

**Commonwealth Docket Sheet**

**Docket Number: 1754 CD 2019**

**Page 1 of 14**

**October 29, 2024**



**CAPTION**

Firearm Owners Against Crime;  
Firearm Policy Coalition, Inc;  
Firearm Policy Foundation;  
Matthew Boardley, Saadyah Averick,  
Fred Rak

v.

City of Pittsburgh; Mayor William  
Peduto; Councilman Bruce Kraus;  
Councilman Corey O'Connor;  
Councilman R. Daniel Lavelle;  
Councilwoman Deb Gross;  
Councilwoman Erika Strassburger;  
and Councilman Ricky Burgess,  
Appellants

**CASE INFORMATION**

Initiating Document:	Notice of Appeal		
Case Status:	Decided/Active		
Case Processing Status:	May 27, 2022	Filing of Decision or Opinion	
Journal Number:	21-10-2020		
Case Category:	Civil	Case Type(s):	Declaratory Judgment

**CONSOLIDATED CASES**

**RELATED CASES**

Docket No / Reason	Type
1753 CD 2019 Same Issue(s)	Related
1810 CD 2019 Same Issue(s)	Related
765 CD 2024 Similar Issue(s)	Related

**COUNSEL INFORMATION**

<b>Appellant</b>	<b>Strassburger, Erika</b>		
Pro Se:	No		
IFP Status:			
Attorney:	Doherty, John Fitzgerald		
Law Firm:	City of Pittsburgh Law Department		
Address:	City Of Pittsburgh Law Dept 414 Grant St Ste 313 Pittsburgh, PA 15219-2453		
Phone No:	(412) 255-2016	Fax No:	



COUNSEL INFORMATION

Appellant **Strassburger, Erika**

Pro Se: No

IFP Status:

Attorney: Hilton, Yvonne Schlosberg
Law Firm: City of Pittsburgh Law Department
Address: City Of Pitt Law Dept
414 Grant St Ste 313
Pittsburgh, PA 15219-2453
Phone No: (412) 255-2001 Fax No:

Attorney: Kobee, Wendy
Law Firm: City of Pittsburgh Law Department
Address: City Of Pittsburgh Dept Of Law
414 Grant St Ste 313
Pittsburgh, PA 15219-2419
Phone No: (412) 523-4111 Fax No:

Appellant **Peduto, William**

Pro Se: No

IFP Status:

Attorney: Doherty, John Fitzgerald
Law Firm: City of Pittsburgh Law Department
Address: City Of Pittsburgh Law Dept
414 Grant St Ste 313
Pittsburgh, PA 15219-2453
Phone No: (412) 255-2016 Fax No:

Attorney: Hilton, Yvonne Schlosberg
Law Firm: City of Pittsburgh Law Department
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Phone No: (412) 255-2001 Fax No:

Attorney: Kobee, Wendy
Law Firm: City of Pittsburgh Law Department
Address: City Of Pittsburgh Dept Of Law
414 Grant St Ste 313
Pittsburgh, PA 15219-2419
Phone No: (412) 523-4111 Fax No:



COUNSEL INFORMATION

Appellant O'Connor, Corey

Pro Se: No

IFP Status:

Attorney: Doherty, John Fitzgerald
Law Firm: City of Pittsburgh Law Department
Address: City Of Pittsburgh Law Dept
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Phone No: (412) 255-2016 Fax No:

Attorney: Hilton, Yvonne Schlosberg
Law Firm: City of Pittsburgh Law Department
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Phone No: (412) 255-2001 Fax No:

Attorney: Kobee, Wendy
Law Firm: City of Pittsburgh Law Department
Address: City Of Pittsburgh Dept Of Law
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Phone No: (412) 523-4111 Fax No:

Appellant Lavelle, R. Daniel

Pro Se: No

IFP Status:

Attorney: Doherty, John Fitzgerald
Law Firm: City of Pittsburgh Law Department
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Phone No: (412) 255-2016 Fax No:

