

**Miscellaneous Docket Sheet****Commonwealth Court of Pennsylvania****Docket Number: 336 MD 2020****Page 1 of 55****May 9, 2025****CAPTION**

Frederick C. Siger, in his capacity as  
Secretary of the Department  
of Community and Economic Development,  
Petitioner

v.

City of Chester,  
Respondent

**CASE INFORMATION**

Initiating Document: Petition for Review

Case Status: Active

Case Processing Status: December 18, 2023 Awaiting Consideration

Journal Number:

Case Category: Miscellaneous Case Type(s): Other

**CONSOLIDATED CASES****RELATED CASES**

Docket No / Reason	Type
883 CD 2021 Same Issue(s)	Related
80 MD 2021 Same Issue(s)	Related
1636 CD 2024 Similar Issue(s)	Related
292 CD 2025 Similar Issue(s)	Related

**COUNSEL INFORMATION****Petitioner Siger, Frederick C.**

Pro Se: No

IFP Status:

Attorney: Fixelle, Chad Joseph  
Law Firm: Pennsylvania Department of Community & Economic Development  
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Attorney: Irwin, Lori K.  
Law Firm: Pennsylvania Office of General Counsel  
Address: 400 North St  
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## COUNSEL INFORMATION

**Petitioner** Siger, Frederick C.

Pro Se: No

IFP Status:

Attorney: Campbell, Richard Leon, Jr.  
Law Firm: Pennsylvania Department of Community and Economic Development  
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400 North St Fl 4  
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Phone No: (717) 441-7190 Fax No:

**Petitioner** Pennsylvania Department of Community and Economic Development

Pro Se: No

IFP Status:

Attorney: Irwin, Lori K.  
Law Firm: Pennsylvania Office of General Counsel  
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Phone No: (717) 720-7311 Fax No:

Attorney: Campbell, Richard Leon, Jr.  
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Attorney: Fixelle, Chad Joseph  
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**Miscellaneous Docket Sheet****Commonwealth Court of Pennsylvania****Docket Number: 336 MD 2020****Page 3 of 55****May 9, 2025****COUNSEL INFORMATION****Petitioner Doweary, Michael**

Pro Se: No

IFP Status:

Attorney: McLaughlin, John Patrick  
 Law Firm: Campbell Durrant Beatty Palombo & Miller, P.C.  
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 1 Belmont Ave Ste 300  
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Attorney: Harvey, Patrick James  
 Law Firm: Cambell Durrant Beatty Palombo & Miller, P.C.  
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Attorney: Betack, Bradley John  
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Attorney: Patchen, Benjamin Richard  
 Law Firm: Philadelphia City Solicitor's Office  
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 Philadelphia, PA 19102  
 Phone No: (610) 308-3336 Fax No:

Attorney: Allen, Tiffany R.  
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**Intervenor PFS VII, LLC**

Pro Se: No

IFP Status:

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 Blue Bell, PA 19422  
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## COUNSEL INFORMATION

**Respondent Williams, Elizabeth**

Pro Se: No

IFP Status:

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**Respondent West, Portia**

Pro Se: No

IFP Status:

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Law Firm: Buchanan, Ingersoll & Rooney, P.C.  
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**Respondent Stormwater Authority of the City of Chester**

Pro Se: No

IFP Status:

Attorney: Hann, Steven Alan  
Law Firm: Hamburg, Rubin, Mullin, Maxwell & Lupin, PC  
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375 Morris Rd  
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Attorney: Roark, William Grady  
Law Firm: Hamburg, Rubin, Mullin, Maxwell & Lupin, PC  
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## COUNSEL INFORMATION

**Respondent Morgan, William**

Pro Se: No

IFP Status:

Attorney: Pfeiffer, Mark D.  
 Law Firm: Buchanan, Ingersoll & Rooney, P.C.  
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 Law Firm: Buchanan, Ingersoll & Rooney, P.C.  
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 Phone No: (215) 665-3864 Fax No:

Attorney: Gibbs, Charles Matthew  
 Law Firm: McMonagle, Perri, McHugh, Mischak & Davis, P.C.  
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 Philadelphia, PA 19103  
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**Respondent Kirkland, Thaddeus**

Pro Se: No

IFP Status:

Attorney: Pfeiffer, Mark D.  
 Law Firm: Buchanan, Ingersoll & Rooney, P.C.  
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 Phone No: (215) 665-3921 Fax No:

Attorney: Tepper, H. Marc  
 Law Firm: Buchanan, Ingersoll & Rooney, P.C.  
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 Phone No: (215) 665-3864 Fax No:

**Respondent Jacobs, William**

Pro Se: Yes

IFP Status:

Pro Se: William Jacobs  
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 Chester, PA 19013

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## COUNSEL INFORMATION

## Respondent City of Chester

Pro Se: No

IFP Status:

Attorney: McLaughlin, John Patrick  
 Law Firm: Campbell Durrant Beatty Palombo & Miller, P.C.  
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 Phone No: (610) 227-2596 Fax No:

Attorney: Harvey, Patrick James  
 Law Firm: Cambell Durrant Beatty Palombo & Miller, P.C.  
 Address: Campbell Durrant P.c.  
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 Phone No: (610) 227-2595 Fax No:

Attorney: Tepper, H. Marc  
 Law Firm: Buchanan, Ingersoll & Rooney, P.C.  
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 Law Firm: Buchanan, Ingersoll & Rooney, P.C.  
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 Law Firm: Kenneth R. Schuster & Associates, P.C.  
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**Miscellaneous Docket Sheet****Commonwealth Court of Pennsylvania****Docket Number: 336 MD 2020****Page 7 of 55****May 9, 2025****COUNSEL INFORMATION****Respondent City of Chester**

Pro Se: No

IFP Status:

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 Philadelphia, PA 19102  
 Phone No: (267) 626-9016

Fax No:

**Respondent Chester Water Authority**

Pro Se: No

IFP Status:

Attorney: Garden, Andrew Kabnick  
 Law Firm: Conrad O'Brien, P.C.  
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 Phone No: (215) 864-9600

Fax No:

Attorney: Kent, Kevin Dooley  
 Law Firm: Clark Hill PLC  
 Address: Two Commerce Square  
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 Philadelphia, PA 19103  
 Phone No: (215) 640-8500

Fax No:

Attorney: Guernsey, Megan Anne  
 Law Firm: Conrad O'Brien, P.C.  
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 Centre Square, West Tower  
 1500 Market St 3900  
 Philadelphia, PA 19102-2100  
 Phone No: (215) 864-9600

Fax No:

**Respondent Chester Redevelopment Authority**

Pro Se: Yes

IFP Status:

Pro Se: Chester Redevelopment Authority  
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 1 East Fourth Street  
 Chester, PA 19013

**Respondent Chester Parking Authority**

Pro Se: Yes

IFP Status:

Pro Se: Chester Parking Authority  
 Address: Chester City Hall  
 1 East Fourth Street  
 Chester, PA 19013

**Commonwealth Court of Pennsylvania**

**May 9, 2025**

Address: Chester City Hall  
1 East Fourth Street  
Chester, PA 19013

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
06/01/2020	Miscellaneous Docket Filing Fee	70.25	06/03/2020	2020-CMW-H-001165	70.25
03/25/2022	Petition for Reargument	15.00	03/25/2022	2022-CMW-H-000481	15.00
07/01/2022	Copy Work (Per Page)	123.00	07/01/2022	2022-CMW-H-001268	123.00
09/27/2022	Petition for Reconsideration - Original Jurisdiction	15.00	09/28/2022	2022-CMW-H-001837	15.00
01/18/2023	Copy Work (Per Page)	40.50	01/20/2023	2023-CMW-H-000117	40.50
01/27/2023	Copy Work (Per Page)	4.50	02/14/2023	2023-CMW-H-000279	4.50
01/31/2023	Copy Work by Clerk (Per Page)	46.00	02/14/2023	2023-CMW-H-000285	46.00
01/04/2023	Copy Work (Per Page)	180.00	02/14/2023	2023-CMW-H-000281	180.00
02/16/2023	Copy Work (Per Page)	23.00	02/16/2023	2023-CMW-H-000296	23.00

Court Below:	Department of Community & Economic Development		
County:		Division:	Department of Community & Economic Development
Judge:		OTN:	
Docket Number:	N/A	Judicial District:	

Original Record Item	Filed Date	Content Description
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## Chester Redevelopment Authority



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## BRIEFING SCHEDULE

## Respondent

Chester Redevelopment Authority

Brief

Chester Water Authority

Brief

City of Chester

Brief

Due:

Filed: September 27, 2022

## Supplemental Brief

Due: November 17, 2023

Filed: November 17, 2023

Jacobs, William

Brief

Kirkland, Thaddeus

Brief

Due:

Filed: September 27, 2022

Morgan, William

Brief

Due:

Filed: September 27, 2022

Stormwater Authority of the City of Chester

Brief

West, Portia

Brief

Due:

Filed: September 27, 2022

## Supplemental Brief

Due: November 17, 2023

Filed:

Williams, Elizabeth

Brief

Due:

Filed: September 27, 2022

## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 1, 2020</b>	Petition for Review Filed			
	Pennsylvania Department of Community and Economic Development		Petitioner	
	Dowery, Michael		Petitioner	
	Siger, Frederick C.		Petitioner	

Document Name: Petition for Appointment of Receiver for the City of Chester and Related Relief Pursuant

Comment: to Section 702 of Act 47 of 1987, As Amended

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 4, 2020</b>	Order Filed Per Curiam			06/04/2020
	Document Name: Respondent shall file and serve an answer to the Petition for Appointment of Receiver on or before Comment: before June 9, 2020. Petitioner shall immediately serve a copy of this Order on all persons on whom the Petition was served and file proof of service no later than 12:00 Noon on June 8, 2020.			
<b>June 4, 2020</b>	Entry of Appearance			
	Garden, Andrew Kabnick	Chester Water Authority	Respondent	
	Guernsey, Megan Anne	Chester Water Authority	Respondent	
	Jesiolowski, Joseph Warminski	Chester Water Authority	Respondent	
	Kent, Kevin Dooley	Chester Water Authority	Respondent	
	Document Name: On behalf of Chester Water Authority			
<b>June 5, 2020</b>	Hearing Scheduled Per Curiam			06/05/2020
	Document Name: upon consideration of the Petition for Appointment of Receiver, and any response thereto, a hearing Comment: thereon is scheduled for Monday, June 15, 2020 commencing at 1:30 p.m. The hearing will be held by WebEx video conferencing. Petitioner and Respondent shall participate in the hearing via WebEx. No later than June 9, 2020, counsel shall provide their email addresses and telephone numbers to the Court via email to this address: CommCourtRemote@pacourts.us. Any witnesses will testify via WebEx. A witness list and an email address for all witnesses shall be filed no later than noon on June 11, 2020. To facilitate participation in the hearing, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings, attached to this order. The parties are directed to connect to the conference 15 minutes before the starting time. 1 Others may view the hearing via a public livestream web link that will be provided to the parties and posted to the Court's website in advance of the hearing. Petitioner is directed to retain the services of a court reporter for the hearing, and shall notify the Court of the identity and email address of the court reporter by June 11, 2020 at the above email address. Upon receipt of counsels' email addresses, the Court shall provide counsel with a link to upload their respective pre-marked exhibits, if any. Said exhibits shall be uploaded no later than noon on June 11, 2020. The parties shall email the Court at CommCourtRemote@pacourts.us to confirm all exhibits have been uploaded. Failure to comply with this paragraph may result in the exclusion of an exhibit. In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626. In addition, the parties are directed to provide their witnesses with copies of the exhibits in advance of trial to which the witnesses can refer during their testimony. The parties are encouraged to consult and, if possible, enter into evidentiary and/or factual stipulations in order to streamline the proceedings. The parties shall PAC-File any such stipulations no later than noon on June 11, 2020. A pre-hearing conference is scheduled for Friday, June 12, 2020, at 9:30 a.m., to discuss matters related to the conduct of the hearing. The pre-hearing conference shall be conducted via WebEx video conferencing. The attached Protocol for WebEx Video Hearings is also applicable to this conference. Petitioner shall promptly serve a copy of this order on Respondent and thereafter promptly file a proof of service with the Court.			
<b>June 8, 2020</b>	Certificate of Service Filed Campbell, Sean Christopher	Pennsylvania Department of Comm	Petitioner	
	Document Name: of June 4, 2020 Court Order.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 8, 2020</b>	Certificate of Service Filed Campbell, Sean Christopher	Pennsylvania Department of Commu	Petitioner	
	Document Name: service of June 5, 2020 Court Order.			
<b>June 9, 2020</b>	Answer Filed Kent, Kevin Dooley	Chester Water Authority	Respondent	
	Garden, Andrew Kabnick	Chester Water Authority	Respondent	
	Guernsey, Megan Anne	Chester Water Authority	Respondent	
	Jesiolowski, Joseph Warminski	Chester Water Authority	Respondent	
	Document Name: Chester Water Authority's Answer to Petition for Appointment of Receiver and Other			
	Comment: Related Relief			
<b>June 11, 2020</b>	Stipulation Filed Adams, J. Michael, Jr.	Pennsylvania Department of Commu	Petitioner	
	Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: Joint Stipulation of Facts Supporting the Appointment of Michael Doweary as Receiver			
	Comment: for the City of Chester.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 22, 2020</b>	Memorandum and Order Crompton, J. Andrew			06/22/2020
Document Name: Memorandum and Order (10 pages) AND NOW, this 22nd day of June 2020, upon				

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
	<p>Comment: consideration of the Joint Stipulation of the parties and the credible testimony of the witnesses presented during the hearing as well as the documentary evidence, it is hereby ORDERED and DIRECTED as follows:</p> <p>1. The parties having agreed and stipulated to the existence of the conditions set forth in Section 702(d)(l), (d)(2), and (d)(3) of Act 47, and as established by the record evidence, this Court finds, by a preponderance of the evidence, that the following conditions apply and are established:</p> <p>a. Thirty (30) days have elapsed from the date of the Governor's Declaration of Fiscal Emergency on April 13, 2020, in satisfaction of Section 702(d)(1) of Act 47, 53 P.S. §11701.702(d)(1);</p> <p>b. There has been a failure by the Chester City Council, the governing body of the City of Chester, to adopt an ordinance under Section 607 of Act 47 in satisfaction of Section 702(d)(2)(i) of Act 47, 53 P.S. §11701.702(d)(2)(i); and</p> <p>c. A fiscal emergency under Section 602(a) of Act 47, 53 P.S. § 11701.602(a), continues to exist in the City of Chester in satisfaction of Section 702(d)(3) of Act 47, 53 P.S. §11701.702(d)(3).</p> <p>2. The Pennsylvania Department of Community and Economic Development's (DCED) Petition for Appointment of Receiver for the City of Chester (City) is hereby GRANTED. The City is hereby DECLARED to be in receivership pursuant to Section 702(e)(2) of Act 47, 53 P.S. § 11701. 702(e)(2).</p> <p>3. Michael Doweary is found qualified under Section 705(b) of Act 47, 53 P.S. §11701.705(b), has no known disqualifying conflicts of interest or bias, and is hereby APPOINTED to be the Receiver for the City for a period not to exceed two years, subject to extension under Section 710(b) of Act 47, 53 P.S. §11701.710(b).</p> <p>4. The Receiver is ordered to develop a recovery plan within 30 days of the date of this Order under Section 703 of Act 47, 53 P.S. §11701.703 (Recovery Plan), and submit the Recovery Plan to this Court, the Secretary for DCED, the Chester City Council, and the Mayor of Chester.</p> <p>5. The Receiver is required and empowered to implement the Emergency Action Plan (EAP) developed by the Secretary of DCED under Section 602 of Act 47, 53 P.S. § 11701.602, until a recovery plan developed by the Receiver is approved by this Court pursuant to Section 703 of Act 47, 53 P.S. §11701.703.</p> <p>6. During the fiscal emergency, the Chester City Council, including the Mayor, shall continue to carry out its duties, including duties relating to the City's budget, subject to and consistent with the provisions of the EAP, any Recovery Plan developed by the Receiver and approved by this Court, and Chapter 7 of Act 47.</p> <p>Jurisdiction retained.</p>			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 13, 2020	Certificate of Service Filed			
	Betack, Bradley John	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	Document Name: of Entry of Appearance			
July 13, 2020	Application for Extension of Time to File			
	Betack, Bradley John	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Document Name: Application of the Receiver for an Extension of Time to File the Plan			
	Comment: of Recovery and Request for Expedited Consideration.			
July 13, 2020	Certificate of Service Filed			
	Betack, Bradley John	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Document Name: to Application of the Receiver for an Extension of Time to File the Plan of Recovery and Request for			
	Comment: Expedited Consideration			
July 13, 2020	Entry of Appearance			
	Betack, Bradley John	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Document Name: PacFiled			
July 15, 2020	Order Granting Application for Extension of Time to File			07/15/2020
	Crompton, J. Andrew			
	Document Name: AND NOW, July 15, 2020, upon expedited consideration of the "Application of the Receiver for an			
	Comment: Extension of Time to File the Plan of Recovery and Request for Expedited Consideration" (Application),			
	filed on behalf of Michael Dowearly in his capacity as Receiver for the City of Chester (Receiver), and it			
	appearing that Secretary Dennis M. Davin, on behalf of the Department of Community and Economic			
	Development, and the Honorable Thaddeus Kirkland, on behalf of the City of Chester, signed Notices of			
	Consent to the Application, showing their support of the requested 30-day extension, the Application is			
	GRANTED.			
	Accordingly, Receiver shall submit the recovery plan, as required by Paragraph 4 of the Court's June 22,			
	2020 order, no later than August 21, 2020. No further extensions shall be granted except for good cause			
	shown; such good cause may be established through a hearing conducted via telephone, WebEx or other			
	suitable platform, as necessary.			
July 15, 2020	Transcript Filed			
	Commonwealth Court Filing			
	Office			
	Document Name: Hearings held June 12 & June 15, 2020.			
August 20, 2020	Filed - Other			
	Betack, Bradley John	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Document Name: Receiver's Recovery Plan			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>August 27, 2020</b>	Hearing Scheduled Crompton, J. Andrew			08/27/2020
	<p>Document Name: a hearing to discuss the Recovery Plan, City of Chester, Delaware County, is scheduled for</p> <p>Comment: Tuesday, September 8, 2020, at 10:00 a.m. The hearing shall be conducted by WebEx video conferencing. Counsel are directed to connect to the conference 15 minutes before the starting time. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626. Counsel are also directed to secure the services of a court reporter for the hearing.</p> <p>No later than Noon on Thursday, September 3, 2020, counsel shall provide their email addresses and telephone numbers to the Court via email to the following address: CommCourtRemote@pacourts.us. All witnesses will testify via WebEx. A Witness List and an email address for all witnesses shall be filed no later than September 3, 2020. Upon receipt of counsels' email addresses, the Court shall provide counsel with a link to upload their respective pre-marked exhibits, if any. Said exhibits shall be uploaded no later than noon on September 3, 2020. The parties shall email the Court at CommCourtRemote@pacourts.us to confirm all exhibits have been uploaded. In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626. Failure to comply with this paragraph may result in the exclusion of an exhibit. In addition, the parties are directed to provide their witnesses with copies of the exhibits in advance of the hearing to which the witnesses can refer during their testimony. To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings, attached to this Order.</p>			
<b>August 31, 2020</b>	Application for Relief Kent, Kevin Dooley Garden, Andrew Kabnick Guernsey, Megan Anne Jesiolowski, Joseph Warminski	Chester Water Authority Chester Water Authority Chester Water Authority Chester Water Authority	Respondent Respondent Respondent Respondent	
	Document Name: Application for Pre-Hearing Conference.			
<b>September 1, 2020</b>	Answer Filed Betack, Bradley John Harvey, Patrick James McLaughlin, John Patrick	Dowearly, Michael Dowearly, Michael Dowearly, Michael	Petitioner Petitioner Petitioner	
	<p>Document Name: Response by the Receiver for the City of Chester to the Non-Party Chester Water Authority;s Request</p> <p>Comment: for a Prehearing Conference.</p>			
<b>September 2, 2020</b>	Order Denying Application for Relief Crompton, J. Andrew			09/03/2020
	<p>Document Name: upon consideration of the Application for Relief submitted by Chester Water Authority</p> <p>Comment: (Authority), a nonparty to the proceedings, and the Receiver for the City of Chester's response thereto, the Authority's application is DENIED.</p>			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>October 19, 2020</b>	Memorandum and Order Crompton, J. Andrew			10/19/2020
	<p>Document Name: Memorandum and Order (10 pages) : AND NOW, this 19th day of October 2020, upon consideration of</p> <p>Comment: Receiver's Recovery Plan (Plan) and the evidence presented during the hearing, including the credited testimony, as to the Plan submitted on August 20, 2020, pursuant to Section 703 of Act 47, 53 P.S. §11701.703, it is hereby ORDERED and DIRECTED as follows: 1. The Plan, as a preliminary step, is hereby CONFIRMED. 2. Receiver shall submit a modified plan pursuant to Section 703(e) of Act 47, 53 P.S. §11701.703(e), no later than Monday, February 8, 2021, with additional information regarding the provision of necessary and vital services, including timely payment of pension obligations. 3. Unless a modification plan is received prior thereto, Receiver shall file a status report regarding the application of Act 205 funds, payment of MMOs, workforce needs and compliance with Section 703(b) of Act 47, 53 P.S. §11701.703(b), within forty-five (45) days of the date of this Order. The status report shall include information regarding the 2021 budget and account for payments of pension and other financial obligations, and detail the provision of vital and necessary services as required by Section 703(b) of Act 47. 4. As the Court advised during the hearing, the parties may request status conferences as needed to maintain progress with the Plan and its modification. Jurisdiction retained.</p>			
<b>November 3, 2020</b>	Status Report Filed			
	Betack, Bradley John	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	Document Name: Receiver for the City of Chester Status Update			
<b>November 4, 2020</b>	Status Conference Scheduled			11/04/2020
	Crompton, J. Andrew			
	<p>Document Name: pursuant to Receiver's request for a status conference, a status conference for the counsel</p> <p>Comment: of record is scheduled for Thursday, November 5, 2020, at 4:00 p.m. and shall be conducted by WebEx video conferencing. Counsel are directed to connect to the conference 15 minutes before the starting time. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626.</p> <p>To facilitate participation in the conference, various WebEx applications are available for download at <a href="http://pacourts.webex.com">pacourts.webex.com</a>. Please see the Protocol for WebEx Video Hearings, attached to this Order.</p>			
<b>November 5, 2020</b>	Notice			
	Guernsey, Megan Anne	Chester Water Authority	Respondent	
	Garden, Andrew Kabnick	Chester Water Authority	Respondent	
	Jesiolowski, Joseph Warminski	Chester Water Authority	Respondent	
	Kent, Kevin Dooley	Chester Water Authority	Respondent	
	Document Name: Non-Party Chester Water Authority's Notice to the Court Concerning Receiver's Status Update.			
<b>November 5, 2020</b>	Answer Filed			
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Document Name: Receiver for the City of Chester Response to Non-Party Chester Water Authority's "Notice"			
	Comment: Concerning the Receiver's Status Update.			



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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 2, 2020</b>	Status Report Filed McLaughlin, John Patrick McLaughlin, John Patrick	City of Chester Dowearly, Michael	Respondent Petitioner	
	Document Name: Receiver for the City of Chester Status Update			
<b>December 2, 2020</b>	Status Conference Scheduled Crompton, J. Andrew			
	Document Name: a status conference for the parties is scheduled for Friday, December 4, 2020, at 3:00 p.m.			
	Comment: and shall be conducted by WebEx video conferencing. Counsel are directed to connect to the conference 15 minutes before the starting time. No later than Noon on Thursday, December 3, 2020, counsel for the parties shall provide the relevant email addresses and telephone numbers to the Court via email to the following address: CommCourtRemote@pacourts.us. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626 To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings attached to this Order.			
<b>December 4, 2020</b>	Filed - Other Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: City of Chester's Proposed 2021 Budget			
<b>December 8, 2020</b>	Status Conference Scheduled Crompton, J. Andrew			12/08/2020
	Document Name: AND NOW, this 8th day of December 2020, a status conference for the parties is scheduled for			
	Comment: Thursday, December 10, 2020, at 4:45 p.m. and shall be conducted by WebEx video conferencing. Counsel are directed to connect to the conference 15 minutes before the starting time. No later than Noon on Wednesday, December 9, 2020, counsel for the parties shall provide the relevant email addresses and telephone numbers to the Court via email to the following address: CommCourtRemote@pacourts.us. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626 To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings attached to this Order.			
<b>December 9, 2020</b>	Application for Continuance McLaughlin, John Patrick McLaughlin, John Patrick Harvey, Patrick James Harvey, Patrick James	City of Chester Dowearly, Michael Dowearly, Michael City of Chester	Respondent Petitioner Petitioner Respondent	
	Document Name: Application by Receiver for the City of Chester in the Form of a Request			
	Comment: to Postpone Conference Scheduled for December 10, 2020			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 9, 2020</b>	Order Granting Application for Continuance Crompton, J. Andrew			12/09/2020
	Document Name: AND NOW, this 9th day of December 2020, upon review of the request Comment: of Receiver to postpone the status conference for the parties currently scheduled for Thursday, December 10, 2020, due to a death in the family of one of the counsel, the request is GRANTED and the status conference is RESCHEDULED to Monday, December 14, 2020, at 10:00 a.m., and shall be conducted by WebEx video conferencing. Counsel are directed to connect to the conference 15 minutes before the starting time. No later than Noon, Friday, December 11, 2020, counsel for the parties shall provide the relevant email addresses and telephone numbers to the Court via email to the following address: CommCourtRemote@pacourts.us. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626 To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings attached to this Order.			
<b>December 10, 2020</b>	Order Filed Crompton, J. Andrew			12/10/2020
	Document Name: counsel are reminded to submit any requests for this Court's action in accordance with the Comment: applicable rules of Court. The Court is aware that Joseph Oxman, Solicitor for the Stormwater Authority of the City of Chester, sent electronic correspondence, with the subject "Application for Intervention," directed to The Honorable J. Andrew Crompton of this Court to the following address: CommCourtRemote@pacourts.us. That email address is used solely for communications regarding remote access for WebEx purposes. As such, the submission from Solicitor Oxman is not part of the record and does not effectuate a motion to intervene for this Court's action. In the event the Stormwater Authority, or any other individual or entity, is interested in intervening in the above-captioned matter, that individual or entity may file an appropriate application in accordance with Pa.R.A.P. 1531(b).			
<b>December 15, 2020</b>	Filed - Other			
	McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowear, Michael	Petitioner	
	Harvey, Patrick James	Dowear, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	Document Name: Legal Issues Submitted by the Receiver for Resolution by the Court.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 16, 2020	Order Filed Crompton, J. Andrew			12/16/2020
	<p>Document Name: upon review of the questions proposed by Receiver and the City of Chester (City)</p> <p>Comment: for this Court's resolution, to facilitate implementation of the Recovery Plan approved on October 19, 2020 (Plan) pursuant to the Municipalities Financial Recovery Act (Act 47),<sup>1</sup> the Court directs Receiver and the City (Parties) to address the following:</p> <p>(1) Whether the Receiver has the authority, under Section 704 (a)(1) and (2) and Section 706(a)(1) of Act 47, the [Order] approving the [Plan], and the initiatives contained in the [Plan], to require the elected or appointed officials of the [City] to take actions to implement the [Plan] or to refrain from taking actions that interfere with the implementation of the [Plan], including the following initiatives in the [Plan]:</p> <p>a) Restructuring departments including through consolidation or outsourcing;</p> <p>b) Hiring, terminations or reassignment of employees;</p> <p>c) Conversions of position from full-time positions to part-time (or part-time to full-time); and</p> <p>d) Creation of the position of Chief Operating Officer.</p> <p>(2) Whether the Receiver has the authority under Section 706(a)(1) of Act 47 to require elected or appointed officials to take actions or refrain from taking actions with regard to (1) when the action can be demonstrated by the City:</p> <p>a) To undermine the City's ability to implement the initiatives contained in the [Plan] by eliminating positions necessary to effectuate the initiatives.</p> <p>b) To undermine the City's ability to continue to provide vital and necessary services.</p> <p>The Parties shall file a Stipulation of material facts relevant to the above issues, including, but not limited to, the services comprised within "vital and necessary services," no later than 3 p.m. on Friday, December 18, 2020.</p> <p>AND FURTHER, each of the Parties shall file a short pre-hearing memorandum outlining the legal support for their respective positions on the above questions, and summarizing the evidence, if any, related to these issues, including a witness list and subject of testimony, also by 3 p.m. on Friday, December 18, 2020.</p> <p>The Court shall hear argument, and conduct a hearing, if necessary, on the above issues at 10 a.m., Monday, December 21, 2020. The argument and/or hearing shall be conducted by WebEx video conferencing and be publicly accessible . Counsel are directed to connect to WebEx 15 minutes before the starting time. No later than 5 p.m., Friday, December 18, 2020, counsel for the parties shall provide the relevant email addresses and telephone numbers to the Court via email to the following address: CommCourtRemote@pacourts.us. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626</p> <p>To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings attached to this Order .</p>			
December 18, 2020	Stipulation Filed Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: Proposed Stipulation for the City of Chester			
December 18, 2020	Memorandum of Law Filed Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: in Support of City of Chester			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 18, 2020</b>	Stipulation Filed Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: Proposed Stipulation of Facts in Support of the City of Chester			
<b>December 18, 2020</b>	Memorandum of Law Filed Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: in Support of City of Chester (AMENDED)			
<b>December 18, 2020</b>	Filed - Other City of Chester		Respondent	
	Document Name: Letter re: Memorandum of Law			
<b>December 18, 2020</b>	Filed - Other Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: Proposed Stipulation of Facts in Support of City of Chester			
<b>December 18, 2020</b>	Memorandum of Law Filed McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	Document Name: Receiver for the City of Chester's Pre-Hearing Memorandum of Law			
<b>December 18, 2020</b>	Filed - Other McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	Document Name: Witness List for the Receiver for the City of Chester			
<b>December 18, 2020</b>	Stipulation Filed McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	Document Name: Stipulation of Fact Filed Pursuant to Court's December 16, 2020 Order			
<b>December 18, 2020</b>	Filed - Other Campbell, Sean Christopher	Pennsylvania Department of Commu	Petitioner	
	Document Name: Statement of Support for the Receiver's Position			
<b>December 18, 2020</b>	Exhibit McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	Document Name: "Tab D & E" for the Receiver's Stipulation			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 19, 2020</b>	Stipulation Filed			
	McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	

Document Name: Stipulation of Fact Filed Pursuant to Court's December 16, 2020 Order

<b>December 23, 2020</b>	Memorandum and Order			12/23/2020
	Crompton, J. Andrew			

Document Name: Memorandum and Order (6 pages) AND NOW this 23rd day of December 2020, following argument and

Comment: based on the filings submitted by the City of Chester (City) and its appointed Receiver (Parties) as to the issues stated in the December 16 Order, it is hereby ORDERED:

The Receiver has the power to implement the Recovery Plan confirmed by the Court (Plan) and the authority to require compliance by City officials, (elected and appointed) with the "acts set forth in the [Plan]." 53 P.S. §11 701.704(a)(1). Such acts include those specified in WF03 in the Plan, and set forth in the first issue, except with regard to the Chief Operating Officer (COO). Moreover, the Plan requires the Receiver to consult with Council before making such decisions. While not bound by Council's advice on WF03, consultation here implies measured consideration of Council recommendations in good faith, accounting for the Council's expertise and knowledge of City staff and historical personnel needs. The Receiver's authority here described as to (l)(a), (b) and (c) is CONFIRMED.

As to the creation of a new position (COO) that alters the managerial structure and undertakes a supervisory role over all staff, such that the described duties of the COO overlap with the duties of the Mayor as outlined in Article III of the Home Rule Charter, that act is not specifically set forth in the Plan. Thus, to the extent the duties of the position of COO overlap with and seem to supplant the duties conferred on the Mayor, the Court does not construe the current Plan to allow the creation of the COO position holding the duties currently described.

Until a modification is submitted and approved, the Parties are encouraged to continue their collaborative efforts to resolve the managerial role of the COO to enable continuation of vital and necessary services.

As the modification shall be filed within a matter of weeks (by or before February 8, 2021), this Court HOLDS IN ABEYANCE a decision as to the second issue (i.e., that the proposed implementation of the Plan undermines the City's provision of vital and necessary services), until a hearing is held on the modification.

The Parties are encouraged to continue collaborating on the proposed budget, incorporating Receiver's proposed reorganization as authorized by the Plan, in accordance with their good faith negotiations to date.

This Order is without prejudice to the Parties' ability to avail themselves of any legal remedies under Act 4 7 or otherwise.

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>January 20, 2021</b>	Application for Extension of Time to File			
	McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	City of Chester	Respondent	
	Document Name: Application of the Receiver for an Extension of Time to File His Modified Plan of Recovery			
<b>January 25, 2021</b>	Order Granting Application for Extension of Time to File			01/25/2021
	Crompton, J. Andrew			
	Document Name: AND NOW, this 25th day of January 2021, upon consideration of the application for relief filed by			
	Comment: the Receiver appointed for the City of Chester (City) pursuant to the Municipalities Financial Recovery Act (Act 47), with which the City and the Department of Community and Economic Development concur, seeking a sixty (60) day extension of the deadline for filing a modified plan as set forth in the Court's order of October 19, 2020, the extension is GRANTED. No additional extensions shall be entertained by the Court absent extraordinary and unforeseeable circumstances. THEREFORE, the Receiver SHALL SUBMIT a modified plan in conformity with Section 703 of Act 47, 53 P.S. §11701.703, by or before April 7, 2021. The remainder of the order dated October 19, 2020, shall remain in effect. AND FURTHER, the Receiver shall file a status report setting forth the progress with implementation and modification of the current Recovery Plan, including information gathering efforts, by or before February 22, 2021.			
<b>January 27, 2021</b>	Transcript Filed			01/27/2021
	Court Reporter			
	Document Name: December 21, 2020; Honorable J. Andrew Crompton; Proceedings held via videoconference			
<b>February 22, 2021</b>	Status Report Filed			
	McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Document Name: Receiver for the City of Chester Status Update			
<b>April 7, 2021</b>	Filed - Other			
	McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Document Name: Receiver's Amended Recovery Plan			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>April 13, 2021</b>	Hearing Scheduled Crompton, J. Andrew			04/13/2021
	Document Name: Order Scheduling Hearing			
	Comment: AND NOW, this 13th day of April 2021, upon review of the Amended Recovery Plan (Proposed Plan) filed by the Receiver appointed for the City of Chester (City) pursuant to the Municipalities Financial Recovery Act (Act 47) and this Court's order and decision issued on October 19, 2020, confirming the current recovery plan submitted in August 2020 (2020 Plan) and subsequent orders, the Court issues the following schedule regarding the Proposed Plan: WHEREAS a hearing on the Proposed Plan, if held, shall be conducted within thirty (30) days of receipt, the hearing on the Proposed Plan is scheduled for Monday, May 3, 2021, starting at 9:30 a.m., to be conducted via WebEx Video Conferencing. Counsel are directed to connect to the hearing 15 minutes before the starting time. No later than Noon on Tuesday, April 27, 2021, counsel for the parties shall provide the relevant email addresses and telephone numbers, for both counsel and all witnesses, to the Court via email to the following address: CommCourtRemote@pacourts.us. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626. Upon receipt of counsels' email addresses, the Court shall provide counsel with a link to upload their respective pre-marked exhibits, if any. To facilitate participation in the hearing, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings attached to this Order. In addition, a pre-hearing conference is scheduled on same, limited to the parties of record and their counsel, for Wednesday, April 21, 2021, at 9:30 a.m., via telephone. A call-in number will be provided. Please contact Lori Nemeth, Judicial Secretary at Lori.Nemeth@pacourts.us with a list of participants.			
<b>April 19, 2021</b>	Application for Intervention (Pa.R.A.P. 1531b) Helbig, Thomas, Jr. Handelman, Jarad Wade	PFS VII, LLC PFS VII, LLC	Intervenor Intervenor	
	Document Name: PFS VII, LLC's Application for Intervention			
<b>April 19, 2021</b>	Objections Handelman, Jarad Wade Helbig, Thomas, Jr.	PFS VII, LLC PFS VII, LLC	Intervenor Intervenor	
	Document Name: Objections to the Proposed Plan			
<b>April 21, 2021</b>	Order Filed Crompton, J. Andrew			04/21/2021
	Document Name: Answers to Application for Intervention of PFS VII, LLC are due April 26, 2021			
	Comment: AND NOW, this 21st day of April 2021, as PFS VII, LLC filed an application for intervention (Application) in the above-captioned matter, any response or opposition to the Application shall be filed no later than 4:00 p.m., on Monday, April 26, 2021. AND FURTHER, if necessary, a hearing and/or argument on same may be scheduled before May 3, 2021.			
<b>April 26, 2021</b>	Answer to Application for Intervention (Pa.R.A.P. 1531b) McLaughlin, John Patrick	Doweary, Michael	Petitioner	
	Document Name: Receiver's Opposition to PFS VII, LLC's Application for Intervention			
<b>April 26, 2021</b>	Answer Filed Helbig, Thomas, Jr. Handelman, Jarad Wade	PFS VII, LLC PFS VII, LLC	Intervenor Intervenor	
	Document Name: PFS VII, LLC's Reply in Further Support of its Application for Intervention			



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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>April 27, 2021</b>	Order Filed Crompton, J. Andrew			04/27/2021
	Document Name: Order Regarding App. to Intervene			
	Comment: AND NOW, this 27th day of April 2021, upon review of the Application for Intervention (Application) filed on April 19, 2021, on behalf of PFS VII, LLC (PFS), and the Response in Opposition filed by the appointed Receiver for the City of Chester, Michael Doweary (Receiver) and PFS' reply thereto, a hearing on the Application shall be held on Friday, April 30, 2021, starting at 10:00 a.m., to be conducted via WebEx Video Conferencing. PFS, as the moving party, shall secure the services of a Court reporter for the hearing. Counsel for PFS and for participating parties are directed to connect to the hearing 15 minutes before the starting time. No later than 12:00 Noon on Thursday, April 29, 2021, counsel for the parties shall provide the relevant email addresses and telephone numbers, for counsel, the Court reporter and all witnesses, to the Court via email to the following address: CommCourtRemote@pacourts.us. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626. Upon receipt of counsels' email addresses, the Court shall provide counsel with a link to upload their respective pre-marked exhibits, if any. To facilitate participation in the hearing, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings attached to this Order.			
<b>April 27, 2021</b>	Application for Continuance			
	McLaughlin, John Patrick	City of Chester	Respondent	
	McLaughlin, John Patrick	Doweary, Michael	Petitioner	
	Allen, Tiffany R.	Doweary, Michael	Petitioner	
	Patchen, Benjamin Richard	Doweary, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Receiver for the City of Chester's App. to Reschedule Hearing Set for April 30, 2021			
<b>April 28, 2021</b>	Order Granting Application for Continuance			04/28/2021
	Crompton, J. Andrew			
	Document Name: Hearing on PFS' Application to Intervene is Scheduled for May 3, 2021			
	Comment: AND NOW, this 28th day of April 2021, upon review of the Application for Continuance filed on behalf of the appointed Receiver for the City of Chester, Michael Doweary (Receiver), seeking to reschedule the hearing on PFS VII, LLC's (PFS) Application for Intervention, which counsel for PFS does not oppose, a continuance is GRANTED, and the hearing on PFS' Application is rescheduled for Monday, May 3, 2021, starting at 9:00 a.m., to be conducted via WebEx Video Conferencing. A Court reporter shall be provided by the Court. The remainder of this Court's Order dated April 27, 2021, remains in full force and effect. AND FURTHER, the hearing on the Amended Recovery Plan filed by the Receiver on April 7, 2021, initially set to start at 10:00 a.m. on May 3, 2021, is RESCHEDULED for Wednesday, May 5, 2021, starting at 11:00 a.m., also to be conducted via WebEx. The Receiver shall secure the services of a court reporter for this hearing.			



