of Elections, Appellee
 Pro Se: No
 IFP Status:

Attorney: Kotula, Kathleen Marie
 Pennsylvania Department of State
 Address: Pa Dept Of State
 401 North St Rm 306
 Harrisburg, PA 17120
 Phone No: (717) 783-1657
 Receive Mail: Yes
 Representing: PA Department of State, Appellee
 Pro Se: No
 IFP Status:

Attorney: Walczak, Witold J.
 American Civil Liberties Union of Pennsylvania
 Address: P.O. Box 60173
 Philadelphia, PA 19102
 Phone No: (215) 592-1513 x:138
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Black, Martin Jay
 Dechert LLP
 Address: 2929 Arch St
 Philadelphia, PA 19104-2808
 Phone No: (215) 994-2664
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: De Palma, Claudia
 Public Interest Law Center (The)
 Address: 1500 JFK Blvd, Suite 802
 Philadelphia, PA 19102
 Phone No: (267) 546-1313
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Edwards, Jeffrey Scott
 Dechert LLP
 Address: 2929 Arch St
 Philadelphia, PA 19104-2808
 Phone No: (215) 994-2104
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: McKenzie, Mary M.
 Public Interest Law Center (The)
 Address: Public Interest Law Center Two Penn Center
 1500 Jfk Blvd Ste 802
 Philadelphia, PA 19102
 Phone No: (267) 546-1319
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Merken, Christopher James Rogers
 Dechert LLP
 Address: 2929 Arch St Cira Ctr
 Philadelphia, PA 19104
 Phone No: (215) 994-2380
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Reilly, Luke Michael
 Dechert LLP
 Address: 2929 Arch St
 Philadelphia, PA 19104
 Phone No: (215) 994-2194
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Schneider, Marian Karen
 ACLU of Pennsylvania, Pittsburgh
 Address: Po Box 60173
 Philadelphia, PA 19102
 Phone No: (610) 420-0632
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Steiker-Ginzberg, Kate Ilana
 ACLU of Pennsylvania
 Address: Po Box 60173
 Philadelphia, PA 19102
 Phone No: (917) 444-6803
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Bonin, Adam Craig
 The Law Office of Adam C. Bonin
 Address: 105 Cambridge Way
 Harleysville, PA 19438
 Phone No: (267) 242-5014
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: AFT Pennsylvania, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Khan, Joseph Jamil
 Curtin & Heefner LLP
 Address: 2005 S Easton Rd
 Doylestown, PA 18901
 Phone No: (215) 736-2521
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: County Commissioners, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Levine, Clifford B.
 Dentons Cohen & Grigsby
 Address: Dentons Cohen & Grigsby P.c.
 625 Liberty Ave
 Pittsburgh, PA 15222
 Phone No: (412) 297-4998
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Democratic National Committee, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: Pennsylvania Democratic Party, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Pfautz, Michael Wu-Kung
 Philadelphia Law Department
 Address: City Of Philadelphia Law Dept
 1515 Arch St Fl 15
 Philadelphia, PA 19102
 Phone No: (215) 683-5233
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Philadelphia County Board of Elections, Amicus Curiae
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Thomson, Aimee Diane
 Pennsylvania Governor's Office of General Counsel
 Address: 1650 Arch St Ste 2500
 Mailbox 24
 Philadelphia, PA 19103
 Phone No: (223) 234-4986
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Pennsylvania Department of State, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: Schmidt, Secretary AI, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Wallen, Zachary Michael
 Chalmers, Adams, Backer & Kaufman, LLC
 Address: Chalmers Adams Backer & Kaufman LLC
 301 S Hills Village Dr Ste LI200420
 Pittsburgh, PA 15241
 Phone No: (412) 200-0842
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Bryan Cutler, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Alerasool, Omeed
 Elias Law Group
 Address: 250 Massachusetts Ave NW # 400
 Washington, DC 20001
 Phone No: (202) 734-7536
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: AFT Pennsylvania, et al, Amicus Curiae
 Pro Se: No
 IFP Status:



SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court at No. 1172 CD 2024, entered on September 24, 2024, Affirming the Lower Court Order of the Washington County Court of Common Pleas at No. 2024-3953, entered on August 27, 2024.

Probable Jurisdiction Noted: Docketed Date: October 5, 2024
 Allocatur/Miscellaneous Granted: October 5, 2024 Allocatur/Miscellaneous Docket No.: 259 WAL 2024
 Allocatur/Miscellaneous Grant Order: AND NOW, this 5th day of October, 2024, the Petition for Allowance of Appeal is GRANTED. The issues, rephrased for clarity and brevity, are:

(1) Whether the Commonwealth Court erred in holding the mail-in ballot return policy implemented by the Washington County Board of Elections resulted in violations of electors' procedural due process rights.

(2) Whether the Commonwealth Court erred in affirming the trial court's injunction and order directing the board to (1) "notify any elector whose mailin packet is segregated for a disqualifying error, so the voter has an opportunity to challenge (not cure) the alleged defects"; (2) "input the accurate status of the mail-in packet in the SURE system and provide the status to the elector if requested"; and (3) "properly document in the poll books that the elector has not 'voted' when an elector's mail-in packet is segregated for a disqualifying defect in accordance with 25 P.S. §3150.16 (which will allow the elector the opportunity to cast a provisional ballot) and choose the most appropriate selection in the SURE system to reflect as such." Opinion and Order, Ctr. for Coalfield Justice v. Washington Cty. Bd. of Elections, No. 2024-3953, at 4 (C.P. Washington, Aug. 23, 2024).