Attorney: Hilton, Yvonne Schlosberg
Law Firm: City of Pittsburgh Law Department
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Phone No: (412) 255-2001 Fax No:

Attorney: Kobee, Wendy
Law Firm: City of Pittsburgh Law Department
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COUNSEL INFORMATION

Appellant Kraus, Bruce

Pro Se: No

IFP Status:

Attorney: Doherty, John Fitzgerald
Law Firm: City of Pittsburgh Law Department
Address: City Of Pittsburgh Law Dept
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Pittsburgh, PA 15219-2453
Phone No: (412) 255-2016 Fax No:

Attorney: Hilton, Yvonne Schlosberg
Law Firm: City of Pittsburgh Law Department
Address: City Of Pitt Law Dept
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Phone No: (412) 255-2001 Fax No:

Attorney: Kobee, Wendy
Law Firm: City of Pittsburgh Law Department
Address: City Of Pittsburgh Dept Of Law
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Appellant Gross, Deb

Pro Se: No

IFP Status:

Attorney: Doherty, John Fitzgerald
Law Firm: City of Pittsburgh Law Department
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Attorney: Hilton, Yvonne Schlosberg
Law Firm: City of Pittsburgh Law Department
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Attorney: Kobee, Wendy
Law Firm: City of Pittsburgh Law Department
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## COUNSEL INFORMATION

Appellant City of Pittsburgh

Pro Se: No

IFP Status:

Attorney: Doherty, John Fitzgerald  
 Law Firm: City of Pittsburgh Law Department  
 Address: City Of Pittsburgh Law Dept  
 414 Grant St Ste 313  
 Pittsburgh, PA 15219-2453  
 Phone No: (412) 255-2016 Fax No:

Attorney: Vila-Roger, Krysia Kubiak  
 Law Firm: City of Pittsburgh  
 Address: City Of Pittsburgh Department Of Law  
 414 Grant St  
 Pittsburgh, PA 15219  
 Phone No: (412) 255-2001 Fax No:

Attorney: Iverson, Kelly Kathleen  
 Address: Carlson Lynch  
 1133 Penn Ave 5th Fl  
 Pittsburgh, PA 15222  
 Phone No: (412) 253-4989 Fax No:

Attorney: Kobee, Wendy  
 Law Firm: City of Pittsburgh Law Department  
 Address: City Of Pittsburgh Dept Of Law  
 414 Grant St Ste 313  
 Pittsburgh, PA 15219-2419  
 Phone No: (412) 523-4111 Fax No:

Attorney: Gerber, Ryan  
 Address: Everytown Law  
 450 Lexington Avenue #4148  
 New York, NY 10017  
 Phone No: (646) 324-8198 Fax No:

Attorney: Tirschwell, Eric  
 Address: Everytown Law  
 450 Lexington Avenue #4184  
 New York, NY 10017  
 Phone No: (646) 324-8222 Fax No:



COUNSEL INFORMATION

**Appellant** Burgess, Ricky

Pro Se: No

IFP Status:

Attorney: Doherty, John Fitzgerald  
 Law Firm: City of Pittsburgh Law Department  
 Address: City Of Pittsburgh Law Dept  
 414 Grant St Ste 313  
 Pittsburgh, PA 15219-2453  
 Phone No: (412) 255-2016 Fax No:

Attorney: Hilton, Yvonne Schlosberg  
 Law Firm: City of Pittsburgh Law Department  
 Address: City Of Pitt Law Dept  
 414 Grant St Ste 313  
 Pittsburgh, PA 15219-2453  
 Phone No: (412) 255-2001 Fax No:

Attorney: Kobee, Wendy  
 Law Firm: City of Pittsburgh Law Department  
 Address: City Of Pittsburgh Dept Of Law  
 414 Grant St Ste 313  
 Pittsburgh, PA 15219-2419  
 Phone No: (412) 523-4111 Fax No:

**Amicus Curiae** Republican Caucus of the Pennsylvania House of Representatives

Pro Se: No

IFP Status:

Attorney: Corey, Rodney A.  
 Law Firm: Pennsylvania House of Representatives Republican Caucus  
 Address: Pa House Of Representatives  
 Main Capitol Bldg Ste B 6 P.o. Box 202228  
 Harrisburg, PA 17120-2228  
 Phone No: (717) 783-1510 Fax No:

Attorney: Mann, James Guthrie  
 Law Firm: Pennsylvania House of Representatives  
 Address: Ste B 6 Main Capitol  
 Po Box 202228  
 Harrisburg, PA 17120-2228  
 Phone No: (717) 783-1510 Fax No:

Attorney: Dymek, Thomas Walter  
 Law Firm: Pennsylvania House of Representatives Republican Caucus  
 Address: Pa House Of Representatives  
 Main Capitol Po Box 202217  
 Harrisburg, PA 17120-2217  
 Phone No: (717) 783-5294 Fax No:



COUNSEL INFORMATION

**Amicus Curiae**      **Brady**

Pro Se:                      No

IFP Status:

Attorney:                      Bashman, Howard Jonathan  
Address:                        2300 Computer Rd Ste G 22  
   Willow Grove, PA 19090-1755  
Phone No:                      (215) 830-1458                      Fax No:

**Appellee**                **Rak, Fred**

Pro Se:                      No

IFP Status:

Attorney:                      Prince, Joshua Garett  
Law Firm:                        Prince Law Offices, P.C.  
Address:                        Prince Law Ofcs Pc  
   646 Lenape Rd  
   Bechtelsville, PA 19505  
Phone No:                      (610) 845-3803                      Fax No: (610) 400-8439  
Phone No:                      (888) 202-9297      x:81114

**Appellee**                **Firearm Policy Foundation**

Pro Se:                      No

IFP Status:

Attorney:                      Prince, Joshua Garett  
Law Firm:                        Prince Law Offices, P.C.  
Address:                        Prince Law Ofcs Pc  
   646 Lenape Rd  
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Phone No:                      (610) 845-3803                      Fax No: (610) 400-8439  
Phone No:                      (888) 202-9297      x:81114

**Appellee**                **Firearm Policy Coalition, Inc.**

Pro Se:                      No

IFP Status:

Attorney:                      Prince, Joshua Garett  
Law Firm:                        Prince Law Offices, P.C.  
Address:                        Prince Law Ofcs Pc  
   646 Lenape Rd  
   Bechtelsville, PA 19505  
Phone No:                      (610) 845-3803                      Fax No: (610) 400-8439  
Phone No:                      (888) 202-9297      x:81114



**COUNSEL INFORMATION**

**Appellee Firearm Owners Against Crime**

Pro Se: No  
 IFP Status:  
 Attorney: Prince, Joshua Garett  
 Law Firm: Prince Law Offices, P.C.  
 Address: Prince Law Ofcs Pc  
 646 Lenape Rd  
 Bechtelsville, PA 19505  
 Phone No: (610) 845-3803 Fax No: (610) 400-8439  
 Phone No: (888) 202-9297 x:81114

**Appellee Boardley, Matthew**

Pro Se: No  
 IFP Status:  
 Attorney: Prince, Joshua Garett  
 Law Firm: Prince Law Offices, P.C.  
 Address: Prince Law Ofcs Pc  
 646 Lenape Rd  
 Bechtelsville, PA 19505  
 Phone No: (610) 845-3803 Fax No: (610) 400-8439  
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**Appellee Averick, Saadyah**

Pro Se: No  
 IFP Status:  
 Attorney: Prince, Joshua Garett  
 Law Firm: Prince Law Offices, P.C.  
 Address: Prince Law Ofcs Pc  
 646 Lenape Rd  
 Bechtelsville, PA 19505  
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**FEE INFORMATION**

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
11/18/2019	Notice of Appeal	90.25	12/18/2019	2019-CMW-H-002618	90.25

**AGENCY/TRIAL COURT INFORMATION**

Order Appealed From: October 29, 2019 Notice of Appeal Filed: November 18, 2019  
 Order Type: Order Dated  
 Documents Received: November 22, 2019  
 Court Below: Allegheny County Court of Common Pleas  
 County: Allegheny Division: Allegheny County Civil Division  
 Judge: James, Joseph M. OTN:  
 Docket Number: GD-19-005330 Judicial District: 05



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## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Trial Court Record	December 30, 2019	
Testimony	December 30, 2019	
Exhibit(s)	December 30, 2019	
Trial Court Opinion	December 30, 2019	

## Date of Remand of Record:

## BRIEFING SCHEDULE

Amicus Curiae	Appellee
<b>Brady</b>	<b>Averick, Saadyah</b>
<b>Brief</b>	<b>Brief</b>
Due: Filed: April 30, 2020	Due: June 2, 2020 Filed: June 1, 2020
<b>Republican Caucus of the Pennsylvania House of Representatives</b>	<b>Boardley, Matthew</b>
<b>Brief</b>	<b>Brief</b>
Due: Filed: June 1, 2020	Due: June 2, 2020 Filed: June 1, 2020
<b>Appellant</b>	<b>Firearm Owners Against Crime</b>
<b>City of Pittsburgh</b>	<b>Brief</b>
<b>Brief</b>	Due: June 2, 2020 Filed: June 1, 2020
Due: March 31, 2020 Filed: April 30, 2020	<b>Firearm Policy Coalition, Inc.</b>
<b>Reply Brief</b>	<b>Brief</b>
Due: June 29, 2020 Filed: June 29, 2020	Due: June 2, 2020 Filed: June 1, 2020
<b>Reproduced Record</b>	<b>Firearm Policy Foundation</b>
Due: March 31, 2020 Filed: April 30, 2020	<b>Brief</b>
	Due: June 2, 2020 Filed: June 1, 2020
	<b>Rak, Fred</b>
	<b>Brief</b>
	Due: June 2, 2020 Filed: June 1, 2020

## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>November 18, 2019</b>	Notice of Appeal Filed			
	City of Pittsburgh		Appellant	
	Peduto, William		Appellant	
	Kraus, Bruce		Appellant	
	O'Connor, Corey		Appellant	
	Lavelle, R. Daniel		Appellant	
	Gross, Deb		Appellant	
	Strassburger, Erika		Appellant	
	Burgess, Ricky		Appellant	
<b>December 24, 2019</b>	Notice of Docketing Appeal Exited			12/24/2019
	Commonwealth Court Filing Office			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 30, 2019	Trial Court Record Received Allegheny County Civil Division			
December 30, 2019	Transcripts of Testimony Allegheny County Civil Division			
December 30, 2019	Trial Court Exhibits Allegheny County Civil Division			
December 30, 2019	Trial Court Opinion Received Allegheny County Civil Division			
January 3, 2020	Docketing Statement Filed Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy	Peduto, William City of Pittsburgh Kraus, Bruce O'Connor, Corey Gross, Deb Strassburger, Erika Burgess, Ricky Lavelle, R. Daniel	Appellant Appellant Appellant Appellant Appellant Appellant Appellant Appellant	
January 31, 2020	Application to be Admitted Pro Hac Vice Filed Iverson, Kelly Kathleen	City of Pittsburgh	Appellant	
January 31, 2020	Application to be Admitted Pro Hac Vice Filed Iverson, Kelly Kathleen Document Name: (PACFILED) on behalf of Eric Tirschwell, Esq.	City of Pittsburgh	Appellant	
February 12, 2020	Order Granting Application to be Admitted Pro Hac Vice McCullough, Patricia A. Document Name: Upon consideration of the motion of Kelly K. Iverson, Esq., for admission pro hac vice of Eric Comment: Tirschwell, Esq., on behalf of Appellant City of Pittsburgh, it is hereby ordered: (1) Eric Tirschwell, Esq. is admitted pro hac vice to the bar of the Commonwealth of Pennsylvania under Pennsylvania Bar Admission Rule 301, as co-counsel on behalf of Appellant City of Pittsburgh in this matter; (2) Eric Tirschwell, Esq. shall abide by the rules of this Court including all disciplinary rules; (3) Eric Tirschwell, Esq. shall immediately notify this Court of any matter affecting his standing at the bar of any other court where he may be admitted to practice; and (4) Kelly K. Iverson, Esq., the moving attorney herein, shall continue to be responsible as counsel of record for the conduct of this matter on behalf of the Appellant City of Pittsburgh.			02/13/2020
February 12, 2020	Order Granting Application to be Admitted Pro Hac Vice McCullough, Patricia A. Document Name: Upon consideration of the motion of Kelly K. Iverson, Esq., for admission pro hac vice of Ryan Comment: Gerber, Esq., on behalf of Appellant City of Pittsburgh, it is hereby ordered: (1) Ryan Gerber, Esq. is admitted pro hac vice to the bar of the Commonwealth of Pennsylvania under Pennsylvania Bar Admission Rule 301, as co-counsel on behalf of Appellant City of Pittsburgh in this matter; (2) Ryan Gerber, Esq. shall abide by the rules of this Court including all disciplinary rules; (3) Ryan Gerber, Esq. shall immediately notify this Court of any matter affecting his standing at the bar of any other court where he may be admitted to practice; and (4) Kelly K. Iverson, Esq., the moving attorney herein, shall continue to be responsible as counsel of record for the conduct of this matter on behalf of the Appellant City of Pittsburgh.			02/13/2020

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>February 20, 2020</b>	Briefing Schedule Issued Commonwealth Court Filing Office			
<b>March 2, 2020</b>	Designation of Contents of Reproduced Record Iverson, Kelly Kathleen	City of Pittsburgh	Appellant	
<b>April 30, 2020</b>	Amicus Curiae Brief Bashman, Howard Jonathan	Brady	Amicus Curiae	
<b>April 30, 2020</b>	Appellant's Brief Filed Iverson, Kelly Kathleen	City of Pittsburgh	Appellant	
<b>April 30, 2020</b>	Appellant's Reproduced Record Filed Iverson, Kelly Kathleen	City of Pittsburgh	Appellant	
<b>June 1, 2020</b>	Amicus Curiae Brief Republican Caucus of the Pennsylvania House of Representatives		Amicus Curiae	
<b>June 1, 2020</b>	Filed - Other Republican Caucus of the Pennsylvania House of Representatives		Amicus Curiae	
<b>June 1, 2020</b>	Appellee's Brief Filed Firearm Owners Against Crime Firearm Policy Coalition, Inc. Firearm Policy Foundation Boardley, Matthew Averick, Saadyah Rak, Fred		Appellee Appellee Appellee Appellee Appellee Appellee	
<b>June 3, 2020</b>	Application for Extension of Time to File Brief - First Request Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy Kobee, Wendy	Peduto, William City of Pittsburgh Kraus, Bruce O'Connor, Corey Gross, Deb Strassburger, Erika Burgess, Ricky Lavelle, R. Daniel	Appellant Appellant Appellant Appellant Appellant Appellant Appellant Appellant	

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>June 5, 2020</b>	Order Granting Application for Extension of Time to File Appellant Paperbook Per Curiam			06/05/2020
	Document Name: upon consideration of Appellants' Application for Extension of Time to File Reply Brief Comment: (Application), and it appearing that the Application is unopposed, the Application is GRANTED. Appellants shall file and serve their reply brief (4 copies) on or before June 29, 2020.			
	Appellants are the following: the City of Pittsburgh, Mayor William Peduto, Councilman Bruce Kraus, Councilman Corey O'Connor, Councilman R. Daniel Lavelle, Councilwoman Deb Gross, Councilwoman Erika Strassburger, and Councilman Ricky Burgess.			
<b>June 29, 2020</b>	Appellant's Reply Brief Iverson, Kelly Kathleen	City of Pittsburgh	Appellant	
<b>July 17, 2020</b>	Filed - Other Corey, Rodney A.	Republican Caucus of the Pennsylvania	Amicus Curiae	
	Document Name: Errata sheet			
<b>August 2, 2020</b>	Tentative Session Date Krimmel, Michael			
	Document Name: October 2020 (Pittsburgh)			
<b>September 11, 2020</b>	Argument Scheduled Krimmel, Michael			
	Document Name: Wednesday, October 14, 2020 @9:30 a.m. Before the Court En Banc sitting in CR 5001, PJC, Harrisburg Comment: No. 21 on the list of cases.			
<b>September 18, 2020</b>	Letter Krimmel, Michael			
	Document Name: Letter to counsel for extra copies of documents			
<b>September 21, 2020</b>	Argument Scheduled Krimmel, Michael			
	Document Name: CORRECTED NOTICE (Via WebEx Video Conference)			
<b>September 29, 2020</b>	Order Filed Per Curiam			09/29/2020
	Document Name: the above-captioned appeals are listed for argument seriatly before the court en banc on Comment: October 14, 2020. Forty minutes total argument time has been set aside to hear both cases. Counsel for appellants shall have twenty minutes to argue both appeals. Counsel for appellees shall share twenty minutes to respond to both appeals, and shall inform the Court at the time of argument how they intend to divide their time.			
<b>May 27, 2022</b>	Affirmed McCullough, Patricia A.			05/27/2022
	Document Name: Opinion (40 pages) Comment: AND NOW, this 27th day of May, 2022, the October 29, 2019 order of the Court of Common Pleas of Allegheny County is hereby AFFIRMED. Judge Wallace did not participate in the decision.			

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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>June 2, 2022</b>	Entry of Appearance Vila-Roger, Krysia Kubiak	City of Pittsburgh	Appellant	
	Document Name: Substiute Krysia Kubiak, esq. for Yvonne Hilton, esq. for the City of Pittsburgh			
<b>June 27, 2022</b>	Petition for Allowance of Appeal to PA Supreme Court Filed City of Pittsburgh		Appellant	
	Peduto, William		Appellant	
	Kraus, Bruce		Appellant	
	O'Connor, Corey		Appellant	
	Lavelle, R. Daniel		Appellant	
	Gross, Deb		Appellant	
	Strassburger, Erika		Appellant	
	Burgess, Ricky		Appellant	
	Document Name: 174 WAL 2022			
	Comment: 174 WAL 2022			

## SESSION INFORMATION

Journal Number: 21-10-2020  
 Consideration Type: En Banc Argument  
 Listed/Submitted Date: October 14, 2020

## Panel Composition:

The Honorable Mary Hannah Leavitt	President Judge
The Honorable Renee Cohn Jubelirer	Judge
The Honorable Patricia A. McCullough	Judge
The Honorable Anne E. Covey	Judge
The Honorable Michael H. Wojcik	Judge
The Honorable Christine Fizzano Cannon	Judge
The Honorable Ellen Ceisler	Judge

## DISPOSITION INFORMATION

Final Disposition: Yes

Related Journal No: Judgment Date:

Category: Decided Disposition Author: McCullough, Patricia A.

Disposition: Affirmed Disposition Date: May 27, 2022

Disposition Comment: AND NOW, this 27th day of May, 2022, the October 29, 2019 order of the Court of Common Pleas of Allegheny County is hereby AFFIRMED. Judge Wallace did not participate in the decision.

Dispositional Filing: **Opinion** Filing Author: McCullough, Patricia A.

Filed Date: 5/27/2022 12:00:00AM

Dispositional Filing: **Concurring/Dissenting Opinion** Filing Author: Ceisler, Ellen

Filed Date: 5/27/2022 12:00:00AM

Dispositional Filing: **Concurring/Dissenting Statement** Filing Author: Cohn Jubelirer, Renee

Filed Date: 5/27/2022 12:00:00AM



**DISPOSITION INFORMATION**

Dispositional Filing:	<b>Concurring/Dissenting Statement</b>	Filing Author:	Wojcik, Michael H.
Filed Date:	5/27/2022 12:00:00AM		