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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 4, 2021	Memorandum and Order Crompton, J. Andrew			05/04/2021
<p>Document Name: Application for Intervention limited to the parking asset issue</p> <p>Comment: AND NOW, this 4th day of May 2021, following a hearing on the Application for Intervention (Application) filed on behalf of PFS VII, LLC (PFS), which the Receiver for the City of Chester, Michael Doweary (Receiver), opposed, the Application is GRANTED, limited to the parking asset issue, pursuant to Pa.R.C.P. No. 2327(4), and PFS may participate in the May 5, 2021 hearing.</p> <p>Pursuant to the Municipalities Financial Recovery Act (Act 47),<sup>1</sup> this Court confirmed the Receiver's Recovery Plan (2020 Plan) on October 19, 2020. In that order, recognizing the Receiver presented the 2020 Plan as preliminary, this Court required the Receiver to submit a modified plan pursuant to Section 703(e) of Act 472 by a specific date. See Order dated 10/19/20, ¶2. Receiver sought an extension for submitting a modified plan, which this Court granted. As extended, the new date for submission was April 7, 2021, see Order dated 1/25/21, which was the date Receiver filed the Receiver's Amended Recovery Plan (Proposed Plan).</p> <p>During yesterday's hearing on its Application, PFS presented the testimony of Michael Lenza, its Managing Member, whose testimony is credited. PFS</p> <p><sup>1</sup> Act of July 10, 1987, P.L. 246, as amended, 53 P.S. §§11701.101-11701.712.</p> <p><sup>2</sup> Added by the Act of October 20, 2011, P.L. 318, as amended, 53 P.S. §11701.703(e).</p> <p><sup>2</sup></p> <p>also submitted three exhibits, the Amended and Restated Master Asset Management Agreement (Agreement) dated September 5, 2018 (Ex. 1), the summary of PFS expenditures under the Agreement to date (Ex. 2), and Receiver's Proposed Plan (Ex. 3). The Court admitted Exhibits 1 and 2; Exhibit 3 is already filed of record.</p> <p>PFS Counsel argued the Proposed Plan alters the 2020 Plan in a material fashion in that it indicates the Receiver's intent to terminate the Agreement. See Proposed Plan at 85-88. PFS demonstrated that the Proposed Plan sets forth a different approach to the parking asset monetization issue than that in the 2020 Plan, and handling of same by the Receiver. Because Receiver's proposed termination of the Agreement represents a change between the 2020 Plan and the Proposed Plan that, if effectuated, has the potential to alter a "legally enforceable interest" of PFS, PFS has grounds to intervene. Pa.R.C.P. No. 2327(4).<sup>3</sup></p> <p>Additionally, PFS Counsel represented that PFS recognizes it is held to the clear and convincing evidentiary burden set forth in Section 703(d) of Act 47, to prove its allegation that the parking asset aspect of the Proposed Plan is arbitrary in that the Receiver did not consider the liabilities attendant to litigating the contract dispute, including the potential financial impact on the City of terminating the Agreement.</p> <p>AND FURTHER, in granting the Application, the Court does not opine as to the legality of the Agreement, and that issue is outside the confines of the intervention and the May 5, 2021 hearing on the Proposed Plan.</p> <p><sup>3</sup> The Court is aware that a contract dispute involving the Agreement is pending in the Delaware County Court of Common Pleas, No. 2019-000011. That action is separate from the Act 47 Plan confirmation proceedings under Section 703 of Act 47, 53 P.S. §11701.703; as such, this Court makes no opinion as to the contract claims or the propriety of the Receiver's proposed role in same.</p> <p><sup>3</sup></p> <p>THEREFORE, the Prothonotary shall accept for filing PFS' Objections to the Proposed Plan, attached to its Application as Exhibit 1.</p>				
May 6, 2021	Letter Allen, Tiffany R.	Doweary, Michael	Petitioner	

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>May 19, 2021</b>	Transcript Filed Court Reporter Document Name: Proceedings of May 3, 2021.			
<b>May 19, 2021</b>	Status Report Filed Patchen, Benjamin Richard Document Name: Receiver for the City of Chester Status Update	Dowearly, Michael	Petitioner	
<b>June 3, 2021</b>	Status Report Filed Allen, Tiffany R. Allen, Tiffany R. Document Name: Receiver for the City of Chester Status Update	City of Chester Dowearly, Michael	Respondent Petitioner	
<b>June 4, 2021</b>	Transcript Filed Court Reporter Document Name: Proceeding held 5/5/21			
<b>June 7, 2021</b>	Memorandum and Order Crompton, J. Andrew Document Name: The Proposed Plan is hereby Confirmed Comment: AND NOW, this 7th day of June 2021, upon consideration of Receiver's Amended Recovery Plan (Proposed Plan) and the evidence presented during the hearing on May 5 and 7, 2021, including the credited testimony, as to the Proposed Plan submitted pursuant to Section 703 of Act 47, 53 P.S. § 11701.703, it is hereby ORDERED and DIRECTED as follows: 1. The Proposed Plan is hereby CONFIRMED, and shall be referred to as the 2021 Plan. 2. PFS' objections to the 2021 Plan are SET ASIDE. 3. The confirmation of the 2021 Plan has the effect of replacing the initial recovery plan submitted in August 2020 (2020 Plan), such that any issues regarding implementation of the 2020 Plan are MOOT. 4. This Court reserves the right to request status reports when it deems such reports necessary, following a status conference. 5. The parties may request status conferences as needed to maintain progress with the 2021 Plan. Jurisdiction retained.			06/08/2021
<b>October 25, 2021</b>	Status Report Filed Allen, Tiffany R. Allen, Tiffany R. Patchen, Benjamin Richard McLaughlin, John Patrick McLaughlin, John Patrick Patchen, Benjamin Richard Document Name: Receiver for the City of Chester Update	City of Chester Dowearly, Michael Dowearly, Michael Dowearly, Michael City of Chester City of Chester	Respondent Petitioner Petitioner Petitioner Respondent Respondent	

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>November 12, 2021</b>	Status Conference Scheduled Crompton, J. Andrew			11/12/2021
	Document Name: December 6, 2021 Via Web Ex			
	Comment: AND NOW, this 12th day of November 2021, a status conference for the counsel of record is scheduled for Monday, December 6, 2021, at 10:00 a.m. and shall be conducted by WebEx video conferencing. Counsel are directed to connect to the conference 15 minutes before the starting time. No later than Noon on Thursday, December 2, 2021, counsel for the parties shall provide the relevant email addresses and telephone numbers to the Court via email to the following address: CommCourtRemote@pacourts.us. In the event of technical difficulties, contact the Court's IT staff at 717-255-1626. To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings attached to this Order.			
<b>December 10, 2021</b>	Application for Extension of Time to File Campbell, Sean Christopher Teplitz, Robert Forman	Pennsylvania Department of Comm Pennsylvania Department of Comm	Petitioner Petitioner	
	Document Name: Petitioner's Application to Extend the Receivership for the City of Chester Pursuant to			
	Comment: Section 710(B) of Act 47 of 1987, as Amended			
<b>December 13, 2021</b>	Order Filed Crompton, J. Andrew			12/13/2021
	Document Name: Responses to App to Extend are Due by Dec. 22, 2021			
	Comment: AND NOW, this 13th day of December 2021, upon review of the Petitioner's Application to Extend the Receivership for the City of Chester (City) pursuant to Section 710(b) of the Municipalities Financial Recovery Act (Act 47), <sup>1</sup> filed on December 10, 2021 (Application), the Application is not opposed by the City. See Application, ¶15. To meet its statutory burden of proof of the necessity for an extension by a preponderance of the evidence, Petitioner appended the affidavit (Affidavit) of the appointed Receiver for the City, Michael Doweary (Receiver). See id. at ¶13. The Court shall withhold decision on the Application to afford any party the opportunity to file a response or comment for consideration prior to disposition. Such a submission, if any, shall be filed of record no later than Wednesday, December 22, 2021. Submissions shall be limited to the extension request.			
<b>December 17, 2021</b>	Status Report Filed Allen, Tiffany R. Allen, Tiffany R. McLaughlin, John Patrick Patchen, Benjamin Richard McLaughlin, John Patrick Patchen, Benjamin Richard	City of Chester Doweary, Michael Doweary, Michael Doweary, Michael City of Chester City of Chester	Respondent Petitioner Petitioner Petitioner Respondent Respondent	
	Document Name: Receiver for the City of Chester December 17, 2021 Status Update			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 28, 2021</b>	Order Filed Crompton, J. Andrew Document Name: Directing Joint Status Update Comment: AND NOW, this 28th day of December 2021, upon review of the Petitioner's Application to Extend the Receivership for the City of Chester (City) pursuant to Section 710(b) of the Municipalities Financial Recovery Act (Act 47), filed on December 10, 2021 (Application), to which no objections or comments were filed, the Application is GRANTED, and the Receivership is EXTENDED for up to two (2) years from the date of this Order. The appointed Receiver's term is thus extended subject to the provisions of the Act, and may be terminated at an earlier date in the event conditions, including the City's financial status, change that warrant termination. AND FURTHER, in order to aid a smooth transition by this Court, the parties shall file a joint status update, as discussed at the status conference on Monday, December 6, 2021, including a summary as to the City's financial status and any relevant ongoing litigation, no later than Friday, January 14, 2022.			12/28/2021
<b>January 14, 2022</b>	Joint Status Report Allen, Tiffany R. Allen, Tiffany R. McLaughlin, John Patrick Patchen, Benjamin Richard McLaughlin, John Patrick Patchen, Benjamin Richard Document Name: per court order of 12/28/21	City of Chester Dowery, Michael Dowery, Michael Dowery, Michael City of Chester City of Chester	Respondent Petitioner Petitioner Petitioner Respondent Respondent	
<b>February 16, 2022</b>	Exhibit Court Reporter Document Name: Hearing held 06/15/2020; Exhibit Nos. P-1 through P-13; P-14 Redacted through P-19 Redacted; Comment: P-20 through P-25; and 2020.06.11 Certificate of Compliance for Exhibits (enclosed on a USB drive)			
<b>February 16, 2022</b>	Sealed Exhibit Court Reporter Document Name: Sealed Hearing held 06/15/2020; Petitioner's Exhibits 14 through 19 (enclosed on a USB drive)			
<b>February 16, 2022</b>	Exhibit Court Reporter Document Name: Hearing held 09/08/2020; Exhibits (enclosed on a USB drive)			
<b>February 16, 2022</b>	Exhibit Court Reporter Document Name: Hearing held 05/05/2021; Hearing held 05/05/2021; City of Chester Exhibits; Receiver Exhibits; Comment: intervenor exhibits (enclosed on a USB drive)			
<b>February 16, 2022</b>	Sealed Exhibit Court Reporter Document Name: Sealed Hearing held 05/05/2021; City of Chester Exhibits 5 and 6 (enclosed on a USB drive)			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>March 4, 2022</b>	Filed - Other			
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
Document Name: Petition for Writ of Mandamus pursuant to 53 P.S. Sec. 11701.709				
<b>March 4, 2022</b>	Memorandum of Law Filed			
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
Document Name: Receiver for the City of Chester's Memorandum of Law in Support of his Petition for Mandamus				
<b>March 7, 2022</b>	Order Filed			03/07/2022
	Per Curiam			
Document Name: Directing Answer to Pet. for Writ of Mandamus to be Filed by March 10, 2022/ Arg Set for 3/14/2022				
Comment: NOW, March 7, 2022, upon consideration of the Petition for Writ of Mandamus (Petition) filed by the Receiver for the City of Chester, the City of Chester, Mayor Thaddeus Kirkland and City of Chester Council Members shall file and serve response(s) thereto no later than Thursday, March 10, 2022, at 12:00 Noon.				
Argument on the Petition and any response is scheduled for Monday, March 14, 2022, at 1:30 p.m. The argument shall be conducted by telephone call with counsel of record and shall be heard by a designated judge of the Commonwealth Court sitting in Harrisburg. The Court will contact counsel of record to confirm the call and to provide the call-in information.				
Receiver shall immediately serve a copy of this order on the City of Chester, Mayor Thaddeus Kirkland and all Members of the City of Chester City Council, and all other parties, and file proof of service no later than Wednesday, March 9, 2022, at 12:00 Noon.				
<b>March 8, 2022</b>	Certificate of Service Filed			
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
Document Name: (per 3/7/2022 Order) Service of Order upon Mayor Thaddeus Kirkland, and Council Members				
Comment: William Morgan, Elizabeth Williams, Portia West, and Stefan Roots.				