Petitioners' brief shall be filed on or before October 9, 2024 at 12:00 p.m. Respondents and any amici shall file their briefs on or before October 11, 2024 at 12:00 p.m. No reply brief will be permitted. This matter will be submitted on the briefs without oral argument.

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Commonwealth Docket Number: 1172 CD 2024
 Date of Order: September 24, 2024 Rearg/Recon Disp Date:
 Rearg/Recon Disposition:
 Judge(s): Cohn Jubelirer, Renee
 Wojcik, Michael H.
 Dumas, Lori A.
 Intermediate Appellate Court Action: Affirmed
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Washington County Court of Common Pleas
 County: Washington Division: Washington County Civil Division
 Date of Agency/Trial Court Order: August 23, 2024
 Docket Number: 2024-3953
 Judge(s): Neuman, Brandon P. OTN:
 Order Type: Order



ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	October 07, 2024	

Record Remittal:

BRIEFING SCHEDULE

Amicus Curiae

AFT Pennsylvania, et al
Brief

Due: Filed: October 11, 2024

Bryan Cutler, et al
Brief

Due: Filed: October 10, 2024

County Commissioners, et al
Brief

Due: Filed: October 11, 2024

Democratic National Committee
Brief

Due: October 11, 2024 Filed: October 11, 2024

Pennsylvania Democratic Party
Brief

Due: October 11, 2024 Filed: October 11, 2024

Pennsylvania Department of State
Brief

Due: October 11, 2024 Filed: October 11, 2024

Philadelphia County Board of Elections
Brief

Due: Filed: October 11, 2024

Schmidt, Secretary AI
Brief

Due: October 11, 2024 Filed: October 11, 2024

Appellant

Republican National Committee
Brief

Due: October 9, 2024 Filed: October 9, 2024

Reproduced Record

Due: October 9, 2024 Filed:

Republican Party of Pennsylvania
Brief

Appellee

Center for Coalfield Justice, et al.
Brief

Due: October 11, 2024 Filed: October 11, 2024

Washington County Board of Elections
Brief

Due: October 11, 2024 Filed:



BRIEFING SCHEDULE

Appellant**Republican Party of Pennsylvania****Brief**

Due: October 9, 2024

Filed: October 9, 2024

Reproduced Record

Due: October 9, 2024

Filed:

SESSION INFORMATION

Journal Number: J-95-2024
 Listed/Submitted Date: October 11, 2024
 Consideration Type: Submit on Briefs Supreme

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 5, 2024	Allocatur Granted		Per Curiam

Comments:

AND NOW, this 5th day of October, 2024, the Petition for Allowance of Appeal is GRANTED. The issues, rephrased for clarity and brevity, are:

(1) Whether the Commonwealth Court erred in holding the mail-in ballot return policy implemented by the Washington County Board of Elections resulted in violations of electors' procedural due process rights.

(2) Whether the Commonwealth Court erred in affirming the trial court's injunction and order directing the board to (1) "notify any elector whose mailin packet is segregated for a disqualifying error, so the voter has an opportunity to challenge (not cure) the alleged defects"; (2) "input the accurate status of the mail-in packet in the SURE system and provide the status to the elector if requested"; and (3) "properly document in the poll books that the elector has not 'voted' when an elector's mail-in packet is segregated for a disqualifying defect in accordance with 25 P.S. §3150.16 (which will allow the elector the opportunity to cast a provisional ballot) and choose the most appropriate selection in the SURE system to reflect as such." Opinion and Order, Ctr. for Coalfield Justice v. Washington Cty. Bd. of Elections, No. 2024-3953, at 4 (C.P. Washington, Aug. 23, 2024).

Petitioners' brief shall be filed on or before October 9, 2024 at 12:00 p.m. Respondents and any amici shall file their briefs on or before October 11, 2024 at 12:00 p.m. No reply brief will be permitted. This matter will be submitted on the briefs without oral argument.

October 7, 2024	Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
October 9, 2024	Appellant's Brief	Appellant	Republican Party of Pennsylvania
		Appellant	Republican National Committee
October 10, 2024	Amicus Brief of Bryan Cutler, Kim Ward & Joe Pittman In Support of Appellants	Amicus Curiae	Bryan Cutler, et al
October 11, 2024	Amicus Brief of County Commissioners In Support of Appellees	Amicus Curiae	County Commissioners, et al



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 11, 2024	Amicus Brief fo Sec. Al Schmidt & PA Department of State	Amicus Curiae Amicus Curiae	Schmidt, Secretary Al Pennsylvania Department of State
October 11, 2024	Amicus Brief of the DNC & The PA Democartic Party In Support of Appellees	Amicus Curiae Amicus Curiae	Pennsylvania Democratic Party Democratic National Committee
October 11, 2024	Appellee's Brief	Appellee	Center for Coalfield Justice, et al.
October 11, 2024	Amicus Brief of AFT PA & The PA Alliance for Retired Americans in Support of Appellees	Amicus Curiae	AFT Pennsylvania, et al
October 11, 2024	Amicus Brief of Philadelphia County Board of Elections	Amicus Curiae	Philadelphia County Board of Elections

CROSS COURT ACTIONS

Docket Number:	1172 CD 2024
Docket Number:	259 WAL 2024