

## Supreme Court of Pennsylvania



## Miscellaneous Docket Sheet

Docket Number: 50 MM 2023

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December 7, 2025

## CAPTION

Stadium Casino RE, LLC

v.

Pennsylvania Gaming Control Board, SC Gaming OPCO LLC and Ira Lubert

Petition of: Pennsylvania Gaming Control Board

## CASE INFORMATION

Initiating Document: Application for Extraordinary Relief

Case Status: Closed

Journal Number:

Case Category: Administrative Agency

Case Type(s): Gaming Control Board  
Equity

## CONSOLIDATED CASES

## RELATED CASES

Docket No / Reason	Type
20 MM 2023	Related
Same Record Below	
Stadium Casino RE LLC, Pet v. Pa Gaming Control Bd	
43 MM 2023	Related
Same Record Below	
Stadium Casino RE, LLC v PGCB et al Petof: SC Gaming	
44 MM 2023	Related
Same Record Below	
Stadium Casino RE, LLC v PGCB et al Petof: SC Gaming	
49 MM 2023	Related
Same Record Below	
Stadium Casino RE, LLC v. PGCB et al, Pet of: PGCB	

## COUNSEL INFORMATION

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Harrisburg, PA 17106-9060

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Receive EMail: Yes      Email:

Representing: Pennsylvania Gaming Control Board, Petitioner

Pro Se: No

IFP Status:

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## COUNSEL INFORMATION

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 Pro Se: No  
 IFP Status:

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 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

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 IFP Status:

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 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

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 Receive Mail: Yes  
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 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

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 IFP Status:  
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 Pro Se: No  
 IFP Status:

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 Pro Se: No  
 IFP Status:

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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Stadium Casino RE, LLC, Respondent  
 Pro Se: No  
 IFP Status:

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## SUPREME COURT INFORMATION

Appeal From:

Appeal Filed Below:

Probable Jurisdiction Noted:

Docketed Date:

May 4, 2023

Allocatur/Miscellaneous Granted:

Allocatur/Miscellaneous Docket No.:

Allocatur/Miscellaneous Grant Order:

## FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
05/04/2023	Extraordinary / Plenary Jurisdiction	70.25	05/04/2023	2023-SUP-M-001160	70.25

## INTERMEDIATE APPELLATE COURT INFORMATION

Court Name:

Docket Number:

Date of Order:

Rearg/Recon Disp Date:

Rearg/Recon Disposition:

Judge(s):

Fizzano Cannon, Christine  
Wallace, Stacy  
Leadbetter, Bonnie Brigance

Intermediate Appellate Court Action:

Referring Court:

## AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania

County:

Division: Commonwealth Court of Pennsylvania

Date of Agency/Trial Court Order:

Docket Number: 249 MD 2021

Judge(s):

OTN:

Order Type:

## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
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## Record Remittal:

## DISPOSITION INFORMATION

Related Journal No:

Judgment Date:

Category:

Decided

Disposition Author:

Per Curiam

Disposition:

Dismissed

Disposition Date:

September 11, 2024

Dispositional Filing:

Author:

Filed Date:

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
May 4, 2023	<b>Application for Extraordinary Relief</b>	Petitioner	Pennsylvania Gaming Control Board
May 18, 2023	<b>No Answer Letter to Application for Extraordinary Relief</b>	Respondent Respondent	Lubert, Ira SC Gaming OPCO LLC
May 22, 2023	<b>Stadium Casino RE, LLC Answer to Application for Extraordinary Relief</b>	Respondent	Stadium Casino RE, LLC
July 13, 2023	<b>Praecipe for Appearance</b> Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	Kearney, Brian Nolan Kearney, Brian Nolan
August 9, 2023	<b>Application in the Nature of a Motion to Supplement its Application for Extraordinary Relief</b>	Petitioner	Pennsylvania Gaming Control Board
August 22, 2023	<b>No Answer Letter to Application in Nature of a Motion to Supplement App for Extraordinary Relief</b>	Respondent Respondent	Lubert, Ira SC Gaming OPCO LLC
August 23, 2023	<b>Answer to Application in the Nature of a Motion to Supplement its App for Extraordinary Relief</b>	Respondent	Stadium Casino RE, LLC
September 6, 2023	<b>Order Granting Application for Extraordinary Jurisdiction</b>		Per Curiam
Comments: AND NOW, this 6th day of September, 2023, the Application in the Nature of a Motion to Supplement is GRANTED.			
The "Application for Extraordinary Relief under 42 Pa.C.S. § 726 for the Court to Exercise Extraordinary Jurisdiction" is GRANTED. This Court exercises its plenary jurisdiction over Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 249 MD 2021. All proceedings relative to Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 249 MD 2021, are stayed pending further order of this Court. See generally Pa.R.A.P. 3309(d) (delineating that this Court's exercise of extraordinary jurisdiction operates as a stay of the lower court proceedings).			
No further briefing shall be accepted in this Miscellaneous Docket matter absent further directive from this Court.			
September 6, 2023	<b>Order Exited</b>		Office of the Prothonotary
January 11, 2024	<b>Application to Discontinue Counterclaim</b>	Petitioner	Pennsylvania Gaming Control Board
January 26, 2024	<b>No Answer Letter to Application to Discontinue Counterclaim</b>	Respondent	Stadium Casino RE, LLC

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 29, 2024	No Answer Letter to Application to Discontinue Counterclaim	Respondent	Lubert, Ira
		Respondent	SC Gaming OPCO LLC

February 26, 2024      Order Denying Application to Discontinue Counterclaim

Per Curiam

## Comments:

AND NOW, this 26th day of February, 2024, with respect to the Application to Discontinue Counterclaim, in which the Pennsylvania Gaming Control Board seeks to discontinue a counterclaim it presented on April 10, 2023, in Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 249 MD 2021, it is NOTED that all proceedings as to that action are stayed. See Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 50 MM 2023 (per curiam order dated Sept. 6, 2023). As such, the Application to Discontinue Counterclaim is DENIED, WITHOUT PREJUDICE to the Pennsylvania Gaming Control Board to renew such a request following the dissolution of the stay.

February 26, 2024      Order Exited

Office of the Prothonotary

September 11, 2024      Dismissed

Per Curiam

## Comments:

AND NOW, this 11th day of September, 2024, it is NOTED that this Court "dismiss[ed] the action pending in the Commonwealth Court, 249 MD 2021, as moot." Stadium Casino RE, LLC v. Pa. Gaming Control Bd., J-3-2024, Slip Op. at 22 (Pa. July 17, 2024).

Accordingly, this miscellaneous matter, via which we previously exercised extraordinary jurisdiction over 249 MD 2021, is DISMISSED.

September 11, 2024      Order Exited

Office of the Prothonotary

October 17, 2024      Reconsideration Time Expired/Case Closed

Office of the Prothonotary

## CROSS COURT ACTIONS

Docket Number:	148 MT 2023
Docket Number:	249 MD 2021
Docket Number:	43 MM 2023
Docket Number:	44 MM 2023
Docket Number:	49 MM 2023