



## 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.  
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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.  
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Representing: Republican National Committee, Appellant

Pro Se: No

IFP Status:

Representing: Republican Party of Pennsylvania, Appellant

Pro Se: No

IFP Status:






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**COUNSEL INFORMATION**


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Attorney: Berardinelli, David John  
 DeForest Koscelnik & Berardinelli  
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 Receive EMail: Yes Email:  
 Representing: Washington County Board of Elections, Appellee  
 Pro Se: No  
 IFP Status:

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 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: Black, Martin Jay  
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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: De Palma, Claudia  
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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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**COUNSEL INFORMATION**


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Attorney: Edwards, Jeffrey Scott  
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 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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 Philadelphia, PA 19102  
 Phone No: (267) 546-1319  
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 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: Merken, Christopher James Rogers  
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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: Reilly, Luke Michael  
 Dechert LLP  
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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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**COUNSEL INFORMATION**


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Attorney: Schneider, Marian Karen  
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 Po Box 60173  
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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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Attorney: Steiker-Ginzberg, Kate Ilana  
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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Center for Coalfield Justice, et al., Appellee  
 Pro Se: No  
 IFP Status:

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 Representing: AFT Pennsylvania, et al, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Khan, Joseph Jamil  
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 Representing: County Commissioners, et al, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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**COUNSEL INFORMATION**


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Attorney: Levine, Clifford B.  
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 Dentons Cohen & Grigsby P.c.  
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 Representing: Democratic National Committee, Amicus Curiae  
 Pro Se: No  
 IFP Status:  
 Representing: Pennsylvania Democratic Party, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Pfautz, Michael Wu-Kung  
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 Representing: Philadelphia County Board of Elections, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Thomson, Aimee Diane  
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 Receive Mail: Yes  
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 Representing: Pennsylvania Department of State, Amicus Curiae  
 Pro Se: No  
 IFP Status:  
 Representing: Schmidt, Secretary AI, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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**COUNSEL INFORMATION**


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 Representing: Bryan Cutler, et al, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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 IFP Status:

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 IFP Status:

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 Representing: AFT Pennsylvania, et al, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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#### COUNSEL INFORMATION

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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




**INTERMEDIATE APPELLATE COURT INFORMATION**

Court Name:	Commonwealth	Docket Number:	1172 CD 2024
Date of Order:	September 24, 2024	Rearg/Recon Disp Date:	
Judge(s):	Cohn Jubelirer, Renee Wojcik, Michael H. Dumas, Lori A.	Rearg/Recon Disposition:	
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	Appellee
<b>AFT Pennsylvania, et al</b>	<b>Center for Coalfield Justice, et al.</b>
<b>Brief</b>	<b>Brief</b>
Due: Filed: October 11, 2024	Due: October 11, 2024 Filed: October 11, 2024
<b>Bryan Cutler, et al</b>	<b>Washington County Board of Elections</b>
<b>Brief</b>	<b>Brief</b>
Due: Filed: October 10, 2024	Due: October 11, 2024 Filed:
<b>County Commissioners, et al</b>	
<b>Brief</b>	
Due: Filed: October 11, 2024	
<b>Democratic National Committee</b>	
<b>Brief</b>	
Due: October 11, 2024 Filed: October 11, 2024	
<b>Pennsylvania Democratic Party</b>	
<b>Brief</b>	
Due: October 11, 2024 Filed: October 11, 2024	
<b>Pennsylvania Department of State</b>	
<b>Brief</b>	



## BRIEFING SCHEDULE

**Amicus Curiae****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**

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
<b>October 5, 2024</b>	<b>Allocatur Granted</b>		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



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
	(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	<b>Commonwealth Court Record Received</b>		Commonwealth Court of Pennsylvania
October 9, 2024	<b>Appellant's Brief</b>	Appellant Appellant	Republican Party of Pennsylvania Republican National Committee
October 10, 2024	<b>Amicus Brief of Bryan Cutler, Kim Ward &amp; Joe Pittman In Support of Appellants</b>	Amicus Curiae	Bryan Cutler, et al
October 11, 2024	<b>Amicus Brief of County Commissioners In Support of Appellees</b>	Amicus Curiae	County Commissioners, et al
October 11, 2024	<b>Amicus Brief fo Sec. Al Schmidt &amp; PA Department of State</b>	Amicus Curiae Amicus Curiae	Schmidt, Secretary Al Pennsylvania Department of State
October 11, 2024	<b>Amicus Brief of the DNC &amp; The PA Democartic Party In Support of Appellees</b>	Amicus Curiae Amicus Curiae	Pennsylvania Democratic Party Democratic National Committee
October 11, 2024	<b>Appellee's Brief</b>	Appellee	Center for Coalfield Justice, et al.
October 11, 2024	<b>Amicus Brief of AFT PA &amp; The PA Alliance for Retired Americans in Support of Appellees</b>	Amicus Curiae	AFT Pennsylvania, et al
October 11, 2024	<b>Amicus Brief of Philadelphia County Board of Elections</b>	Amicus Curiae	Philadelphia County Board of Elections
October 18, 2024	<b>Application to be Admitted Pro Hac Vice(Uzoma N. Nkwonta)</b> AFT Pennsylvania, et al	Amicus Curiae	Alerasool, Omeed
October 18, 2024	<b>Application to be Admitted Pro Hac Vice(Justin Baxenberg)</b> AFT Pennsylvania, et al	Amicus Curiae	Alerasool, Omeed
October 18, 2024	<b>Application to be Admitted Pro Hac Vice(Richard A. Medina)</b> AFT Pennsylvania, et al	Amicus Curiae	Alerasool, Omeed



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 21, 2024	<b>Order Granting Application to be Admitted Pro Hac Vice(Baxenberg)</b>		Gorman, Kaitlin A.
Comments: AND NOW, this 21st day of October, 2024, the application for the admission pro hac vice of Attorney Justin Baxenberg is hereby GRANTED.			
October 21, 2024	<b>Order Granting Application to be Admitted Pro Hac Vice(Richard Medina)</b>		Gorman, Kaitlin A.
Comments: AND NOW, this 21st day of October, 2024, the application for the admission pro hac vice of Attorney Richard A. Medina is hereby GRANTED.			
October 21, 2024	<b>Order Granting Application to be Admitted Pro Hac Vice</b>		Gorman, Kaitlin A.
Comments: AND NOW, this 21st day of October, 2024, the application for the admission pro hac vice of Attorney Uzoma N. Nkwonta is hereby GRANTED.			
October 21, 2024	<b>Order Exited</b>		Office of the Prothonotary
October 21, 2024	<b>Application to be Admitted Pro Hac Vice(John M. Gore)</b>		
	Republican Party of Pennsylvania	Appellant	Gallagher, Kathleen A.
	Republican National Committee	Appellant	Gallagher, Kathleen A.
October 22, 2024	<b>Order Granting Application to be Admitted Pro Hac Vice(John M. Gore)</b>		Ceraso, Betsy
Comments: AND NOW, this 22nd day of October, 2024, the application for the admission pro hac vice of John M. Gore, Esq. is GRANTED.			
October 22, 2024	<b>Order Exited</b>		Office of the Prothonotary
October 25, 2024	<b>Application to be Admitted Pro Hac Vice(E. Stewart Crosland)</b>		
	Republican Party of Pennsylvania	Appellant	Gallagher, Kathleen A.
	Republican National Committee	Appellant	Gallagher, Kathleen A.
October 25, 2024	<b>Order Granting Application to be Admitted Pro Hac Vice(E. Stewart Crosland)</b>		Ceraso, Betsy
October 25, 2024	<b>Order Exited</b>		Office of the Prothonotary

## CROSS COURT ACTIONS

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