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 10, 2022	Order Filed Per Curiam			03/10/2022
<p>Document Name: March 14, 2022 Hearing to be held via WebEx / Parties Directed to File Witness Lists ect.</p> <p>Comment: NOW, March 10, 2022, argument on the Petition for Writ of Mandamus and any response, currently scheduled for Monday, March 14, 2022, at 1:30 p.m., by telephone, shall now be conducted via WebEx with counsel of record and shall be heard by a designated judge of the Commonwealth Court sitting in Harrisburg.</p> <p>Counsel of record, Receiver, Petitioner and Respondent shall participate in the hearing via WebEx. The parties shall provide the Court with their name, email address and telephone number immediately upon receipt of this order. The contact email address for the Court is: CommCourtRemote@pacourts.us. The Court will provide counsel with the information for connecting to the hearing. To facilitate participation in the hearing, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings, attached to this order. The parties are directed to connect to the hearing 15 minutes before the starting time.</p> <p>In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626. All other inquiries should be directed to the Prothonotary's Office.</p> <p>It is FURTHER ORDERED:</p> <ol style="list-style-type: none"> <li>1. Receiver/Petitioner shall file a list of all witnesses to be called at the hearing with a short offer of proof for each witness, the curriculum vitae and expert report for any expert witness, and a list of exhibits.</li> <li>2. Respondent shall file a list of all witnesses to be called at the hearing with a short offer of proof for each witness, the curriculum vitae and expert report for any expert witness, and a list of exhibits.</li> <li>3. The parties shall also provide via email to the Court at CommCourtRemote@pacourts.us their list of witnesses, including the name, email address and telephone number for each witness. All witnesses will testify via WebEx.</li> <li>4. The Court shall provide counsel with a link to upload their respective pre-marked exhibits, if any. Said exhibits shall be uploaded no later than 12:00 noon on March 11, 2022. The parties shall email the Court at CommCourtRemote@pacourts.us to confirm all exhibits have been uploaded. Failure to comply with this paragraph may result in the exclusion of an exhibit. In addition, the parties are directed to provide their witnesses with copies of the exhibits in advance of the hearing to which the witnesses can refer during their testimony.</li> <li>5. The parties are strongly encouraged to consult prior to the filing of their list of witnesses and exhibits and, if possible, enter into evidentiary and/or factual stipulations and/or agreed-upon protocols in order to streamline the proceedings. The parties may PAC-file any joint stipulations or protocols prior to the hearing.</li> <li>6. Unless otherwise ordered, all filings required or permitted by paragraphs 1, 2 and 3 of this Order shall be filed no later than 12:00 noon on March 10, 2022.</li> </ol> <p>Receiver shall immediately serve a copy of this order on the City of Chester, Mayor Thaddeus Kirkland and all Members of the City of Chester City Council, and all other parties, and file proof of service no later than Friday, March 11, 2022, at 12:00 Noon.</p>				
March 10, 2022	Entry of Appearance			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
Document Name: of Mark Pfeiffer, Esq. on behalf of Respondent				

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 10, 2022	Answer Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Tepper, H. Marc	West, Portia	Respondent	
	Tepper, H. Marc	City of Chester	Respondent	
	Tepper, H. Marc	Morgan, William	Respondent	
	Tepper, H. Marc	Kirkland, Thaddeus	Respondent	
	Tepper, H. Marc	Williams, Elizabeth	Respondent	
Document Name: Answer of Respondents to the Receiver's Petition for Review				
March 10, 2022	Filed - Other			
	Allen, Tiffany R.	City of Chester	Respondent	
	Allen, Tiffany R.	Dowear, Michael	Petitioner	
	McLaughlin, John Patrick	Dowear, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowear, Michael	Petitioner	
	McLaughlin, John Patrick	City of Chester	Respondent	
March 10, 2022	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Witness and Exhibit List for Receiver for the City of Chester			
	Filed - Other			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Tepper, H. Marc	West, Portia	Respondent	
	Tepper, H. Marc	City of Chester	Respondent	
	Tepper, H. Marc	Morgan, William	Respondent	
March 10, 2022	Tepper, H. Marc	Kirkland, Thaddeus	Respondent	
	Tepper, H. Marc	Williams, Elizabeth	Respondent	
	Document Name: Respondent's Witness and Exhibit List			
	Certificate of Service Filed			
	Allen, Tiffany R.	City of Chester	Respondent	
	Allen, Tiffany R.	Dowear, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowear, Michael	Petitioner	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: of March 10, 2022 court order			



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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>March 17, 2022</b>	Joint Status Report			
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Allen, Tiffany R.	City of Chester	Respondent	
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
<b>March 18, 2022</b>	McLaughlin, John Patrick	City of Chester	Respondent	
	Amended			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
<b>March 21, 2022</b>	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Amended Status Report			
	Answer Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Tepper, H. Marc	West, Portia	Respondent	
	Tepper, H. Marc	City of Chester	Respondent	
	Tepper, H. Marc	Morgan, William	Respondent	
	Tepper, H. Marc	Kirkland, Thaddeus	Respondent	
	Tepper, H. Marc	Williams, Elizabeth	Respondent	
	Document Name: Respondents' Response to Receiver's Status Report Dated March 17, 2022			



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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>March 22, 2022</b>	Memorandum and Order Ceisler, Ellen			03/22/2022
	Document Name: Memorandum and Order (14 pages)			
	Comment: AND NOW, this 22nd day of March 2022, upon consideration of Receiver's Petition for Writ of Mandamus, City Officials' Answer thereto, and the arguments and evidence presented at the hearing on March 14, 2022, including the credited testimony, the Court hereby GRANTS IN PART AND DENIES IN PART the Petition for Writ of Mandamus, as follows. It is hereby ORDERED and DIRECTED that: 1. City Council shall pass an ordinance, consistent with Initiative WF27 of the Amended Recovery Plan, to reflect that the new salary going forward for the Mayor is \$65,000, and the new salary for the Controller and City Council members is \$50,000, and that the new salaries will take effect at the beginning of the new terms for those elected officials; 2. City Council shall pass the salary reduction ordinance at the next regularly scheduled City Council meeting, or prior to the next election, whichever is sooner; 3. City Officials shall comply with Paragraphs 4 through 8 and Paragraph 11 of Receiver's "Order re: Necessary Steps to Comply With Recovery Plan," dated March 2, 2022, relating to the City's Finance and Human Resources Departments (Petition for Writ of Mandamus, Tab C); 4. Councilman Morgan and his team shall immediately share any future correspondence or information they receive relating to the City's finances with Receiver and the Interim CFO; 5. The Parties shall continue to file regular status reports with the Court, as required by Act 47, to update the Court on the City's progress toward implementation of the Amended Recovery Plan and compliance with the directives in this Order; and 6. Receiver shall file the next status report with the Court no later than May 31, 2022. The Court reserves the right to request status reports when it deems such reports necessary, and the parties may request status conferences as needed to maintain progress with the Amended Recovery Plan. Jurisdiction retained.			
<b>March 25, 2022</b>	Application for Reargument Pfeiffer, Mark D. Pfeiffer, Mark D. Pfeiffer, Mark D. Pfeiffer, Mark D. Pfeiffer, Mark D.	Williams, Elizabeth West, Portia Kirkland, Thaddeus Morgan, William City of Chester	Respondent Respondent Respondent Respondent Respondent	
	Document Name: Respondents' Application for Reargument Concerning a Discrete Portion of the Court's 3/22/22			
	Comment: Order with Regard to the Receiver's Petition for Writ of Mandamus			
<b>March 25, 2022</b>	Application for Stay Pfeiffer, Mark D. Pfeiffer, Mark D. Pfeiffer, Mark D. Pfeiffer, Mark D. Pfeiffer, Mark D. Tepper, H. Marc Tepper, H. Marc Tepper, H. Marc Tepper, H. Marc Tepper, H. Marc	City of Chester Williams, Elizabeth West, Portia Kirkland, Thaddeus Morgan, William West, Portia City of Chester Morgan, William Kirkland, Thaddeus Williams, Elizabeth	Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respondent	
	Document Name: Respondents' App. to Stay Discrete Portions of the Court's March 22, 2022 Order with Regard to the			
	Comment: Receiver's Petition for Writ of Mandamus and Request for Expedited Consideration			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>April 7, 2022</b>	Answer Filed			
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Receiver's Answer in Opposition to Respondents' App. for Reargument and App. to Stay			
<b>April 11, 2022</b>	Order Filed			04/11/2022
	Geisler, Ellen			
	Document Name: Apps for Stay and Reargument Denied/ March 22, 2022 Order Amended			
	Comment: AND NOW, this 11th day of April 2022, upon consideration of the City of Chester's Application for Reargument Concerning Discrete Portions of the Court's March 22, 2022 Order with Regard to the Petition for Writ of Mandamus (Application for Reargument) and Application to Stay Discrete Portions of the Court's March 22, 2022 Order with Regard to the Petition for Writ of Mandamus (Application to Stay), and the Answer thereto filed by Michael Dowearly, in his official capacity as Receiver for the City of Chester (Receiver), this Court hereby DENIES both the Application for Reargument and the Application to Stay. This Court also hereby AMENDS Paragraph 3 of its March 22, 2022 Order as follows (the additions appear in bold): 3. City Officials shall comply with the directives in Paragraphs 4 through 8 and Paragraph 11 of Receiver's "Order re: Necessary Steps to Comply With Recovery Plan," dated March 2, 2022, relating to the City's Finance and Human Resources Departments, to the extent that such directives are lawful and do not change the form of government (Petition for Writ of Mandamus, Tab C).			
<b>April 15, 2022</b>	Joint Status Report			
	Helbig, Thomas, Jr.	PFS VII, LLC	Intervenor	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	City of Chester	Respondent	
<b>April 26, 2022</b>	Exhibit			
	Court Reporter			
	Document Name: Hearing Held 3-14-22. Petitioner's Exhibits Nos. 1-9 and Respondents' Exhibits Nos. 1 and 2			
<b>April 26, 2022</b>	Transcript Filed			
	Court Reporter			
	Document Name: Hearing Held 3-14-22			
<b>May 18, 2022</b>	Entry of Appearance			
	Zimmerman, Justin Andrew	Davin, Dennis	Petitioner	
	Zimmerman, Justin Andrew	Pennsylvania Department of Comm	Petitioner	
	Document Name: of Justin Zimmerman, Esq. on behalf of Petitioner			
<b>May 31, 2022</b>	Status Report Filed			
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	City of Chester	Respondent	

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 10, 2022</b>	Letter			
	Allen, Tiffany R.	Dowear, Michael	Petitioner	
	McLaughlin, John Patrick	Dowear, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowear, Michael	Petitioner	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Requesting Conference			
<b>June 13, 2022</b>	Status Conference Scheduled			06/13/2022
	Ceisler, Ellen			
	Document Name: June 28, 2022, at 10:00 am Via WebEx			
	Comment: AND NOW, this 13th day of June, 2022, a status conference is hereby scheduled for Tuesday, June 28, 2022, at 10:00 AM. The conference shall be conducted via WebEx with counsel of record for Michael Dowear, Receiver for the City of Chester, counsel of record for the City of Chester, and counsel of record for Intervenor PFS VII, LLC (PFS).			
	The parties shall be prepared to discuss PFS's Application to Amend its Petition for Review, which was originally docketed at 80 M.D. 2021 and was transferred to this action as an Application for Relief by Order of this Court dated March 22, 2022. The parties shall also be prepared to discuss their subsequent attempts to reach an agreement regarding the PFS parking contract, as referenced in the parties' April 15, 2022 Joint Status Report.			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 28, 2022	Order Filed Ceisler, Ellen			06/28/2022
	<p>Document Name: Directing Stipulations of Facts and Briefing</p> <p>Comment: AND NOW, this 28th day of June, 2022, following a status conference with the parties, this Court hereby ORDERS that:</p> <p>(1) The parties shall immediately meet and confer to discuss the factual circumstances surrounding the City of Chester's (City) awarding of the parking contract to PFS VII, LLC (PFS) and to prepare stipulations of fact relevant to that issue;</p> <p>(2) Following the parties' meeting, the parties shall submit to the Court their agreed-upon stipulations of fact no later than 4:00 p.m. on Tuesday, July 12, 2022;</p> <p>(3) The parties shall also submit briefs to the Court no later than 4:00 p.m. on Tuesday, July 12, 2022, addressing the specific legal issues identified during the status conference, including, but not limited to, the following issues:</p> <p>(a) Does the Court have the power and authority under Act 47 to reject Receiver's recommendation to terminate the PFS parking contract?</p> <p>(b) Why does Receiver believe that termination of the PFS parking contract is in the City's best interest, particularly in light of the fact that the City may incur significant financial liability if the contract is terminated?</p> <p>(c) Was the PFS parking contract legally procured or is it void ab initio? Did the Mayor of the City of Chester have the legal authority to award the contract to PFS after City Council passed a resolution revoking the bidding process for the contract?</p> <p>(d) Who are the proper parties to challenge the legality of the PFS parking contract?</p> <p>(e) Is the PFS parking contract a professional services contract? If so, what is the legal process for awarding the PFS contract?</p> <p>(4) The City and Receiver shall immediately provide to PFS all nonprivileged documents and discovery relating to the City's awarding of the parking contract to PFS;</p> <p>(5) Michael Doweary, in his official capacity as Receiver for the City of Chester (Receiver), shall provide to PFS and the City all documents and discovery relating to Receiver's specific reasons for terminating the PFS parking contract and how termination of the contract would be in the best financial interest of the City; and</p> <p>(6) In accordance with the parties' verbal agreement during the status conference, Receiver shall stay the termination of the PFS parking contract until at least September 1, 2022.</p>			
July 12, 2022	Intervenor's Brief PFS VII, LLC		Intervenor	
	Document Name: Brief Pursuant to June 28, 2022 Order			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>July 12, 2022</b>	Petitioner's Brief Filed			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	Betack, Bradley John	Dowearly, Michael	Petitioner	
	Harvey, Patrick James	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Dowearly, Michael		Petitioner	
	Document Name: Pursuant to June 28, 2022 Order			
<b>July 12, 2022</b>	Stipulation Filed			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	Document Name: Stipulation of Facts Pursuant to June 28, 2022 Order			
<b>August 10, 2022</b>	Praecipe			
	Zimmerman, Justin Andrew	Davin, Dennis	Petitioner	
	Zimmerman, Justin Andrew	Pennsylvania Department of Commu	Petitioner	
	Document Name: Praecipe to Amend Caption			
<b>August 11, 2022</b>	Order Filed			08/11/2022
	Per Curiam			
	Document Name: Neil R. Weaver shall be substituted for Dennis M. Davin as Peitioner			
	Comment: NOW, August 11, 2022, upon review of the Praecipe to Amend Caption, and pursuant to Pa. R.A.P. 502(c), Neil R. Weaver, Acting Secretary of the Department of Community and Economic Development, shall be substituted for Dennis M. Davin as Petitioner.			
	The Prothonotary shall amend the caption as reflected above.			
<b>August 23, 2022</b>	Status Report Filed			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Receiver for the City of Chester Status Update			
<b>September 2, 2022</b>	Application for Relief			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Application of the City of Chester for an Order Determining the City is Authorized to Pay Attorney			
	Comment: Fees Related to the Receiver's Petition for Writ of Mandamus			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>September 16, 2022</b>	Answer Filed			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Receiver for the City of Chester's Answer in Opposition to the App of the City of Chester			
	Comment: for an Order Determining the City is Authorized to Pay Attorney Fees Related to the Receiver's Petition for Writ of Mandamus			
<b>September 19, 2022</b>	Memorandum and Order			09/19/2022
	Ceisler, Ellen			
	Document Name: Receiver may terminate the parking contract between PFS and the City pursuant to his authority,			
	Comment: AND NOW, this 19th day of September, 2022, upon consideration of PFS's Application for Relief, the parties' arguments at the June 28, 2022 status conference, and the parties' Stipulations of Fact and briefs filed on July 12, 2022, the Court hereby DENIES the Application for Relief. It is further hereby ORDERED that Receiver may terminate the parking contract between PFS and the City pursuant to his authority under Section 706(a)(6) of Act 47.			
<b>September 27, 2022</b>	Respondent's Brief Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	City of Chester		Respondent	
	Kirkland, Thaddeus		Respondent	
	Williams, Elizabeth		Respondent	
	West, Portia		Respondent	
	Morgan, William		Respondent	
<b>September 27, 2022</b>	Application for Emergency Relief			
	Helbig, Thomas, Jr.	PFS VII, LLC	Intervenor	
	Document Name: Petitioner PFS LLC's Emergency App for a Stay Under and/or Injunction of the Receiver's			
	Comment: October 1, 2022 Termination Pending Review of it's Petition for Reconsideration			
<b>September 27, 2022</b>	Application for Reconsideration			
	Helbig, Thomas, Jr.	PFS VII, LLC	Intervenor	
	Document Name: Petitioner's PFS VII, LLC's Petition for Reconsideration of the Court's 9/19/2022 Memo and Order			
<b>September 28, 2022</b>	Status Report Filed			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Receiver for the City of Chester Status Update			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>September 30, 2022</b>	Answer Filed			
	Allen, Tiffany R.	Doweary, Michael	Petitioner	
	Patchen, Benjamin Richard	Doweary, Michael	Petitioner	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Brief and Answer of Receiver, Michael Doweary, in his Capacity as the Receiver for the City			
	Comment: of Chester in Opposition to Petitioner's Emergency Application for a Stay and/or Injunction Pending Review of PFS's Petition for Reconsideration			
<b>September 30, 2022</b>	Answer Filed			
	Helbig, Thomas, Jr.	PFS VII, LLC	Intervenor	
	Document Name: Petitioner PFS VII, LLC's Reply in Further Support of it's Emergency Application for Stay and/or			
	Comment: Injunction of the Receiver's October 1, 2022 Termination Pending Review of it's Petition for Reconsideration			
<b>October 3, 2022</b>	Order Denying Application for Reconsideration			10/03/2022
	Geisler, Ellen			
	Document Name: Emergency Application for Saty is Denied as Moot.			
	Comment: AND NOW, this 3rd day of October, 2022, upon consideration of Intervenor PFS VII, LLC's (PFS) Petition for Reconsideration of the Court's September 19, 2022 Memorandum and Order (Petition for Reconsideration) and Emergency Application for a Stay and/or Injunction Pending Review of PFS's Petition for Reconsideration (Application for Stay), the Answer and Brief filed by Michael Doweary, in his official capacity as Receiver for the City of Chester (Receiver), and PFS's Reply, this Court hereby DENIES the Petition for Reconsideration and DISMISSES AS MOOT the Application for Stay.			
	In its Petition for Reconsideration and Reply, PFS asserts, inter alia, that this Court improperly converted its Application for Leave to File First Amended Petition for Review (Application to Amend), originally filed in docket number 80 M.D. 2021, into an Application for Summary Relief without notice to the parties or an evidentiary hearing. However, this Court's March 22, 2022 Order specifically stated that this Court would treat the Application to Amend as an Application for Relief following the transfer to this docket number, due to PFS's status as an Intervenor in this receivership matter. PFS did not object to or otherwise challenge this Court's			
	consideration of the Application to Amend as an Application for Relief at any point prior to the Court's September 19, 2022 Memorandum and Order. Further, following the transfer to this docket number, this Court was required to treat the Application to Amend as an Application for Relief, because PFS has only been granted Intervenor status in this matter limited to the parking asset issue and, therefore, cannot not maintain a separate original jurisdiction action against Receiver under this docket number.			
<b>October 5, 2022</b>	Letter			
	Kent, Kevin Dooley	Chester Water Authority	Respondent	
	Document Name: Address Change			
<b>October 5, 2022</b>	Notice of Appeal to PA Supreme Court Filed			
	Helbig, Thomas, Jr.	PFS VII, LLC	Intervenor	
	Document Name: 101 MAP 2022			
<b>October 5, 2022</b>	Filed - Other			
	Helbig, Thomas, Jr.	PFS VII, LLC	Intervenor	
	Document Name: 101 MAP 2022-Jurisdictional Statement.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>November 4, 2022</b>	Praecipe for Withdrawal of Appearance Handelman, Jarad Wade Document Name: of Jarad Handelman, Esq.	PFS VII, LLC	Intervenor	
<b>November 8, 2022</b>	Filed - Other Allen, Tiffany R. Document Name: Modification of Amended Recovery Plan and Exhibits	Dowearly, Michael	Petitioner	
<b>November 8, 2022</b>	Memorandum of Law Filed Allen, Tiffany R. Document Name: In Support of Amended Recovery Plan Modification	Dowearly, Michael	Petitioner	
<b>November 11, 2022</b>	Bankruptcy Notice Filed Allen, Tiffany R. McLaughlin, John Patrick Document Name: Suggestion of Bankruptcy	Dowearly, Michael Dowearly, Michael	Petitioner Petitioner	
<b>November 16, 2022</b>	Praecipe for Withdrawal of Appearance Jesiolowski, Joseph Warminski Document Name: of Joseph Jesiolowski, Esq.	Chester Water Authority	Respondent	
<b>November 21, 2022</b>	Entry of Appearance Hann, Steven Alan Roark, William Grady Document Name: of Steven Hann, Esq. and William Roark, Esq. on behalf of Respondent	Stormwater Authority of the City of C Stormwater Authority of the City of C	Respondent Respondent	



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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>November 23, 2022</b>	Hearing Scheduled Ceisler, Ellen			11/23/2022

Document Name: On Plan Modification set for Dec. 19, 2022, 9:30 am, Widener Bldg., Phila.

Comment: AND NOW, this 23rd day of November 2022, upon receipt of the Modification of Amended Recovery Plan (Plan Modification) and supporting Memorandum of Law filed by Michael T. Doweary, in his capacity as Receiver for the City of Chester (Receiver), on November 8, 2022, and in accordance with Section 703(e) of the Municipalities Financial Recovery Act (Act 47), Act of July 10, 1987, P.L. 246, No. 47, as amended, 53 P.S. § 11701.703(e),<sup>1</sup> the Court hereby ORDERS as follows:

(1) A hearing on the Plan Modification is scheduled to begin on Monday, December 19, 2022, at 9:30 a.m., in Courtroom Number 1, 9th Floor, The Widener Building, 1339 Chestnut Street, Philadelphia, Pennsylvania 19107. In the event the hearing continues beyond Monday, December 19, 2022, the hearing will reconvene the following day at the same time and location and continue each subsequent day until the matter is concluded.

(2) No later than 5:00 p.m. on Friday, December 2, 2022, any party who objects to the Plan Modification shall file with the Court a detailed response to the Plan Modification setting forth all objections to the plan and the reasons thereto, along with a supporting memorandum of law.

(3) To the extent the parties are able to reach an agreement as to any factual or legal issues in advance of the hearing, the parties shall file with the Court their joint stipulations of facts and/or law no later than 5:00 p.m. on Friday, December 9, 2022.

(4) No later than 5:00 p.m. on Friday December 9, 2022, the parties shall each PACFile and serve a prehearing memorandum setting forth their respective lists of all witnesses to be called at the hearing, including each witness's name/title, the nature and approximate length of each witness's testimony, and the curriculum vitae and report for any expert witness. Additionally, the parties shall each PACFile pre-marked and properly numbered and organized exhibits, for use during the hearing.

(5) No later than 5:00 p.m. on Wednesday December 14, 2022, the parties shall each file all objections they may have to the proposed exhibits, and other evidence, and the reasons therefor.

(6) In addition to electronically exchanging exhibits, the parties shall exchange properly marked, tabbed, and bound binders of all their respective exhibits and provide similar binders to all counsel on the morning of the hearing. The parties shall each provide to the Court two additional copies of properly marked, tabbed, and bound binders of all their respective exhibits on the morning of the hearing.

(7) The Court is unable to provide courtroom technology for use during the hearing. To the extent the parties intend to present pre-recorded video testimony and/or other video evidence at the hearing, the parties shall be prepared with proper video equipment and to properly authenticate such testimony and evidence. Live streaming technology is not available from this location.

(8) Receiver shall retain the services of a court stenographer for the hearing. The court reporter shall provide a rough transcript to the Court as soon as practicable following the conclusion of the hearing, but no later than Monday, January 2, 2023.

(9) At the hearing, the parties shall also be prepared to address the outstanding "Application for an Order Determining that the City is authorized to Pay Attorney Fees in Excess of \$7,500" filed by the City of Chester on September 2, 2022.

<b>December 2, 2022</b>	Filed - Other		
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent
	Pfeiffer, Mark D.	West, Portia	Respondent
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent
	Pfeiffer, Mark D.	Morgan, William	Respondent
	Pfeiffer, Mark D.	City of Chester	Respondent

Document Name: Objection of City of Chester & Elected Officials to the Receiver's Modification of the Recovery Plan

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 2, 2022</b>	Memorandum of Law Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: In support of Obj of Chester City & Elected Officials to the Rec's Modification of the Recovery Plan			
<b>December 2, 2022</b>	Answer Filed			
	Hann, Steven Alan	Stormwater Authority of the City of C	Respondent	
	Document Name: Stormwater Authority of the City of Chest's Response & Obj. to P. Mod. of amended recovery plan			
<b>December 2, 2022</b>	Memorandum of Law Filed			
	Hann, Steven Alan	Stormwater Authority of the City of C	Respondent	
	Document Name: Stormwater Auth's Memo of Law in Opposition to Petitioner's Modiciation of Amended Recovery Plan			
<b>December 2, 2022</b>	Praecipe			
	Hann, Steven Alan	Stormwater Authority of the City of C	Respondent	
	Document Name: Exhibit A to Stormwater Authority's Answer			
<b>December 5, 2022</b>	Filed - Other			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	Document Name: Supplement to the Modification of Amended Recovery Plan			
<b>December 9, 2022</b>	Filed - Other			
	Hann, Steven Alan	Stormwater Authority of the City of C	Respondent	
	Document Name: Stormwater Authority of the City of Chester's Pre-Hearing Memorandum			
<b>December 9, 2022</b>	Application for Extension of Time to File			
	Allen, Tiffany R.	City of Chester	Respondent	
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	Document Name: to File Stipulations			
<b>December 9, 2022</b>	Filed - Other			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Witness and Exhibits Lists			
<b>December 9, 2022</b>	Filed - Other			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Witness Exhibit List for the Receiver for the City of Chester			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 9, 2022</b>	Order Granting Application for Extension of Time to File Ceisler, Ellen			12/09/2022
	Document Name: Joint Stipulations of Facts and/or Law Due Dec. 13, 2022, 5:00pm			
	Comment: AND NOW, this 9th day of December 2022, the Joint Application to request an extension of the December 9, 2022, deadline for filing joint stipulation as set forth in the Court's November 23, 2022 order, has been GRANTED. The parties shall file with the Court their joint stipulations of facts and/or law no later than 5:00 p.m. on Tuesday, December 13, 2022.			
<b>December 9, 2022</b>	Filed - Other Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Document Name: Revised Plan Modification			
<b>December 14, 2022</b>	Filed - Other Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Amended Witness and Exhibit List of the City of Chester, the Mayor and City Council			
	Comment: Amended Witness and Exhibit List of the City of Chester, the Mayor and City Council			
<b>December 14, 2022</b>	Objections Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Objections to the Receiver's Exhibits by the City of Chester, the Mayor and City Council			
<b>December 14, 2022</b>	Filed - Other Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Allen, Tiffany R.	City of Chester	Respondent	
	McLaughlin, John Patrick	City of Chester	Respondent	
	Patchen, Benjamin Richard	City of Chester	Respondent	
	Document Name: Receiver of the City of Chester's Objections to the City's Proposed Testimony and Evidence			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 16, 2022</b>	Hearing Rescheduled Ceisler, Ellen			12/16/2022
	Document Name: Hearing now scheduled for Jan. 9, 2023, 9:30am, Weidner Bldg., Phila. / Pre Hearing Conf. Jan. 4th			
	Comment: AND NOW, this 16th day of December 2022, following a telephone status conference with counsel for Michael T. Doweary, in his capacity as Receiver for the City of Chester, the City of Chester (Receiver), and the Stormwater Authority of the City of Chester (Stormwater Authority), the Court hereby ORDERS as follows:			
	(1) The hearing on Receiver's Modification of Amended Recovery Plan (Plan Modification) scheduled for December 19, 2022 is continued. The hearing is now scheduled to begin on Monday, January 9, 2023, at 9:30 a.m., in Courtroom Number 1, 9th Floor, The Widener Building, 1339 Chestnut Street, Philadelphia, Pennsylvania 19107. In the event the hearing continues beyond Monday January, 9, 2023, the hearing will reconvene the following day at the same time and location and continue each subsequent day until the matter is concluded.			
	(2) The Court will not consider or receive evidence on Receiver's proposed initiatives relating to the Stormwater Authority at the hearing.			
	(3) The Court will conduct a pre-hearing conference with counsel for the parties via WebEx on Wednesday, January 4, 2023, at 10:00 a.m. During the conference, the Court will address the parties' previously filed objections to each other's proposed witness and exhibit lists and any other legal issues that can be resolved before the hearing.			
	(4) No later than 5:00 p.m. on Tuesday, January 3, 2023, the City of Chester shall file with the Court a supplemental response to the Plan Modification identifying the proposed initiatives to which the City specifically objects and the factual and/or legal bases for those objections. The City shall also identify in its supplemental response any proposed initiatives to which it does not object.			
	(5) All other directives outlined in the Court's November 23, 2022 Order shall remain in effect.			
<b>December 20, 2022</b>	Memorandum of Law Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Supplemental Memorandum of Law in Support of Objection of City of Chester of Mod. of Recovery Pln.			
<b>January 3, 2023</b>	Answer Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Supplemental Response to the Receiver's Plan Modification			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 4, 2023	Order Filed Ceisler, Ellen			01/04/2023
<p>Document Name: Order in result of Pre-Hearing Conference</p> <p>Comment: AND NOW, this 4th day of January, 2023, following a pre-hearing conference with counsel for Michael T. Doweary, in his capacity as Receiver for the City of Chester (Receiver), the City of Chester, and the Stormwater Authority of the City of Chester (Stormwater Authority), in advance of the hearing scheduled to begin on Monday, January 9, 2023 on Receiver's Modification of Amended Recovery Plan (Plan Modification), the Court hereby ORDERS as follows:</p> <p>(1) The parties shall be precluded from presenting testimony or evidence as to Receiver's qualifications and experience to serve as an appointed receiver at the Plan Modification hearing. Governor Tom Wolf nominated Receiver to oversee the City of Chester's fiscal recovery pursuant the Municipalities Financial Recovery Act, Act of July 10, 1987, P.L. 246, No. 47, as amended, 53 P.S. § 11701.101-11701.712 (Act 47), in April 2020, and this Court confirmed Receiver's appointment in June 2020. Any challenges to Receiver's qualifications and experience to serve as an Act 47 receiver could have and should have been raised at that time, not two-and-one-half years later. To the extent such challenges were not raised at that time, they are now waived.</p> <p>(2) In considering the factual and legal issues presented by Receiver's Plan Modification and the City of Chester's objections thereto, the Court will apply the standard of review set forth in Section 703(e) of Act 47, which states that "[t]he [C]ourt shall confirm the modification within 60 days of receipt of notification of the modification unless it finds clear and convincing evidence that the recovery plan as modified is arbitrary, capricious or wholly inadequate to alleviate the fiscal emergency in the distressed municipality." 53 P.S. § 11701.703(e) (emphasis added).</p> <p>(3) As discussed during the pre-hearing conference, the Court will not address or receive evidence on Receiver's proposed initiatives relating to the Stormwater Authority at the Plan Modification hearing, nor will it address or receive evidence on the outstanding "Application for an Order Determining that the City is Authorized to Pay Attorney Fees in Excess of \$7,500" filed by the City of Chester on September 2, 2022.</p>				
January 5, 2023	Order Filed Ceisler, Ellen			01/05/2023
<p>Document Name: January 9, 2023 Hearing shall Now be held via WebEx</p> <p>Comment: AND NOW, this 5th day of January, 2023, the hearing on the Modification of Amended Recovery Plan filed by Michael T. Doweary, in his capacity as Receiver for the City of Chester, currently scheduled for Monday, January 9, 2023, at 9:30 a.m., in Courtroom Number 1, 9th Floor, The Widener Building, 1339 Chestnut Street, Philadelphia, Pennsylvania 19107, shall now be conducted via WebEx video conferencing.</p> <p>Counsel shall insure that all exhibits are received by the Court and the parties in time for the hearing as directed by the Court's prior Order dated November 23, 2022. (Note: There is no access into the Widener Bldg. on the weekends for deliveries.)</p> <p>Counsel of record who wish to participate shall provide the Court with their email addresses and mobile telephone numbers immediately upon receipt of this Order, unless they have already done so. The contact email address for the Court is: CommCourtRemote@pacourts.us. To facilitate participation in the hearing, various WebEx applications are available for download at pacourts.webex.com. The Court will provide counsel with the information for connecting to the hearing. The parties are directed to connect to the conference 15 minutes before the starting time. Please see the Protocol for WebEx Video Proceedings attached to this Order.</p> <p>Others may view the hearing via a public livestream web link that will be provided to the parties and will be posted to the Court's website.</p> <p>In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626.</p>				

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<b>January 9, 2023</b>	Filed - Other			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Request for judicial notice			
<b>January 9, 2023</b>	Entry of Appearance			
	Gibbs, Charles Matthew	Morgan, William	Respondent	
	Document Name: Atty. Gibbs for Respondent Morgan			
<b>January 10, 2023</b>	Exhibit			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	Document Name: Exhibits			
<b>January 13, 2023</b>	Memorandum of Law Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Post-Trial Memorandum of the City of Chester and the Elected Officials			
<b>January 13, 2023</b>	Memorandum of Law Filed			
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Document Name: and letters re Final Plan Modifications			
<b>January 13, 2023</b>	Order Filed			01/13/2023
	Supreme Court of Pennsylvania			
	Document Name: 101 MAP 2022-Bankruptcy petition filed in the US Bankruptcy Court in Eastern Dist. of PA, is STAYED.			
<b>January 18, 2023</b>	Memorandum of Law Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: Supplemental Post-Trial Memorandum of the City of Chester and the Elected Officials			
<b>January 18, 2023</b>	Answer Filed			
	Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowearly, Michael	Petitioner	
	Document Name: Reply to the City of Chester's Supplemental Post Hearing Memorandum of Law			

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## Commonwealth Court of Pennsylvania

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>January 31, 2023</b>	Memorandum and Order Ceisler, Ellen			01/31/2023
	Document Name: Amended Plan Modification due by 2-13-23.			
	Comment: AND NOW, this 31st day of January, 2023, upon consideration of the Modification of Amended Recovery Plan (Plan Modification) filed by Michael T. Doweary, in his capacity as Receiver for the City of Chester (Receiver), the response thereto filed by the City of Chester, Mayor Thaddeus Kirkland, and City Council of the City of Chester (collectively, the City), and the arguments and evidence presented at the hearing held from January 9-11, 2023, including the credited testimony, the Court hereby CONFIRMS IN PART the Plan Modification, STRIKES certain of the proposed initiatives therein, and GRANTS Receiver leave to amend the Plan Modification.			
	It is further hereby ORDERED and DIRECTED that:			
	(1) Receiver's Amended Plan Modification shall conform to the Court's specific rulings on the proposed initiatives in the foregoing Opinion; only the proposed initiatives that the Court has stricken shall be amended.			
	(2) Receiver shall file the Amended Plan Modification with the Court for review no later than Monday, February 13, 2023.			
<b>February 7, 2023</b>	Notice of Appeal to PA Supreme Court Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: 12 MAP 2023			
<b>February 8, 2023</b>	Filed - Other			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: 12 MAP 2023-Jurisdictional Statement.			
<b>February 10, 2023</b>	Filed - Other			
	Allen, Tiffany R.	Doweary, Michael	Petitioner	
	Document Name: Modification of Amended Recovery Plan			
<b>February 13, 2023</b>	Transcript Filed Court Reporter			
	Document Name: Proceedings of January 9-11.			
<b>February 14, 2023</b>	Order Filed Ceisler, Ellen			02/14/2023
	Document Name: The Court Confirms the Amended Plan Modification EXCEPT for Parking and Stormwater Initiatives			
	Comment: AND NOW, this 14th day of February, 2023, upon receipt of the Modification of Amended Recovery Plan filed on February 10, 2023 by Michael T. Doweary, in his capacity as Receiver for the City of Chester (Amended Plan Modification), in accordance with the Court's January 31, 2023 Order, the Court hereby CONFIRMS the Amended Plan Modification, EXCEPT for the parking and Stormwater Authority initiatives included therein.			



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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>February 15, 2023</b>	Notice of Appeal to PA Supreme Court Filed			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: 15 MAP 2023			
<b>February 15, 2023</b>	Filed - Other			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Document Name: 15 MAP 2023-Jurisdictional Statement.			
<b>February 15, 2023</b>	Application for Stay			
	Pfeiffer, Mark D.	Williams, Elizabeth	Respondent	
	Pfeiffer, Mark D.	West, Portia	Respondent	
	Pfeiffer, Mark D.	Kirkland, Thaddeus	Respondent	
	Pfeiffer, Mark D.	Morgan, William	Respondent	
	Pfeiffer, Mark D.	City of Chester	Respondent	
	Tepper, H. Marc	West, Portia	Respondent	
	Tepper, H. Marc	City of Chester	Respondent	
	Tepper, H. Marc	Morgan, William	Respondent	
	Tepper, H. Marc	Kirkland, Thaddeus	Respondent	
	Tepper, H. Marc	Williams, Elizabeth	Respondent	
	Document Name: Appellants' Application for Stay Portions of the Commonwealth Court's February 14, 2023 Order			
	Comment: Confirming the Receiver's Modification of the Act 47 Recovery Plan for the City of Chester and Request for Expedited Consideration			
<b>March 1, 2023</b>	Answer to Application for Stay			
	Allen, Tiffany R.	Doweary, Michael	Petitioner	
	Document Name: Receiver's Answer			
<b>March 2, 2023</b>	Order Denying Application for Stay			03/02/2023
	Ceisler, Ellen			
	Document Name: Stay Denied			
	Comment: AND NOW, this 2nd day of March, 2023, upon consideration of the Application for Stay of Portions of the Court's February 14, 2023 Order (Application for Stay) filed by the City of Chester, Mayor Thaddeus Kirkland, and City Council of the City of Chester, and the Answer thereto filed by Michael T. Doweary, in his capacity as Receiver for the City of Chester, the Court hereby DENIES the Application for Stay.			
<b>March 27, 2023</b>	Stipulation Filed			
	Allen, Tiffany R.	City of Chester	Respondent	
	Hann, Steven Alan	Stormwater Authority of the City of C	Respondent	
	Allen, Tiffany R.	Doweary, Michael	Petitioner	



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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>March 30, 2023</b>	Notice Commonwealth Court Filing Office Document Name: 12 & 15 MAP 2023-Record forwarded to the Supreme Court of PA, Middle District.			
<b>March 31, 2023</b>	Certificate of Service Filed Commonwealth Court Filing Office Document Name: List of documents forwarded to counsel & all unrepresented parties pursuant to Pa. R.A.P. 1931(d).			
<b>June 6, 2023</b>	Praecipe for Withdrawal of Appearance Teplitz, Robert Forman Document Name: of Atty. Robert F. Teplitz for Petitioner	Pennsylvania Department of Commu	Petitioner	
<b>July 25, 2023</b>	Application for Relief Zimmerman, Justin Andrew Zimmerman, Justin Andrew Document Name: Application to Extend Receivership	Pennsylvania Department of Commu Weaver, Neil R.	Petitioner	
<b>July 25, 2023</b>	Praecipe Zimmerman, Justin Andrew Zimmerman, Justin Andrew Document Name: for Substitution of Secretary	Pennsylvania Department of Commu Weaver, Neil R.	Petitioner	
<b>August 8, 2023</b>	Answer to Application for Relief Hann, Steven Alan Document Name: Answer to Application to Extend Receivership	Stormwater Authority of the City of C	Respondent	
<b>September 1, 2023</b>	Filed - Other Allen, Tiffany R. Document Name: Receiver's Petition for Mandamus Pursuant to 53 P.S. Sec. 11701.709(a) and Memo of Law	Dowearly, Michael	Petitioner	
<b>September 5, 2023</b>	Application for Relief Allen, Tiffany R. Document Name: Receiver's Application for Sanctions and Civil Contempt	Dowearly, Michael	Petitioner	
<b>September 14, 2023</b>	Letter Roark, William Grady Document Name: Stormwater Authority's Letter re request to participate in conference	Stormwater Authority of the City of C	Respondent	
<b>September 14, 2023</b>	Answer Filed Roark, William Grady Document Name: Stormwater Auth.'s Answer to Petition for Mandamus	Stormwater Authority of the City of C	Respondent	

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>September 15, 2023</b>	Order Granting Application for Relief Ceisler, Ellen			09/15/2023
	Document Name: Receivership is Extended for up to 2 Years from Dec. 28, '23			
	Comment: AND NOW, this 15th day of September, 2023, upon review of the Application to Extend Receivership (Application) for the City of Chester (City) filed by Frederick C. Siger, in his capacity as Secretary of the Department of Community and Economic Development (Secretary), pursuant to Section 710(b) of the Municipalities Financial Recovery Act (Act 47), <sup>1</sup> and the response thereto filed by the Stormwater Authority of the City of Chester, <sup>2</sup> the Court hereby GRANTS the Application. The receivership, which is presently set to expire on December 28, 2023, is hereby EXTENDED for a period of up to two years from that date, or until December 28, 2025, and the term of the appointed Receiver, Michael T. Doweary, is likewise extended subject to the provisions of Act 47. The receivership may be terminated at an earlier date if the Secretary certifies that the City's fiscal emergency has ended. See 53 P.S. §§ 11701.710(c) and 11701.608(a).			
<b>September 15, 2023</b>	Entry of Appearance Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: Attorney Kenneth R. Schuster for Respondent City of Chester			
<b>September 15, 2023</b>	Certificate of Service Filed Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: of Entry of Appearance & Motion on other Parties			
<b>September 15, 2023</b>	Application for Relief Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: City of Chester's Motion for Expedited Conference & Motion for Sanctions			
<b>September 18, 2023</b>	Answer to Application for Relief Allen, Tiffany R.	Doweary, Michael	Petitioner	
	Document Name: Receiver's Answer to Application for Expedited Conference			
<b>September 18, 2023</b>	Status Conference Scheduled Ceisler, Ellen			09/18/2023
	Document Name: For September 28, 2023, 10:00am Via WebEx			
	Comment: AND NOW, this 18th day of September, 2023, a status conference is hereby scheduled for Thursday, September 28, 2023, at 10:00 a.m., and will be conducted via WebEx video conferencing. The parties shall be prepared to discuss Receiver's Petition for Mandamus, filed on September 1, 2023, and the response thereto filed by the Stormwater Authority of the City of Chester (Stormwater Authority), as well as the issues relating to the City of Chester's (City) outstanding counsel fees and the present status of the City's legal representation. The parties shall also update the Court on the status of the federal bankruptcy proceedings, as well as any other legal proceedings involving the parties, including the Stormwater Authority, that may impact the Court's consideration of the issues raised in the Petition for Mandamus.			
	Counsel of record shall provide the Court with their email addresses and mobile telephone numbers immediately upon receipt of this Order, unless they have already done so. The contact email address for the Court is: CommCourtRemote@pacourts.us. To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. The			
	Court will provide counsel with the information for connecting to the conference. The parties are directed to connect to the conference 15 minutes before the starting time. Please see the Protocol for WebEx Video Proceedings attached to this Order.			
	In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626.			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>September 20, 2023</b>	Order Filed Ceisler, Ellen			09/20/2023
	Document Name: Motion to Expedite is Dismissed as Moot.			
	Comment: AND NOW, this 20th day of September, 2023, upon consideration of the City of Chester's Motion for Expedited Conference Concerning the Receiver's Petition for Mandamus and Motion for Sanctions (Motion), and the Answer thereto filed by the Receiver for the City of Chester, the Court hereby DISMISSES the Motion as moot. The Motion is now moot in light of this Court's September 18, 2023 Order scheduling a status conference for Thursday, September 28, 2023, at 10:00 a.m., via WebEx video conferencing			
<b>October 3, 2023</b>	Letter Allen, Tiffany R.	Dowearly, Michael	Petitioner	
	Document Name: Status Report Following Conference			
<b>October 11, 2023</b>	Filed - Other Schuster, Kenneth R.	City of Chester	Respondent	
	Document Name: Attorney Kenneth R. Schuster's Filing of Record			
<b>October 11, 2023</b>	Answer Filed McLaughlin, John Patrick	Dowearly, Michael	Petitioner	
	Document Name: Receiver for City of Chester's Response to Filing of Record by Solicitor for City of Chester			
<b>October 13, 2023</b>	Entry of Appearance Bernstein, Justin Matthew	City of Chester	Respondent	
	Document Name: of Justin Bernstein, Esq. on behalf of Respondent			
<b>October 13, 2023</b>	Amended City of Chester		Respondent	
	Document Name: Corrected Filing of Record			
<b>October 30, 2023</b>	Status/Settlement Conference Scheduled Ceisler, Ellen			10/30/2023
	Document Name: a status conference is hereby scheduled for Thursday, November 2, 2023.			
	Comment: A status conference is hereby scheduled for Thursday, November 2, 2023, at 10:00 a.m., and will be conducted via WebEx video conferencing.			
	The parties shall be prepared to discuss the following recently filed documents: the City of Chester's (City) Filing of Record, the City's Corrected Filing of Record, Receiver's Answer to the City's Filing of Record, and the Proposed Orders appended thereto. In particular, the City shall be prepared to discuss the status of Resolution No. 167-2023, relating to the waiver of fees to be paid by the Stormwater Authority of the City of Chester, as well as the City's request to pay \$222,624.14 in outstanding counsel fees to the law firm of Buchanan Ingersoll and Rooney, P.C. Receiver shall be prepared to discuss his authority under Act 47 to limit the City's payment of outstanding counsel fees to \$118,488.14 and his basis for limiting counsel fees to that amount.			
	Counsel of record shall provide the Court with their email addresses and mobile telephone numbers immediately upon receipt of this Order, unless they			
	have already done so. The contact email address for the Court is: CommCourtRemote@pacourts.us. To facilitate participation in the conference, various WebEx applications are available for download at pacourts.webex.com. The Court will provide counsel with the information for connecting to the conference. The parties are directed to connect to the conference 15 minutes before the starting time. Please see the Protocol for WebEx Video Proceedings attached to this Order.			
	In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626.			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>November 2, 2023</b>	Order Filed Ceisler, Ellen			11/02/2023
	Document Name: Supplemental Briefs and Supporting Documents due by Nov. 17, 2023, 5:00pm			
	Comment: AND NOW, this 2nd day of November, 2023, following the status conference held this morning via WebEx video conferencing in this matter, the Court hereby ORDERS:			
	(1) The parties shall file supplemental briefs with the Court addressing the following issues: Receiver's authority under Act 47 and the Amended Recovery Plan to limit the City of Chester's (City) payment of outstanding counsel fees to \$118,488.14; whether the payment of the counsel fees at issue is a "discretionary" expense under the Amended Recovery Plan; and when Receiver first learned of the hourly rate that Buchanan Ingersoll and Rooney, P.C. was charging the City to represent it in this matter.			
	(2) The parties shall include with their supplemental briefs any supporting documentation that will assist the Court in deciding the issues raised in Receiver's outstanding Petition for Mandamus filed on September 1, 2023.			
	(3) The parties shall file their briefs and supporting documentation with the Court no later than 5:00 p.m. on Friday, November 17, 2023.			
<b>November 17, 2023</b>	Petitioner's Brief Filed			
	Allen, Tiffany R.	Dowear, Michael	Petitioner	
	McLaughlin, John Patrick	Dowear, Michael	Petitioner	
	Patchen, Benjamin Richard	Dowear, Michael	Petitioner	
	Document Name: Receiver for the City of Chester's Memorandum of Law Regarding Attorney's Fees			
<b>November 17, 2023</b>	Respondent's Brief Filed			
	Pfeiffer, Mark D.	City of Chester	Respondent	
	City of Chester		Respondent	
	Document Name: Supplemental Brief of the City of Chester Regarding Retention and Compensation of Professionals			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 14, 2023	Order Filed Ceisler, Ellen			12/14/2023
	<p>Document Name: Receiver's Petition for Writ of Mandamus is Granted in Part and Dismissed as Moot in Part</p> <p>Comment: AND NOW, this 14th day of December, 2023, upon consideration of the outstanding motions in this matter and responses thereto, as well as the supplemental briefs recently filed by Michael T. Doweary, in his capacity as Receiver for the City of Chester (Receiver), and the City of Chester (City), the Court hereby ORDERS:</p> <p>(1) Receiver's Petition for Writ of Mandamus, filed on September 1, 2023, is hereby GRANTED IN PART AND DISMISSED AS MOOT IN PART. With regard to the specific issues raised in the Petition for Writ of Mandamus, the Court directs as follows:</p> <p>(a) City Council shall rescind Resolution No. 152-2023, which authorized the payment of all counsel fees to the law firm of Buchanan Ingersoll &amp; Rooney, P.C. (Buchanan), at its next regularly scheduled meeting.</p> <p>(b) Following two WebEx video conferences with the Court, and at the Court's direction, the parties have proposed differing figures in an attempt to settle the dispute over the City's outstanding legal fees, which has been ongoing since 2022. Receiver now proposes \$118,488.14; the City now proposes \$222,000. Both figures are less than the actual amount of the City's outstanding legal fees. The City has further indicated in its supplemental brief that it would be agreeable to splitting the difference between the two figures, which is \$170,244.07. Receiver does not agree to this proposed compromise figure.</p> <p>While Receiver has the authority to direct litigation and expert selection pursuant to the Amended Recovery Plan and the Emergency Action Plan, the Court disagrees with Receiver that the City's hiring of outside special counsel to defend against Receiver's petitions, particularly where the City Solicitor was a testifying witness in those proceedings, was a purely "discretionary" expense. The Court recognizes that Buchanan's hourly rate was significantly higher than the hourly rate charged by Receiver's counsel. However, both the City and Buchanan have now agreed to accept an even lower fee amount to resolve the present dispute, which the Court finds reasonable and justified under the circumstances.<sup>1</sup> Accordingly, the Court directs that the City shall pay the sum of \$170,244.07 to Buchanan to satisfy its outstanding legal fees relating to this matter no later than Friday, December 29th, 2023.</p> <p>(c) Receiver's request that City Council rescind Resolution No. 151-2023, which waived all City fees and other financial obligations for the Chester Stormwater Authority Veteran's Park Regional Stormwater Facility, is now moot, because City Council rescinded Resolution No. 151-2023 in October 2023.</p> <p><sup>1</sup> However, the Court cautions that, going forward, it will not condone the City's retention of any special counsel who charges such a high hourly rate, given the City's dire financial condition.</p> <p><sup>3</sup></p> <p>(2) Receiver's Application for Sanctions and Civil Contempt, filed on September 5, 2023, is hereby DENIED. The Court concludes that City Council's passage of the resolutions at issue was not so obdurate, vexatious, or arbitrary as to justify the imposition of sanctions.</p> <p>(3) The City's "Application for an Order Determining the City is Authorized to Pay Attorney Fees Related to the Receiver's Petition for Writ of Mandamus," filed on September 2, 2022, is hereby DISMISSED AS MOOT.</p>			
January 29, 2024	Commonwealth Court Decision Affirmed Supreme Court of Pennsylvania			
	Document Name: 12 & 15 MAP 2023			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>February 16, 2024</b>	Notice Supreme Court of Pennsylvania Document Name: 12 & 15 MAP 2023-Record returned by Supreme Court of PA, Middle District.			
<b>March 12, 2025</b>	Entry of Appearance Fixelle, Chad Joseph Fixelle, Chad Joseph Irwin, Lori K. Irwin, Lori K. Adams, J. Michael, Jr. Campbell, Sean Christopher Zimmerman, Justin Andrew Document Name: Entry and Withdraw of Appearances	Pennsylvania Department of Commu Siger, Frederick C. Pennsylvania Department of Commu Siger, Frederick C. Pennsylvania Department of Commu Pennsylvania Department of Commu Pennsylvania Department of Commu	Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner	
<b>March 13, 2025</b>	Application for Relief Fixelle, Chad Joseph Fixelle, Chad Joseph Document Name: Petition for Appointment of Vijay Kapoor, Esq. as Receiver	Pennsylvania Department of Commu Siger, Frederick C.	Petitioner Petitioner	
<b>March 13, 2025</b>	Status Report Filed Allen, Tiffany R. Document Name: Status Report of Receiver	Dowearly, Michael	Petitioner	
<b>March 25, 2025</b>	Order Granting Application for Relief Per Curiam Document Name: Petition for Appointment of Vijay Kapoor, Esq. as Receiver is granted. Comment: NOW, March 25, 2025, upon consideration of the Petition for Appointment of Vijay Kapoor, Esquire, as the Receiver for the City of Chester (Petition), filed by Frederick C. Siger, in his capacity as Secretary of the Department of Community and Economic Development, the Petition is hereby GRANTED. Pursuant to Sections 702 and 705 of the Municipalities Financial Recovery Act (Act 47), the Court hereby appoints Vijay Kapoor, Esquire, to succeed Michael T. Dowearly as the Receiver for the City of Chester (Receiver) following Mr. Dowearly's resignation from the position on June 30, 2025. The Court finds, based on the averments in the Petition and the exhibits appended thereto, that Attorney Kapoor possesses the statutory qualifications to serve as Receiver set forth in Section 705(b) of Act 47, 53 P.S. § 11701.705(b). See Siger v. City of Chester, 309 A.3d 698, 733 (Pa. 2024) ("The Commonwealth Court has no control over the selection of a receiver; its role is limited to confirming the choice made by the executive branch officials upon demonstration of the statutory prerequisites for receivership."). The Court further DIRECTS that following the commencement of his appointment as Receiver on July 1, 2025, Attorney Kapoor shall file a status report with the Court no later than December 1, 2025, to update the Court on the progress of the implementation of the Modified Amended Recovery Plan, as well as the status of the related actions presently pending in the state and federal courts.			03/25/2025
<b>March 26, 2025</b>	Praecipe Fixelle, Chad Joseph Fixelle, Chad Joseph Document Name: Petitioner's Praecipe to Attach	Pennsylvania Department of Commu Siger, Frederick C.	Petitioner Petitioner	

## REARGUMENT / RECONSIDERATION / REMITTAL

**Miscellaneous Docket Sheet**

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**REARGUMENT / RECONSIDERATION / REMITTAL**

Filed Date: September 27, 2022

Disposition:

Disposition Date:

Record Remittal:

Filed Date: September 27, 2022

Disposition: Order Denying Application for Reconsideration

Disposition Date: October 3, 2022

Record Remittal: