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CAPTION

Pennsylvania Environmental Defense Foundation,

Petitioner

٧.

Commonwealth of Pennsylvania; Josh Shapiro, in his official capacity

as Governor of Pennsylvania;

Pennsylvania Department of

Conservation and Natural

Resources; and Cindy Adams

Dunn, in her official capacity as its

Secretary, Respondents

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Active

Case Processing Status: June 25, 2025 Awaiting Consideration

Journal Number:

Case Category: Civil Case Type(s): Equity

CONSOLIDATED CASES RELATED CASES

COUNSEL INFORMATION

Petitioner Pennsylvania Environmental Defense Foundation

Pro Se: No

IFP Status:

Attorney: Childe, John E., Jr. Address: 960 Linden Ln

Dauphin, PA 17018-9004

Phone No: (717) 743-9811 Fax No:

Attorney: Childe, Kimberly Hummel

Address: 960 Linden Ln

Dauphin, PA 17018

Phone No: (717) 571-9413 Fax No:

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COUNSEL INFORMATION

Amicus Curiae Senate Republican Caucus

Pro Se: No

IFP Status:

Attorney: Kampf, Warren Elliot

Law Firm: Buckley, Brion, McGuire & Morris, LLP

Address: Buckley Brion Et Al

118 W Market St Ste 300 West Chester, PA 19380

Phone No: (484) 873-2781 Fax No:

Attorney: Roberts, Alexandra Yoshi

Law Firm: Buckley, Brion, McGuire & Morris, LLP

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West Chester, PA 19380

Phone No: (484) 872-0128 Fax No:

Amicus Curiae Pennsylvania House Republican Caucus

Pro Se: No

IFP Status:

Attorney: Kampf, Warren Elliot

Law Firm: Buckley, Brion, McGuire & Morris, LLP

Address: Buckley Brion Et Al

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Phone No: (484) 873-2781 Fax No:

Attorney: Roberts, Alexandra Yoshi

Law Firm: Buckley, Brion, McGuire & Morris, LLP

Address: 118 W Market St Ste 300

West Chester, PA 19380

Phone No: (484) 872-0128 Fax No:

Amicus Curiae Dernbach, John

Pro Se: No

IFP Status:

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Law Firm: Clean Air Council

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Phone No: (215) 567-4004 Fax No:

Attorney: Otero, Lauren Elyse
Law Firm: Clean Air Council
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Phone No: (610) 585-1333 Fax No:

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COUNSEL INFORMATION

Amicus Curiae Clean Air Council

Pro Se: No

IFP Status:

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Law Firm: Clean Air Council

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Suite 1130

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Phone No: (215) 567-4004 Fax No:

Attorney: Otero, Lauren Elyse
Law Firm: Clean Air Council
Address: 1617 Jfk Blvd Ste 1130

Philadelphia, PA 19103

Phone No: (610) 585-1333 Fax No:

Respondent Shapiro, Josh

Pro Se: No

IFP Status:

Attorney: Ebersole, Joshua Benjamin

Law Firm: Pennsylvania Department of Conservation and Natural Resources

Address: Pa Department Of Conservation And Natural Resources

400 Market St 7th Fl Harrisburg, PA 17105

Phone No: (717) 783-4543 Fax No:

Respondent Pennsylvania Department of Conservation and Natural Resources

Pro Se: No

IFP Status:

Attorney: Ebersole, Joshua Benjamin

Law Firm: Pennsylvania Department of Conservation and Natural Resources

Address: Pa Department Of Conservation And Natural Resources

400 Market St 7th Fl Harrisburg, PA 17105

Phone No: (717) 783-4543 Fax No:

Respondent Dunn, Cindy Adams

Pro Se: No

IFP Status:

Attorney: Ebersole, Joshua Benjamin

Law Firm: Pennsylvania Department of Conservation and Natural Resources

Address: Pa Department Of Conservation And Natural Resources

400 Market St 7th Fl Harrisburg, PA 17105

Phone No: (717) 783-4543 Fax No:

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COUNSEL INFORMATION

Respondent Commonwealth of Pennsylvania

Pro Se: No

IFP Status:

Attorney: Pryzbylkowski, Francis Harrison

Law Firm: Pennsylvania Office of Attorney General

Address: Strawberry Square 15th Floor

Harrisburg, PA 17120

Phone No: (717) 783-6491 Fax No:

FEE INFORMATION

 Fee Dt
 Fee Name
 Fee Amt Receipt Dt
 Receipt No
 Receipt Amt

 12/02/2024
 Miscellaneous Docket Filing Fee
 70.25 12/02/2024
 2024-CMW-H-001795
 70.25

AGENCY/TRIAL COURT INFORMATION

Order Appealed From: Notice of Appeal Filed:

Order Type:

Documents Received: December 2, 2024

Court Below:

County: Division: Judge: OTN:

Docket Number: Judicial District:

ORIGINAL RECORD CONTENT

Original Record Item Filed Date Content Description

Date of Remand of Record:

BRIEFING SCHEDULE

Amicus Curiae Respondent

Pennsylvania House Republican Caucus Commonwealth of Pennsylvania

Brief Brief

Due: Filed: April 21, 2025 Due: Filed: June 13, 2025

Senate Republican Caucus Dunn, Cindy Adams

Brief Brief

Due: Filed: April 21, 2025 Due: April 21, 2025 Filed: April 21, 2025

Petitioner Reply Brief

Pennsylvania Environmental Defense Foundation Due: June 13, 2025 Filed: June 13, 2025

Brief

Due: May 27, 2025 Filed: May 19, 2025 Pennsylvania Department of Conservation and Natural

Resources Brief

Due: April 21, 2025 Filed: April 21, 2025

Reply Brief

Due: June 13, 2025 Filed: June 13, 2025

Shapiro, Josh

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Respondent Shapiro, Josh Brief

Due: April 21, 2025 Filed: April 21, 2025

Reply Brief

Due: June 13, 2025 Filed: June 13, 2025

		Due: June 13, 2025	Filed: June 13,	2025
		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 2, 2024 Document Name:	Petition for Review Filed Pennsylvania Environmental Defense Foundation Petition for Review Under Ar. I, Sec.	27 of the PA Constitution	Petitioner	
December 12, 2024 Document Name:	Entry of Appearance Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Atty. Ebersole for Respondents	Shapiro, Josh Pennsylvania Department of Conser Dunn, Cindy Adams	Respondent Respondent Respondent	
December 12, 2024 Document Name:	Entry of Appearance Pryzbylkowski, Francis Harrison Atty. Pryzbylkowski for Commonwea	Commonwealth of Pennsylvania alth of Pennsylvania	Respondent	
December 12, 2024 Document Name:	Application for Extension of Time to Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Uncontested Application to Extend T	File Shapiro, Josh Pennsylvania Department of Conser Dunn, Cindy Adams ime to File Responsive Pleadings to F	Respondent	
December 20, 2024	Order Granting Application for Exten	· · · · · · · · · · · · · · · · · · ·		12/20/2024
	Respondents' responsive pleadings shall be filed on or before January 30, 2025 Upon consideration of Respondents' December 12, 2024 "Uncontested Application to Extend Time to File Responsive Pleadings to Petitioner's Petition for Review" (Application), the Application is GRANTED. Respondents' responsive pleadings shall be filed on or before January 30, 2025.			
January 30, 2025 Document Name:	Preliminary Objections Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Pryzbylkowski, Francis Harrison Respondents' Preliminary Objections	Shapiro, Josh Pennsylvania Department of Conser Dunn, Cindy Adams Commonwealth of Pennsylvania	Respondent Respondent Respondent Respondent	
February 25, 2025	Answer to Preliminary Objections Childe, Kimberly Hummel	Pennsylvania Environmental Defens	Petitioner	
March 18, 2025 Document Name:	Application for Relief Childe, John E., Jr. Application for Briefing Schedule on	Pennsylvania Environmental Defens Preliminary Objections	Petitioner	

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		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 20, 2025	Order Granting Application for Re	elief		03/20/2025
	Wallace, Stacy			
	Respondents brief in support of F			
Comment:	NOW, March 20, 2025, upon (Petitioner) March 18, 2025 the Application is GRANTED, and Respondents shall file four cop of the brief on Petitioner, no later	ojections" (Application)		
	Petitioner shall thereafter file four copies of a brief in opposition to Respondents' Preliminary Objections and serve one copy of the brief on Respondents, within 30 days of service of Respondents' brief. Any reply brief shall be filed and served pursuant to Pa.R.A.P. 2185.			
April 21, 2025	Amicus Curiae Brief	<u>'</u>		
	Senate Republican Caucus		Amicus Curiae	
	Pennsylvania House Republican		Amicus Curiae	
	Caucus			
Document Name:	Brief in Support of Respondents'	POs		
April 21, 2025	Respondent's Brief Filed			
	Ebersole, Joshua Benjamin	Shapiro, Josh	Respondent	
	Ebersole, Joshua Benjamin	Pennsylvania Department of Conse	•	
	Ebersole, Joshua Benjamin	Dunn, Cindy Adams	Respondent	
	Shapiro, Josh		Respondent	
	Pennsylvania Department of Conservation and Natural Resources		Respondent	
	Dunn, Cindy Adams		Respondent	
Document Name:	Brief in Support of POs			
April 24, 2025	Entry of Appearance			
•	Roberts, Alexandra Yoshi	Pennsylvania House Republican Ca	aı Amicus Curiae	
	Roberts, Alexandra Yoshi	Senate Republican Caucus	Amicus Curiae	
Document Name:	Attorney Alexandra Y. Roberts fo	r Amicus Curiae		
April 24, 2025	Certificate of Service Filed			
	Roberts, Alexandra Yoshi	Pennsylvania House Republican Ca	aı Amicus Curiae	
	Roberts, Alexandra Yoshi	Senate Republican Caucus	Amicus Curiae	
Document Name:	Service of Attorney Roberts' Entry	y of Appearance on Petitioner & Respon	idents	
May 6, 2025	Application to Strike			
	Childe, Kimberly Hummel	Pennsylvania Environmental Defens	s Petitioner	
	Childe, John E., Jr.	Pennsylvania Environmental Defens		
Document Name:	Petitioner's Motion to Strike Brief	Filed by Amicus Curiae Republican Leg	islative Caucuses	
May 6, 2025	Memorandum of Law Filed			
	Childe, John E., Jr.	Pennsylvania Environmental Defens		
	Childe, Kimberly Hummel	Pennsylvania Environmental Defens	s Petitioner	
Document Name:	* PAC-Filed * Petitioner's Memora	andum of Law in Support of Motion to St	trika	

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		DOCKET ENTRY			
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date	
May 19, 2025	Petitioner's Brief Filed				
	Pennsylvania Environmental		Petitioner		
	Defense Foundation				
Document Name:	In opposition to P.O.'s				
May 21, 2025	Application for Leave to File Amicu				
	Breslin, Eleanor M.	Dernbach, John	Amicus Curiae		
	Breslin, Eleanor M.	Clean Air Council	Amicus Curiae		
	Otero, Lauren Elyse	Dernbach, John	Amicus Curiae		
	Otero, Lauren Elyse	Clean Air Council	Amicus Curiae		
Document Name:	with Amicus Curiae Clean Air Cou	ncil & John Dernbach's Proposed Brie	f attached		
May 28, 2025	Application for Extension of Time t	to File Brief - First Request			
	Ebersole, Joshua Benjamin	Shapiro, Josh	Respondent		
	Ebersole, Joshua Benjamin	Pennsylvania Department of Conse			
	Ebersole, Joshua Benjamin	Dunn, Cindy Adams	Respondent		
	Shapiro, Josh		Respondent		
	Pennsylvania Department of		Respondent		
	Conservation and Natural				
	Resources		D		
	Dunn, Cindy Adams		Respondent		
June 2, 2025	Order Granting Application for Ext	ension of Time to File		06/02/2025	
	Wolf, Matthew S.				
	Respondents reply brief due 6-13-				
Comment:	NOW, June 2, 2025, upon consideration of Respondents' May 28, 2025 first				
	Contested Application to Extend Time to File Reply Brief (Application), in which				
	Respondents seek an extension of time to June 13, 2025 to file their reply brief in support				
	of their Preliminary Objections, the Application is GRANTED. In light of Petitioner's opposition, no further extensions will be granted absent				
	extraordinary circumstances.				
	Respondents shall file four copies of their reply brief in support of their				
		on Petitioner, Pennsylvania Environm	ental Defense		
	Foundation one copy of their reply	brief on or before June 13, 2025.			
June 13, 2025	Respondent's Reply Brief Filed				
	Shapiro, Josh		Respondent		
	Pennsylvania Department of		Respondent		
	Conservation and Natural				
	Resources		_		
	Dunn, Cindy Adams		Respondent		
June 13, 2025	Respondent's Reply Brief Filed				
	Pryzbylkowski, Francis Harrison	Commonwealth of Pennsylvania	Respondent		
	Commonwealth of Pennsylvania		Respondent		
June 26, 2025	Tentative Session Date				
	Krimmel, Michael				
	September 2025 (Harrisburg)				

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		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 30, 2025 Document Name:	Amended - Petition for Review Childe, Kimberly Hummel Petition for Review Addendum Rela	Pennsylvania Environmental Defens ated to Standing	Petitioner	
June 30, 2025	Order Filed Wallace, Stacy			06/30/2025
	NOW, June 30, 2025, upon (Petitioner) May 6, 2025 "[] Moti the May 8, 2025 Answer filed May 21, 2025 "Application for L	file Brief of Amici Curiae shall be listed consideration of Pennsylvania on to Strike Brief Filed by the Rep by the Pennsylvania House and eave to File Brief of Amici Curiae []" (Application), to which no ansmerits.	Environmental D publican Legislative Senate Republicar Clean Air Council	Caucuses" (Motion), Caucuses, and the and John Dernbach,
July 11, 2025	Application to Strike Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin	Shapiro, Josh Pennsylvania Department of Conser Dunn, Cindy Adams	Respondent Respondent Respondent	
July 15, 2025	Application to Strike Petition for Re Answer to Application to Strike Childe, Kimberly Hummel	Pennsylvania Environmental Defens	Petitioner	
July 15, 2025 Document Name:	Application for Relief Childe, Kimberly Hummel App. for Leave to File PFR Addend	Pennsylvania Environmental Defens um Related to Standing	Petitioner	
July 28, 2025	Application to Strike Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Ebersole, Joshua Benjamin Pryzbylkowski, Francis Harrison	Shapiro, Josh Pennsylvania Department of Conser Dunn, Cindy Adams Commonwealth of Pennsylvania plication for Leave to File Addendum to	Respondent Respondent	
	···	plication for Leave to File Addendum to	Standing	
July 30, 2025	Answer to Application to Strike Childe, Kimberly Hummel Childe, John E., Jr.	Pennsylvania Environmental Defens Pennsylvania Environmental Defens	Petitioner	
Document Name:	Answer to Application to Strike Peti	tioner's Request for Leave to File Adde	endum Related to S	tanding

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		DOCKET ENTRY		
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 25, 2025	Order Granting Application to Strike McCullough, Patricia			08/25/2025
	Petitioner's Answer thereto (Applica 2) Petitioner's Application for (Application for Leave); and 3) Respondents' Application to Str NOW THEREFORE, it is ORDE Leave is GRANTED; Responde Addendum is STRICKEN. Petitioner may file an applicat date of this Order's entry on the consent of the adverse party or b 713 (Pa. Cmwlth. 1981) (holding time for doing so has expired); s pleading as of course within [20] Court will address the Preliminary O From this point forward, withi shall submit to the Court two (2) printed copy of the electronically	strike Petition For[] Review Addition to Strike Addendum); Leave to File Petition for Reside the Application for Leave, and Petitise the Application for Leave, and Petitise the Application for Leave, and Petitise the Application to Strike Addents'	eview Addendum Retitioner's Answer there Application to Strike endum is GRANTE Petition for Review was party may file an anool District of Pennuto permit an amendatoroviding "[a] party in preliminary objections already submitted, an electronically filed cument. The paper returned to the filer	reto; the Application for ED; and Petitioner's within 60 days of the amended pleading by Hills, 430 A.2d 710, ed pleading after the nay file an amended s"). Otherwise, the did document, the filer version should be a after acceptance by
October 24, 2025	the Court's PACFile® electronic fi until it is in receipt of the bound pape Application to Amend		consider an electron	ically filed docume

Pennsylvania Environmental Defens Petitioner

Document Name: Application for Leave to File an Amended Petition for Review

Childe, Kimberly Hummel