

## Appeal Docket Sheet

Superior Court of Pennsylvania

Docket Number: 207 WDA 2019

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September 1, 2025



## CAPTION

Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson

Appellants

v.

Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC d/b/a Saloom Department Store

The United States of America

Intervenor

## CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Case Processing Status: April 20, 2023 Completed

Journal Number: J-A18040-19  
J-A23024-19  
J-E02008-21

Case Category: Civil Case Type(s): Products Liability

## CONSOLIDATED CASES

## RELATED CASES

## SCHEDULED EVENT

Next Event Type:

Next Event Due Date:

## COUNSEL INFORMATION

Appellant Gustafson, Mark

Pro Se: No

IFP Status: No

Attorney: Iverson, Kelly Kathleen

Address: Carlson Lynch  
1133 Penn Ave 5th Fl  
Pittsburgh, PA 15222

Phone No: (412) 253-4989 Fax No:

Attorney: Carlson, Ronald Bruce  
Law Firm: Carlson Lynch Sweet Kilpela & Carpenter  
Address: 1133 Penn Ave  
5th Floor  
Pittsburgh, PA 15222  
Phone No: (412) 322-9243 Fax No:

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## COUNSEL INFORMATION

**Appellant**      **Gustafson, Mark**

Pro Se:                      No

IFP Status:                No

Attorney:                Lynch, Gary F.  
Law Firm:                Carlson Lynch Sweet Kilpela & Carpenter  
Address:                 1133 Penn Ave  
                                5th Floor  
                                Pittsburgh, PA 15222  
Phone No:                (724) 656-1555                      Fax No:

Attorney:                McGraw, James Patrick, III  
Law Firm:                Lynch Law Group, LLC  
Address:                 Lynch Law Group LLC  
                                501 Smith Dr Ste 3  
                                Cranberry Twp., PA 16066  
Phone No:                (724) 776-8000                      Fax No:

Attorney:                Lowy, Jonathan Elias  
Address:                 Brady Center to Prevent Gun Violence  
                                840 First St. NE  
                                Suite 400  
                                Washington, DC 20002

Attorney:                Cross, Robert M.  
Address:                 Brady Center to Prevent Gun Violence  
                                840 First Street, N.E.  
                                Suite 400  
                                Washington, DC 20002

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## COUNSEL INFORMATION

Appellant Gustafson, Leah

Pro Se: No

IFP Status: No

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Law Firm: Carlson Lynch LLP

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Fax No:

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Attorney: Cross, Robert M.

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## COUNSEL INFORMATION

Appellant Estate of James Robert Gustafson

Pro Se: No

IFP Status: No

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Phone No: (724) 656-1555

Fax No:

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Law Firm: Carlson Lynch LLP

Address: 5th Floor  
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Fax No:

Attorney: Lowy, Jonathan Elias

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## COUNSEL INFORMATION

**Amicus The National Shooting Sports Foundation, Inc.**

Pro Se: No

IFP Status:

Attorney: Toomey, Charles Scott  
 Address: Littleton Park Joyce Ughetta & Kelly LLP  
 201 King of Prussia Rd Ste 220  
 Radnor, PA 19087  
 Phone No: (484) 254-6220 Fax No:

Attorney: Keane, Lawrence G.  
 Address: NSSF  
 11 Mile Hill Road  
 Newtown, CT 06470

Attorney: Livingston, Craig A.  
 Address: Livingston Law Firm  
 1600 S. Main Street  
 Suite 280  
 Walnut Creek, CA 94596

Attorney: Van Der Putten, Crystal L.  
 Address: Livingston Law Firm  
 1600 S. Main Street  
 Suite 280  
 Walnut Creek, CA 94596

**Amicus State of Montana**

Pro Se: No

IFP Status:

Attorney: Goldstein, Jonathan Shae  
 Address: Goldstein Law Partners LLC  
 11 Church Rd  
 Hatfield, PA 19440  
 Phone No: (610) 949-0444 Fax No:

Attorney: Rodgers, Shawn Michael  
 Address: Goldstein Law Partners LLC  
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 Hatfield, PA 19440  
 Phone No: (610) 949-0444 Fax No:

Attorney: Henry, Britain Richard  
 Address: Goldstein Law Partners LLC  
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 Phone No: (610) 949-0444 Fax No:

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## COUNSEL INFORMATION

Appellee Springfield, Inc.

Pro Se: No

IFP Status: No

Attorney: Greiner, John Karl  
Law Firm: Tremba, Kinney, Greiner & Kerr, LLC  
Address: Tremba Kinney Greiner & Kerr LLC  
302 W Otterman St  
Greensburg, PA 15601-2219  
Phone No: (724) 838-7600 Fax No:

Attorney: Hare, John Jacob  
Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC  
Address: 2000 Market St Ste 2300  
Ste 2300  
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Phone No: (215) 575-2609 Fax No:

Attorney: Haselbarth, Shane  
Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC  
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Ste 2300  
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Phone No: (215) 575-2639 Fax No:

Attorney: Renzulli, Christopher  
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One North Broadway  
Suite 1005  
White Plains, NY 10603

Attorney: Allan, Scott C.  
Address: Renzulli Law Firm, LLC  
One North Broadway  
Suite 1005  
White Plains, NY 10603

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## COUNSEL INFORMATION

Appellee Saloom Dept. Store. LLC

Pro Se: No

IFP Status: No

Attorney: Greiner, John Karl  
Law Firm: Tremba, Kinney, Greiner & Kerr, LLC  
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Phone No: (724) 838-7600 Fax No:

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Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC  
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Phone No: (215) 575-2609 Fax No:

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## COUNSEL INFORMATION

## Appellee Saloom Department Store

Pro Se: No

IFP Status: No

Attorney: Greiner, John Karl  
Law Firm: Tremba, Kinney, Greiner & Kerr, LLC  
Address: Tremba Kinney Greiner & Kerr LLC  
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## COUNSEL INFORMATION

## Intervenor The United States of America

Pro Se: No

IFP Status: No

Attorney: Irwin, Laura Schleich  
 Law Firm: U.S. Department of Justice  
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 Phone No: (412) 894-7374

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Attorney: Revesz, Joshua  
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 Civil Division, Appellate Section  
 950 Pennsylvania Avenue, NW  
 Washington, DC 20530  
 Phone No: (202) 514-8100

Fax No: (202) 514-7964

Attorney: Trayer, Thais Lyn  
 Law Firm: Department of Justice  
 Address: 950 Pennsylvania Avenue NW  
 Washington, DC 20530

Attorney: Myron, Laura  
 Address: United States Department of Justice, Civil Division  
 950 Pennsylvania Avenue, NW  
 Washington, DC 20530

## FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
02/13/2019	Notice of Appeal	90.25	02/13/2019	2019-SPR-W-000124	90.25
10/13/2020	Petition for Reargument	15.00	10/14/2020	2020-SPR-W-000584	15.00
10/13/2020	Petition for Reargument	15.00	10/14/2020	2020-SPR-W-000585	15.00
12/09/2020	Motion for Reconsideration or Clarification	15.00	12/10/2020	2020-SPR-W-000712	15.00
04/05/2021	Copy Work by Clerk (Per Page)	23.00	04/05/2021	2021-SPR-W-000222	23.00
11/15/2021	Copy Work by Clerk (Per Page)	38.00	11/15/2021	2021-SPR-W-000750	38.00

## AGENCY/TRIAL COURT INFORMATION

Order Appealed From: January 15, 2019      Notice of Appeal Filed: February 7, 2019  
 Order Type: Order Entered  
 Documents Received: February 13, 2019

Court Below: Westmoreland County Court of Common Pleas  
 County: Westmoreland      Division: Westmoreland County Civil Division  
 Judge: Smail, Harry F.      OTN:  
 Docket Number: 1126 of 2018      Judicial District: 10

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## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Original Record	April 10, 2019	1 Part
Trial Court Opinion	April 10, 2019	
Transcript(s)	April 10, 2019	2

Date of Remand of Record: April 20, 2023

## BRIEFING SCHEDULE

## Amicus

## State of Montana

## Brief

Due: March 5, 2021 Filed: March 5, 2021

## The National Shooting Sports Foundation, Inc.

## Brief

Due: March 5, 2021 Filed: March 5, 2021

Due: March 5, 2021 Filed: March 5, 2021

## Appellant

## Estate of James Robert Gustafson

## Brief

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

## Reply Brief

Due: July 2, 2019 Filed: July 2, 2019

Due: March 19, 2021 Filed: March 18, 2021

## Reproduced Record

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

## Supplemental Brief

Due: January 13, 2021 Filed: January 13, 2021

## Gustafson, Leah

## Brief

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

## Reply Brief

Due: July 2, 2019 Filed: July 2, 2019

Due: March 19, 2021 Filed: March 18, 2021

## Reproduced Record

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

## Supplemental Brief

## Appellee

## Saloom Department Store

## Brief

Due: June 19, 2019 Filed: June 18, 2019

Due: March 5, 2021 Filed: March 5, 2021

## Saloom Dept. Store. LLC

## Brief

Due: June 19, 2019 Filed: June 18, 2019

Due: March 5, 2021 Filed: March 5, 2021

## Springfield, Inc.

## Brief

Due: June 19, 2019 Filed: June 18, 2019

Due: March 5, 2021 Filed: March 5, 2021

## Intervenor

## The United States of America

## Brief

Due: Filed: June 18, 2019

Due: March 5, 2021 Filed: February 12, 2021

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## BRIEFING SCHEDULE

## Appellant

Gustafson, Leah

## Supplemental Brief

Due: January 13, 2021

Filed: January 13, 2021

Gustafson, Mark

## Brief

Due: May 20, 2019

Filed: May 20, 2019

Due: January 13, 2021

Filed: January 13, 2021

## Reply Brief

Due: July 2, 2019

Filed: July 2, 2019

Due: March 19, 2021

Filed: March 18, 2021

## Reproduced Record

Due: May 20, 2019

Filed: May 20, 2019

Due: January 13, 2021

Filed: January 13, 2021

## Supplemental Brief

Due: January 13, 2021

Filed: January 13, 2021

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>February 13, 2019</b>	Notice of Appeal Docketed	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
<b>February 13, 2019</b>	Docketing Statement Exited (Civil)		Superior Court of Pennsylvania
<b>February 25, 2019</b>	Docketing Statement Received (Civil)	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
<b>February 28, 2019</b>	Application to be Admitted Pro Hac Vice Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson Document Name: Attorney Robert M. Cross	Appellant Appellant Appellant	Iverson, Kelly Kathleen Iverson, Kelly Kathleen Iverson, Kelly Kathleen
<b>February 28, 2019</b>	Application to be Admitted Pro Hac Vice Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson Document Name: Attorney Jonathan E. Lowy	Appellant Appellant Appellant	Iverson, Kelly Kathleen Iverson, Kelly Kathleen Iverson, Kelly Kathleen

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 7, 2019	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
<p>Comment: Upon consideration of the February 28, 2019 motion of Kelly Iverson, Esquire on behalf of Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson for Admission pro hac vice of Jonathan E. Lowy, Esquire the following is hereby ORDERED:</p> <p>Jonathan E. Lowy, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>Kelly Iverson, Esquire shall remain attorney of record for Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p>			
March 7, 2019	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
<p>Comment: Upon consideration of the February 28, 2019 motion of Kelly Iverson, Esquire on behalf of Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson for Admission pro hac vice of Robert M. Cross, Esquire the following is hereby ORDERED:</p> <p>Robert M. Cross, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>Kelly Iverson, Esquire shall remain attorney of record for Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p>			
March 18, 2019	Application for Intervention	Possible Intervenor	Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff
Comment: Filed by Assistant U.S. Attorney Laura Schleich Irwin on behalf of the United States.			
March 18, 2019	Application to be Admitted Pro Hac Vice	Possible Intervenor	Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff
March 18, 2019	Application to be Admitted Pro Hac Vice	Possible Intervenor	Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff
March 20, 2019	Application for Intervention	Intervenor	The United States of America

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 20, 2019	Order		Per Curiam
<p>Comment: As it appears that the United States has been permitted to intervene in the lower court, the March 18, 2019 "Application for Intervention" and March 20, 2019 "Application for Intervention" are DISMISSED as moot. See Pa.R.C.P. 2330.</p> <p>Upon consideration of the March 18, 2019 motions of Laura Schleich Irwin, Esquire on behalf of the United States for Admission pro hac vice of Joshua Revesz, Esquire and for waiver of the pro hac vice admission fee, the applications are DENIED without prejudice for Attorney Irwin to refile the application for admission pro hac vice to indicate compliance with Pa.R.C.P. 1012.1(b)(1).</p>			
March 21, 2019	Application to be Admitted Pro Hac Vice The United States of America	Intervenor	Irwin, Laura Schleich
March 25, 2019	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
<p>Comment: Upon consideration of the March 21, 2019 motion of Laura Schleich Irwin, Esquire on behalf of the United States for Admission pro hac vice of Joshua Revesz, Esquire the following is hereby ORDERED:</p> <p>Joshua Revesz, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>Laura Schleich Irwin, Esquire shall remain attorney of record for the United States, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p>			
April 10, 2019	Trial Court Record Received		Westmoreland County Civil Division
April 10, 2019	Briefing Schedule Issued		Superior Court of Pennsylvania
April 10, 2019	Trial Court Opinion Received		Westmoreland County Civil Division
May 20, 2019	Appellant's Brief Filed	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
May 20, 2019	Reproduced Record Filed	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
May 20, 2019	Reply Letter(s) Printed		Superior Court of Pennsylvania

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>May 28, 2019</b>	Reply Received (Argument)	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
<b>May 30, 2019</b>	Application to be Admitted Pro Hac Vice Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC	Appellee Appellee Appellee	Greiner, John Karl Greiner, John Karl Greiner, John Karl
<b>June 5, 2019</b>	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
	<p>Comment: Upon consideration of the May 30, 2019 motion of John K. Greiner, Esquire on behalf of Appellees Springfield, Inc. d/b/a/ Springfield Armory, and Saloom Department Store, LLC d/b/a Saloom Department Store, for Admission pro hac vice of Christopher Renzulli, Esquire, the following is hereby ORDERED:</p> <p>Christopher Renzulli, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>John K. Greiner, Esquire shall remain attorney of record for Appellees and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p>		
<b>June 18, 2019</b>	Appellee's Brief Filed	Appellee Appellee Appellee	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC
<b>June 18, 2019</b>	Intervenor's Brief Filed	Intervenor	The United States of America
<b>June 19, 2019</b>	Paper Version of PACFiled Document Received Document Name: Intervenor's Brief	Intervenor	The United States of America
<b>June 19, 2019</b>	Paper Version of PACFiled Document Received Document Name: Appellee's Brief	Appellee Appellee Appellee	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC
<b>June 26, 2019</b>	Argument Letter Sent		Corsetti, Nicholas V.
<b>June 27, 2019</b>	Acknowledgement of Argument Notice The United States of America	Intervenor	Irwin, Laura Schleich

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<b>June 27, 2019</b>	Acknowledgement of Argument Notice		
	Springfield, Inc.	Appellee	Greiner, John Karl
	Saloom Department Store	Appellee	Greiner, John Karl
	Saloom Dept. Store. LLC	Appellee	Greiner, John Karl
<b>June 28, 2019</b>	Acknowledgement of Argument Notice		
	The United States of America	Intervenor	Revesz, Joshua
<b>July 2, 2019</b>	Appellant's Reply Brief		
		Appellant	Gustafson, Mark
		Appellant	Gustafson, Leah
		Appellant	Estate of James Robert Gustafson
<b>July 9, 2019</b>	Application for Relief		
		Intervenor	The United States of America
<b>July 10, 2019</b>	Application for Continuance		
		Appellant	Gustafson, Mark
		Appellant	Gustafson, Leah
		Appellant	Estate of James Robert Gustafson
<b>July 10, 2019</b>	Acknowledgement of Argument Notice		
		Gustafson, Mark	Iverson, Kelly Kathleen
		Gustafson, Leah	Iverson, Kelly Kathleen
		Estate of James Robert Gustafson	Iverson, Kelly Kathleen
<b>July 15, 2019</b>	Order Granting Application for Continuance		
			Per Curiam
	Comment: AND NOW, this 15th day of July, 2019, upon consideration of the Appellant's Motion Continuance, said Motion is GRANTED. The Motion to Release from Obligation to Attend Argument, filed by the United States' counsel, Laura Schleich Irwin, Esquire, is denied as moot. The Prothonotary is directed to schedule this case on the next available argument list.		
<b>July 15, 2019</b>	Order		
			Per Curiam
	Comment: AND NOW, this 15th day of July, 2019, upon consideration of the Appellant's Motion Continuance, said Motion is GRANTED. The Motion to Release from Obligation to Attend Argument, filed by the United States' counsel, Laura Schleich Irwin, Esquire, is denied as moot. The Prothonotary is directed to schedule this case on the next available argument list.		
<b>July 17, 2019</b>	Application to be Admitted Pro Hac Vice		
	Springfield, Inc.	Appellee	Greiner, John Karl
	Saloom Department Store	Appellee	Greiner, John Karl
	Saloom Dept. Store. LLC	Appellee	Greiner, John Karl

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## DOCKET ENTRY

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July 24, 2019	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
<p>Comment: Upon consideration of the July 17, 2019 motion of John K. Greiner, Esquire on behalf of Appellees Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store for Admission pro hac vice of Scott C. Allen, Esquire the following is hereby ORDERED:</p> <p>Scott C. Allen, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>John K. Greiner, Esquire shall remain attorney of record for Appellees Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p>			
July 24, 2019	Other	Intervenor	The United States of America
Document Name: Notice of Unavailability for Oral Argument			
July 24, 2019	Order		Per Curiam
<p>Comment: The July 24, 2019 "Notice of Unavailability For Oral Argument" is DISMISSED as moot as no argument will be scheduled August 11, 2019 or August 28, 2019.</p>			
August 8, 2019	Argument Letter Sent		Corsetti, Nicholas V.
August 8, 2019	Application for Relief	Intervenor	The United States of America
August 12, 2019	Acknowledgement of Argument Notice	Possible Intervenor	Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff
August 12, 2019	Acknowledgement of Argument Notice		
	Gustafson, Mark	Appellant	Iverson, Kelly Kathleen
	Gustafson, Leah	Appellant	Iverson, Kelly Kathleen
	Estate of James Robert Gustafson	Appellant	Iverson, Kelly Kathleen
August 13, 2019	Acknowledgement of Argument Notice		
	The United States of America	Intervenor	Irwin, Laura Schleich
August 14, 2019	Acknowledgement of Argument Notice		
	Springfield, Inc.	Appellee	Greiner, John Karl
	Saloom Department Store	Appellee	Greiner, John Karl
	Saloom Dept. Store. LLC	Appellee	Greiner, John Karl
August 14, 2019	Acknowledgement of Argument Notice		
	Springfield, Inc.	Appellee	Renzulli, Christopher
	Saloom Department Store	Appellee	Renzulli, Christopher
	Saloom Dept. Store. LLC	Appellee	Renzulli, Christopher

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>August 14, 2019</b>	Acknowledgement of Argument Notice		
	Springfield, Inc.	Appellee	Allan, Scott C.
	Saloom Dept. Store. LLC	Appellee	Allan, Scott C.
	Saloom Department Store	Appellee	Allan, Scott C.
<b>September 11, 2019</b>	Order Granting Application for Relief		
			Per Curiam
	Comment: AND NOW, this 11th day of September, 2019, upon consideration of the United States Attorney's "Motion to Release From Obligation to Attend Argument," filed in the above captioned matter, it is hereby ORDERED that said Motion is GRANTED.		
<b>September 17, 2019</b>	Entry of Appearance - Private		
	Gustafson, Mark	Appellant	McGraw, James Patrick, III
	Gustafson, Leah	Appellant	McGraw, James Patrick, III
	Estate of James Robert Gustafson	Appellant	McGraw, James Patrick, III
<b>June 23, 2020</b>	Application to Withdraw As Counsel		
	The United States of America	Intervenor	Irwin, Laura Schleich
<b>July 1, 2020</b>	Order Granting Application to Withdraw as Counsel		
			Per Curiam
	Comment: AND NOW, this 1st day of July, 2020, we hereby GRANT the Application to Withdraw as Counsel filed by Joshua Revesz, Esquire.		
<b>September 28, 2020</b>	Reversed/Remanded		
			Kunselman, Deborah A.
	Comment: Jurisdiction relinquished		
<b>October 8, 2020</b>	Application for Extension of Time to File Panel Reconsideration/Reargument		
		Appellee	Springfield, Inc.
		Appellee	Saloom Department Store
		Appellee	Saloom Dept. Store. LLC
<b>October 9, 2020</b>	Application to be Admitted Pro Hac Vice		
	The United States of America	Intervenor	Irwin, Laura Schleich
<b>October 12, 2020</b>	Entry of Appearance - Private		
	Springfield, Inc.	Appellee	Hare, John Jacob
	Saloom Department Store	Appellee	Hare, John Jacob
	Saloom Dept. Store. LLC	Appellee	Hare, John Jacob
<b>October 12, 2020</b>	Entry of Appearance - Private		
	Springfield, Inc.	Appellee	Haselbarth, Shane
	Saloom Department Store	Appellee	Haselbarth, Shane
	Saloom Dept. Store. LLC	Appellee	Haselbarth, Shane
<b>October 13, 2020</b>	Application for Reargument		
		Intervenor	The United States of America
<b>October 13, 2020</b>	Other		
		Intervenor	The United States of America

Document Name: Superior Court decision 9-28-20

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>October 13, 2020</b>	Application for Reargument	Appellee Appellee Appellee	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC
<b>October 14, 2020</b>	Other	Intervenor	The United States of America
	Document Name: Exhibit C for Admission pro hac vice petition		
<b>October 15, 2020</b>	Order Denying Application for Extension of Time to File Reargument/Reconsideration		Per Curiam
	Document Name: as moot		
	Comment: AND NOW, this 15th day of October, 2020, because a petition for reargument has been timely filed in this appeal, Appellees Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC d/b/a Saloom Department Store's, and Intervenor the United States of America's joint application for extension of time to file a petition for reargument is DENIED as moot.		
<b>October 23, 2020</b>	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
	Comment: the October 13, 2020 motions of the U.S. Attorney's office for Admission pro hac vice of Thais-Lyn Trayer, Esquire and for waiver of the pro hac vice admission fee is GRANTED.		
<b>October 27, 2020</b>	Answer to Application for Reargument	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 3, 2020	Order Granting Application for Reargument		Per Curiam
	<p>Comment: Upon consideration of the October 13, 2020 applications for reargument, filed by Appellees Springfield, Inc. D/B/A Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC D/B/A Saloom Department Store and Intervenor, the United States of America, IT IS HEREBY ORDERED: THAT this Court's Prothonotary shall amend the caption in the abovecaptioned case to reflect the United States of America as Intervenor; THAT en banc reargument is GRANTED; THAT the decision of this COURT filed September 28, 2020, is withdrawn; THAT the case be listed before the next available en banc panel; THAT Appellants, Mark and Leah Gustafson, Individually and as Administrators and Personal Representatives of the Estate of James Robert (Jr.) Gustafson, shall file an original and ten (10) copies of either the brief previously filed, the brief previously filed together with a supplemental brief, or a substituted Brief for Appellant by December 14, 2020, along with an original and ten (10) copies of the reproduced record; THAT Appellees, Springfield, Inc. D/B/A Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC D/B/A Saloom Department Store, and Intervenor, the United States of America, shall thereafter have twenty-one (21) days after service to file an original and ten (10) copies of the brief previously filed, the brief previously filed together with a supplemental brief, or a substituted Brief for Appellees or Intervenor; THAT Appellants shall thereafter have fourteen (14) days after service of the Brief for Appellees or the Brief for Intervenor, whichever is served later, to file an original and ten (10) copies of one (1) reply brief in accordance with Pa.R.A.P. 2113(a) if desired. No other briefs may be filed by the parties without leave of this Court; AND THAT any substituted or supplemental brief shall clearly indicate on the cover page that it is a substituted or supplemental brief.</p>		
December 8, 2020	Application for Extension of Time to File Brief - First Request	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
December 8, 2020	Order Granting Application for Extension of Time to File Brief and Reproduced Record		Per Curiam
December 9, 2020	Order		Per Curiam
	<p>Document Name: Extension of time</p> <p>Comment: On December 8, 2020, this Court inadvertently granted Appellants' application for an extension of time to file briefs. The December 8, 2020 Order is VACATED, and Appellants' request for an extension remains pending. Appellees and Intervenor shall have until December 15, 2020, to file an answer, if any.</p>		

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>December 9, 2020</b>	Application for Clarification	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
<b>December 10, 2020</b>	Answer to Application for Extension of Time to File Brief	Appellee Appellee Appellee	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC
<b>December 10, 2020</b>	Answer to Application for Clarification	Appellee Appellee Appellee	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC
<b>December 11, 2020</b>	Answer to Application for Extension of Time to File Brief	Intervenor	The United States of America
<b>December 11, 2020</b>	Order Granting Application for Extension of Time to File Brief and Reproduced Record  Comment: Upon consideration of the answers filed by Appellees and Intervenor , Appellants' application for an extension of time to file en banc briefs is GRANTED. The Brief for Appellants is due by January 13, 2021. Accordingly, Appellants' application for clarification is DENIED AS MOOT.1 PER CURIAM Footnote 1 The Court acknowledges and expresses appreciation for the prompt responses of all the parties.		Per Curiam
<b>December 11, 2020</b>	Order Denying Application for Clarification  Document Name: as moot Comment: Appellants' application for clarification is DENIED AS MOOT.1 PER CURIAM 1 The Court acknowledges and expresses appreciation for the prompt responses of all the parties. (One order for two motions entered)		Per Curiam
<b>January 13, 2021</b>	Appellant's Supplemental Brief Filed	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
<b>January 13, 2021</b>	Appellant's Brief Filed	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 13, 2021	Reproduced Record Filed	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
January 15, 2021	Application for Extension of Time to File Brief - First Request	Appellee Appellee Appellee Intervenor	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC The United States of America
January 19, 2021	Answer to Application for Extension of Time to File Brief	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
January 21, 2021	Paper Version of PACFiled Document Received	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
	Document Name: Appellant's Supplemental Brief		
January 21, 2021	Paper Version of PACFiled Document Received	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
	Document Name: Appellant's Brief		
January 21, 2021	Paper Version of PACFiled Document Received	Appellant Appellant Appellant	Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson
	Document Name: Reproduced Record		
February 1, 2021	Application for Leave to File Amicus Brief	Amicus	The National Shooting Sports Foundation, Inc.
February 1, 2021	Application for Leave to File Amicus Brief	Amicus	The National Shooting Sports Foundation, Inc.
February 1, 2021	Application for Leave to File Amicus Brief	Amicus	State of Montana
February 1, 2021	Application for Emergency Relief	Appellee Appellee Appellee	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 2, 2021	Order		Per Curiam
<p>Document Name: resolves all petitions and answers filed 1/15/21, 1/19/21, and 2/1/21</p> <p>Comment: The unopposed joint application of Springfield, Inc. d/b/a Springfield Armory &amp; Saloom Dep't Store &amp; Saloom Dep't Store, LLC d/b/a Saloom Dep't Store, and of Intervenor, The United States of America, for an extension of time to file briefs is GRANTED. As requested, the Briefs of Appellees and Intervenor are due by March 5, 2021.</p> <p>The application of The National Shooting Sports Foundation, Inc. for permission to file Briefs of Amicus Curiae is GRANTED. The applications of The National Shooting Sports Foundation, Inc., and of the State of Montana for an extension of time to file Briefs of Amicus Curiae are GRANTED. Briefs of Amicus Curiae in support of Appellees or Intervenor are due by March 5, 2021.</p> <p>The application for emergency relief to resolve the extension request is DENIED AS MOOT.</p>			
February 12, 2021	Intervenor's Brief Filed	Intervenor	The United States of America
February 16, 2021	Application to be Admitted Pro Hac Vice The United States of America	Intervenor	Irwin, Laura Schleich
February 17, 2021	Paper Version of PACFiled Document Received	Intervenor	The United States of America
Document Name: Intervenor			
March 5, 2021	Application to be Admitted Pro Hac Vice The National Shooting Sports Foundation, Inc.	Amicus	Toomey, Charles Scott
	The National Shooting Sports Foundation, Inc.	Amicus	Toomey, Charles Scott
March 5, 2021	Application to be Admitted Pro Hac Vice The National Shooting Sports Foundation, Inc.	Amicus	Toomey, Charles Scott
	The National Shooting Sports Foundation, Inc.	Amicus	Toomey, Charles Scott
March 5, 2021	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
<p>Comment: Upon consideration of the application of Laura Schleich Irwin, Esquire, on behalf of Intervenor, The United States of America, for admission pro hac vice of Laura Myron, Esquire, the application is GRANTED.</p> <p>The application for waiver of fee for pro hac vice admission is GRANTED. Attorney Myron shall be permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301. Attorney Irwin shall remain as attorney of record for Intervenor, and shall sign and serve, or be served with, all notices, pleadings, or other papers filed in this action, and shall attend all proceedings in this Court unless otherwise excused.</p>			

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 5, 2021	Application to be Admitted Pro Hac Vice		
	The National Shooting Sports Foundation, Inc.	Amicus	Toomey, Charles Scott
	The National Shooting Sports Foundation, Inc.	Amicus	Toomey, Charles Scott
March 5, 2021	Amicus Curiae Brief		
		Amicus	The National Shooting Sports Foundation, Inc.
		Amicus	The National Shooting Sports Foundation, Inc.
March 5, 2021	Amicus Curiae Brief	Amicus	State of Montana
March 5, 2021	Appellee's Brief Filed		
		Appellee	Springfield, Inc.
		Appellee	Saloom Department Store
		Appellee	Saloom Dept. Store. LLC
March 10, 2021	Paper Version of PACFiled Document Received		
		Amicus	The National Shooting Sports Foundation, Inc.
		Amicus	The National Shooting Sports Foundation, Inc.
	Document Name: Amicus Brief		
March 11, 2021	Paper Version of PACFiled Document Received		
		Appellee	Springfield, Inc.
		Appellee	Saloom Department Store
		Appellee	Saloom Dept. Store. LLC
	Document Name: appellee substitute brief		
March 15, 2021	Paper Version of PACFiled Document Received		
		Amicus	State of Montana
	Document Name: Amicus Brief		
March 18, 2021	Appellant's Reply Brief		
		Appellant	Gustafson, Mark
		Appellant	Gustafson, Leah
		Appellant	Estate of James Robert Gustafson
March 22, 2021	Paper Version of PACFiled Document Received		
		Appellant	Gustafson, Mark
		Appellant	Gustafson, Leah
		Appellant	Estate of James Robert Gustafson
	Document Name: reply brief		

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>April 15, 2021</b>	Order Granting Application to be Admitted Pro Hac Vice		Per Curiam
	<p>Comment: Upon consideration of the applications of C. Scott Toomey, Esquire, on behalf of Amicus Curiae, The National Shooting Sports Foundation, Inc. ("NSSF"), for admission pro hac vice of Lawrence G. Keane, Esquire, Craig A. Livingston, Esquire, and Crystal L. Van Der Putten, Esquire, the applications are GRANTED. Attorneys Keane, Livingston, and Van Der Putten shall be permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301.</p> <p>Attorney Toomey shall remain as attorney of record for NSSF, in its capacity as amicus curiae. Attorney Toomey shall sign and serve, or be served with, all notices, pleadings, or other papers filed in this action, and shall be responsible for coordinating NSSF's participation in all proceedings in this Court. In the event NSSF participates in any proceeding in this Court, Attorney Toomey shall attend on NSSF's behalf.</p>		
<b>July 15, 2021</b>	Argument Letter Sent		Wagner, Bobbi Jo
<b>July 20, 2021</b>	Acknowledgement of Argument Notice Gustafson, Mark	Appellant	Lowy, Jonathan Elias
<b>July 27, 2021</b>	Acknowledgement of Argument Notice Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC	Appellee Appellee Appellee	Renzulli, Christopher Renzulli, Christopher Renzulli, Christopher
<b>July 30, 2021</b>	Other	Appellee Appellee Appellee	Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC
	Document Name: Notice of Supplemental Authority		
<b>August 5, 2021</b>	Acknowledgement of Argument Notice The United States of America	Intervenor	Irwin, Laura Schleich
<b>August 10, 2021</b>	Argument Letter Sent		Wagner, Bobbi Jo
<b>August 12, 2022</b>	Reversed/Remanded		Per Curiam
	<p>Comment: The order of the trial court sustaining preliminary objections is reversed, and the case is remanded for further proceedings. Jurisdiction relinquished.</p> <p>KUNSELMAN, J. files an opinion in support of the per curiam order to reverse in which PANELLA, P.J. and LAZARUS, J. join.</p> <p>BENDER, P.J.E. files an opinion in support of the per curiam order to reverse.</p> <p>DUBOW, J. files an opinion in support of the per curiam order to reverse.</p> <p>OLSON, J. files a dissenting opinion in which BOWES and McCAFFERY, JJ. join, and MURRAY, J. concurs in the result.</p> <p>MURRAY, J. files a dissenting opinion in which BOWES, OLSON and McCAFFERY, JJ. concur in the result.</p>		

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>August 15, 2022</b>	Application for Relief		
		Appellee	Springfield, Inc.
		Appellee	Saloom Department Store
		Appellee	Saloom Dept. Store. LLC
	Document Name: Application for Correction of Per Curiam Order		
<b>August 15, 2022</b>	Other		
	Springfield, Inc.	Appellee	Hare, John Jacob
	Saloom Department Store	Appellee	Hare, John Jacob
	Saloom Dept. Store. LLC	Appellee	Hare, John Jacob
	Document Name: correspondence from counsel		
<b>August 15, 2022</b>	Answer to Application for Relief		
		Appellant	Gustafson, Mark
		Appellant	Gustafson, Leah
		Appellant	Estate of James Robert Gustafson
	Document Name: Re: Application for Correction of Per Curiam Order		
<b>August 16, 2022</b>	Answer to Application for Relief		
		Appellee	Springfield, Inc.
		Appellee	Saloom Department Store
		Appellee	Saloom Dept. Store. LLC
	Document Name: Re: Re: Application for Correction of Per Curiam Order		

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
August 19, 2022	Order Denying Application for Relief		Per Curiam
<p>Comment: Upon consideration of Appellees' application for relief, titled, "Application under Pa.R.A.P. 123 and Pa.R.A.P. 105 for correction of per J-E02008-21</p> <p>- 2 -</p> <p>curiam order filed August 12, 2022," and the answer thereto filed by Appellants, Appellees' application is hereby DENIED.</p> <p>This Court's Per Curiam Order of August 12, 2022, properly reflects the votes of the individual Judges and their separate writings in directing that the PLCAA does not bar the claims at issue, including the dispositions of President Judge Emeritus Bender and Judge Dubow that the PLCAA is not applicable even if constitutional. The Per Curiam Order accordingly reflects only this Court's majority agreement to reverse the trial court's order, and all reasoning reflected in the writings attached to the Order are dicta. See Commonwealth v. Grove, 170 A.3d 1127, 1137-38 (Pa.Super. 2017) (noting that when no en banc opinion garnered a majority vote, there continues to be absence of en banc resolution of broader legal issue) (citing Commonwealth v. Gaines, 127 A.3d 15 (Pa.Super. 2015) (en banc)); Commonwealth v. Tilghman, 543 Pa. 578, 589, 673 A.2d 898, 904 (1996) ("Court's entry of a per curiam order affirming or reversing the final order of a lower tribunal. . . signifies this Court's agreement or disagreement with the lower tribunal's final disposition of the matter on appeal to us."). Cf. Cunningham v. Ins. Co. of North America, 515 Pa. 486, 491, 530 A.2d 407, 409 (1987) (noting precedent that courts should not reach constitutional issue if there are non-constitutional grounds for decision (citing Commonwealth v. Allsup, 481 Pa. 313, 317, 392 A.2d 1309, 1311 (1978)))</p>			
September 12, 2022	Petition for Allowance of Appeal to PA Supreme Court Filed	Appellee	Springfield, Inc.
		Appellee	Saloom Department Store
		Appellee	Saloom Dept. Store. LLC
Comment: 240 WAL 2022			
April 18, 2023	Petition for Allowance of Appeal to PA Supreme Court Summary Grant		Supreme Court of Pennsylvania
Comment: 7 WAP 2023			
April 20, 2023	Record Remitted to Supreme Court		Superior Court of Pennsylvania
April 20, 2023	Acknowledgement of Record Remittal		Supreme Court of Pennsylvania

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## SESSION INFORMATION

Journal Number: J-A18040-19  
 Consideration Type: Continued  
 Listed/Submitted Date: July 31, 2019

## Panel Composition:

The Honorable Mary Jane Bowes	Judge
The Honorable Carolyn H. Nichols	Judge
The Honorable John L. Musmanno	Judge

Journal Number: J-A23024-19  
 Consideration Type: Completed  
 Listed/Submitted Date: September 17, 2019

## Panel Composition:

The Honorable John T. Bender	President Judge Emeritus
The Honorable Deborah A. Kunselman	Judge
The Honorable John L. Musmanno	Judge

Journal Number: J-E02008-21  
 Consideration Type: En Banc Argument  
 Listed/Submitted Date: August 24, 2021

## Panel Composition:

The Honorable Jack A. Panella	President Judge
The Honorable John T. Bender	President Judge Emeritus
The Honorable Mary Jane Bowes	Judge
The Honorable Anne E. Lazarus	Judge
The Honorable Judith F. Olson	Judge
The Honorable Alice B. Dubow	Judge
The Honorable Deborah A. Kunselman	Judge
The Honorable Mary P. Murray	Judge
The Honorable Daniel D. McCaffery	Judge

## DISPOSITION INFORMATION

Final Disposition:	No	Judgment Date:	September 28, 2020
Related Journal No:	J-A23024-19	Disposition Author:	Kunselman, Deborah A.
Category:	Decided	Disposition Date:	September 28, 2020
Disposition:	Reversed/Remanded		
Disposition Comment:	Jurisdiction relinquished		
Dispositional Filing:	<b>Opinion</b>	Filing Author:	Kunselman, Deborah A.
Filed Date:	9/28/2020 12:00:00AM		

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## DISPOSITION INFORMATION

Final Disposition:	Yes	Judgment Date:	August 12, 2022
Related Journal No:	J-E02008-21	Disposition Author:	Per Curiam
Category:	Decided	Disposition Date:	August 12, 2022
Disposition:	Reversed/Remanded		
Disposition Comment:	<p>The order of the trial court sustaining preliminary objections is reversed, and the case is remanded for further proceedings. Jurisdiction relinquished.</p> <p>KUNSELMAN, J. files an opinion in support of the per curiam order to reverse in which PANELLA, P.J. and LAZARUS, J. join.</p> <p>BENDER, P.J.E. files an opinion in support of the per curiam order to reverse.</p> <p>DUBOW, J. files an opinion in support of the per curiam order to reverse.</p> <p>OLSON, J. files a dissenting opinion in which BOWES and McCAFFERY, JJ. join, and MURRAY, J. concurs in the result.</p> <p>MURRAY, J. files a dissenting opinion in which BOWES, OLSON and McCAFFERY, JJ. concur in the result.</p>		
Dispositional Filing:	<b>Order</b>	Filing Author:	Per Curiam
Filed Date:	8/12/2022 12:00:00AM		
Dispositional Filing:	<b>Opinion in Support of Reversal</b>	Filing Author:	Kunselman, Deborah A.
Filed Date:	8/12/2022 12:00:00AM		
Dispositional Filing:	<b>Opinion in Support of Reversal</b>	Filing Author:	Bender, John T.
Filed Date:	8/12/2022 12:00:00AM		
Dispositional Filing:	<b>Opinion in Support of Reversal</b>	Filing Author:	Dubow, Alice B.
Filed Date:	8/12/2022 12:00:00AM		
Dispositional Filing:	<b>Dissenting Opinion</b>	Filing Author:	Olson, Judith F.
Filed Date:	8/12/2022 12:00:00AM		
Dispositional Filing:	<b>Dissenting Opinion</b>	Filing Author:	Murray, Mary P.
Filed Date:	8/12/2022 12:00:00AM		

## REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date: October 13, 2020  
Disposition: Order Granting Application for Reargument  
Disposition Date: December 3, 2020  
Record Remittal:

## CROSS COURT ACTIONS

## Appeal Docket Sheet

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## CROSS COURT ACTIONS

Docket Number: 240 WAL 2022  
Court Name: Supreme  
Short Caption: Gustafson v. Springfield Pet. of: Springfield  
Case Status: Closed  
Disposition: Petition for Allowance of Appeal - Limited Grant  
Disposition Date: April 18, 2023  
Petition Reargument/Reconsideration Filed Date:  
Reargument Disposition:  
Reargument Disposition Date:  
Cross Court Action Type: Filing of Decision or Opinion

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Docket Number: 7 WAP 2023  
Court Name: Supreme  
Short Caption: Gustafson, M., et al. v. Springfield, Inc., Aplt.  
Case Status: Closed  
Disposition: Vacated/Remanded  
Disposition Date: March 31, 2025  
Petition Reargument/Reconsideration Filed Date:  
Reargument Disposition:  
Reargument Disposition Date:  
Cross Court Action Type: