Miscellaneous Docket Sheet **Commonwealth Court of Pennsylvania**

Docket Number: 6 MD 2023

November 17, 2026

CAPTION

Lower Saucon Township,
Petitioner

v.

Pennsylvania Department of Education; Pennsylvania Department of Education, Office of Commonwealth Libraries; Eric Hagarty, Acting Secretary of the Pennsylvania Department of Education, in his Official Capacity; Susan Banks, State Librarian and Acting Deputy Secretary of the Office of Commonwealth Libraries, in her Official Capacity; Hellertown Area Library Association,
Respondents

CASE INFORMATION

Initiating Document:	Petition for Review		
Case Status:	Closed		
Case Processing Status:	February 7, 2023	Completed	
Journal Number:			
Case Category:	Miscellaneous	Case Type(s):	Equity

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Petitioner **Lower Saucon Township**
IFP/Waiver:
Pro Se: No

Attorney: Miller, Michael McAuliffe
Law Firm: Eckert Seamans Cherin & Mellott, LLC
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213 Market St 8th Fl
Harrisburg, PA 17101
Phone No: (717) 237-7174 Fax No:

Attorney: Skjoldal, Kevin M.
Law Firm: Eckert Seamans Cherin & Mellott, LLC
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COUNSEL INFORMATION

Attorney:	Allen, Matthew James	
Law Firm:	Eckert Seamans Cherin & Mellot, LLC	
Address:	Eckert Seamans Et Al 600 Grant St 44th Fl Pittsburgh, PA 15219	
Phone No:	(724) 355-3541	Fax No:

Respondent **Pennsylvania Department of Education**
IFP/Waiver:
Pro Se: No

Attorney:	Maguschak, Elizabeth A.	
Law Firm:	Pennsylvania Department of Education	
Address:	Pa Dept Of Education 333 Market St Harrisburg, PA 17126	
Phone No:	(717) 787-5500	Fax No:

Attorney:	Kaplan, Sarina	
Law Firm:	Pennsylvania Office of Attorney General, 16th Floor , Strawberry Square, Harrisburg, PA	
Address:	Pennsylvania Office Of The Attorney General 1600 Arch St 3rd Fl Philadelphia, PA 19103	
Phone No:	(267) 768-3964	Fax No:

Respondent **Office of Commonwealth Libraries**
IFP/Waiver:
Pro Se: No

Attorney:	Maguschak, Elizabeth A.	
Law Firm:	Pennsylvania Department of Education	
Address:	Pa Dept Of Education 333 Market St Harrisburg, PA 17126	
Phone No:	(717) 787-5500	Fax No:

Attorney:	Kaplan, Sarina	
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COUNSEL INFORMATION

Respondent **Hellertown Area Library Association**
IFP/Waiver:
Pro Se: No

Attorney:	Aurand, Mark D.	
Law Firm:	Davison & McCarthy, P.C.	
Address:	Davison & Mccarthy PC 645 Hamilton St Ste 510 Allentown, PA 18101	
Phone No:	(610) 435-0450	Fax No:

Attorney:	Bates, Jason Gerard	
Law Firm:	Connor, Weber & Oberlies	
Address:	Connor Weber & Oberlies 171 W Lancaster Ave Paoli, PA 19301-1772	
Phone No:	(610) 640-2800	Fax No:

Respondent **Hagarty, Eric**
IFP/Waiver:
Pro Se: No

Attorney:	Maguschak, Elizabeth A.	
Law Firm:	Pennsylvania Department of Education	
Address:	Pa Dept Of Education 333 Market St Harrisburg, PA 17126	
Phone No:	(717) 787-5500	Fax No:

Attorney:	Kaplan, Sarina	
Law Firm:	Pennsylvania Office of Attorney General, 16th Floor , Strawberry Square, Harrisburg, PA	
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Respondent **Banks, Susan**
IFP/Waiver:
Pro Se: No

Attorney:	Maguschak, Elizabeth A.	
Law Firm:	Pennsylvania Department of Education	
Address:	Pa Dept Of Education 333 Market St Harrisburg, PA 17126	
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FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
01/04/2023	Miscellaneous Docket Filing Fee	70.25	01/11/2023	2023-CMW-H-000049	70.25

AGENCY/TRIAL COURT INFORMATION

Order Appealed From:
Notice of Appeal Filed:
Order Type:
Documents Received: January 4, 2023

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

None	None

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 4, 2023	Petition for Review Filed			
	Lower Saucon Township		Petitioner	
Document Name:	In the Nature of Complaint for Declaritory and Injunctive Relief			
January 4, 2023	Application for Relief			
	Miller, Michael McAuliffe	Lower Saucon Township	Petitioner	
Document Name:	Application for Preliminary Injunction			
January 4, 2023	Memorandum of Law Filed			
	Miller, Michael McAuliffe	Lower Saucon Township	Petitioner	
Document Name:	In Support of Application for Preliminary Injunction			
January 18, 2023	Notice Exited			01/18/2023
	Commonwealth Court Filing Office			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 19, 2023	Order Filed			01/19/2023
	Per Curiam			
Document Name:	Respondents shall file and serve an answer to the Application no later than February 2, 2023			
Comment:	Upon consideration of Petitioner Lower Saucon Township's Application for Relief in the Nature of Petition for Preliminary Injunction (Application), the Court hereby ORDERS as follows: 1. Respondents shall file and serve an answer to the Application no later than February 2, 2023. 2. Hearing on the Application is hereby SCHEDULED for Thursday, February 16, 2023, at 1:30 p.m., in Courtroom Number 3001, Third Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania. 3. The parties 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 no later than February 8, 2023. 4. The parties shall exchange their pre-marked exhibits no later than February 9, 2023. 5. 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. 6. The parties shall consult in good faith 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. 7. Petitioner shall promptly serve a copy of this Order on Respondents and thereafter promptly file a proof of service of same.			
January 19, 2023	Entry of Appearance			
	Kaplan, Sarina	Pennsylvania Department of Educati	Respondent	
	Kaplan, Sarina	Office of Commonwealth Libraries	Respondent	
	Kaplan, Sarina	Hagarty, Eric	Respondent	
	Kaplan, Sarina	Banks, Susan	Respondent	
January 20, 2023	Entry of Appearance			
	Skjoldal, Kevin M.	Lower Saucon Township	Petitioner	
Document Name:	of Kevin Skjoldal, Esq.			
January 23, 2023	Entry of Appearance			
	Allen, Matthew James	Lower Saucon Township	Petitioner	
Document Name:	of Matthew Allen, Esq. on behalf of Petitioner			
January 23, 2023	Application for Extension of Time to File			
	Kaplan, Sarina	Pennsylvania Department of Educati	Respondent	
	Kaplan, Sarina	Office of Commonwealth Libraries	Respondent	
	Kaplan, Sarina	Hagarty, Eric	Respondent	
	Kaplan, Sarina	Banks, Susan	Respondent	
Document Name:	Application for Extension of Time to Respond to Petition for Review			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 26, 2023	Order Granting Application for Extension of Time to File Per Curiam			01/26/2023
Document Name:	Response to the Petition for Review" (Application), the Application is GRANTED until 02/02/23			
Comment:	Upon consideration of Commonwealth Respondents' unopposed "Application for Relief - Extension of Time to Respond to Petition for Review" (Application), the Application is GRANTED. Commonwealth Respondents shall file and serve their response to the Petition for Review no later than February 2, 2023.			
January 27, 2023	Certificate of Service Filed Allen, Matthew James	Lower Saucon Township	Petitioner	
Document Name:	Return of Service of PFR and Memo of Law			
January 27, 2023	Certificate of Service Filed Allen, Matthew James	Lower Saucon Township	Petitioner	
Document Name:	Return of Service of the January 19, 2023 order			
February 3, 2023	Entry of Appearance Bates, Jason Gerard	Hellertown Area Library Association	Respondent	
Document Name:	of Jason Bates, Esq. on behalf of Respondent			
February 3, 2023	Application for Extension of Time to File Bates, Jason Gerard	Hellertown Area Library Association	Respondent	
Document Name:	App of Respondent, Hellertown Area Library Assoc. for an Ext of Time to File Answer to			
Comment:	Preliminary Injunction and App of Petitioner			
February 6, 2023	Removed to Federal Court Commonwealth Court of Pennsylvania			02/06/2023
February 7, 2023	Hearing Cancelled Per Curiam			02/07/2023
Document Name:	Hearing on Preliminary Injunction Cancelled / Application for Extension of Time Dismissed as Moot			
Comment:	NOW, February 7, 2023, upon review of Respondents' Notice of Removal, this action has been removed to the United States District Court for the Eastern District of Pennsylvania. Accordingly, the hearing on Petitioner's Application for Relief in the Nature of a Preliminary Injunction scheduled for Thursday, February 16, 2023, at 1:30 p.m. is hereby CANCELLED. Respondent Hellertown Area Library Association's Application for Extension of Time to File Answer to Preliminary Injunction Application of Petitioner is DISMISSED as MOOT.			

DISPOSITION INFORMATION

Final Disposition:	Yes		
Related Journal No:		Judgment Date:	
Category:	Disposed Before Decision	Disposition Author:	Commonwealth Court of Pennsylvania
Disposition:	Removed to Federal Court	Disposition Date:	February 6, 2023
Dispositional Filing:		Filing Author:	
Filed Date:			

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