Commonwealth Docket Sheet **Commonwealth Court of Pennsylvania**

Docket Number: 1512 CD 2023

November 8, 2026

CAPTION

PA Fair Elections and
Heather Honey,
Petitioners
v.
Pennsylvania Department of State
(Office of General Counsel),
Respondent

CASE INFORMATION

Initiating Document:	Petition for Review		
Case Status:	Closed		
Case Processing Status:	May 2, 2025	Completed	
Journal Number:	64-02-2025		
Case Category:	Administrative Agency	Case Type(s):	Election Office of General Counsel - HAVA

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
372 CD 2024 Similar Issue(s)	Related

COUNSEL INFORMATION

Petitioner **PA Fair Elections**
IFP/Waiver:
Pro Se: No

Attorney:	DiSalvo, Karen T.		
Law Firm:	Mohrman, Kaardal & Erickson, PA		
Address:	Election Research Institute 1451 Quentin Rd Ste 232 Lebanon, PA 17042		
Phone No:	(717) 281-1776	Fax No:	

Attorney:	Nielsen, Elizabeth Anne		
Law Firm:	Mohrman, Kaardal & Erickson, P.A.		
Address:	150 S 5TH St Ste 3100 Ste 3100 Minneapolis, MN 55402		
Phone No:	(612) 465-0905	Fax No:	

Attorney:	Kaardal, Erick		
Law Firm:	Mohrman, Kaardal & Erickson, P.A.		
Address:	150 South Fifth Stree, Suite 3100 Minneapolis, MN 55402		
Phone No:	(612) 341-1074	Fax No:	

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COUNSEL INFORMATION

Petitioner **Honey, Heather**
IFP/Waiver:
Pro Se: No

Attorney: DiSalvo, Karen T.
Law Firm: Mohrman, Kaardal & Erickson, PA
Address: Election Research Institute
1451 Quentin Rd Ste 232
Lebanon, PA 17042
Phone No: (717) 281-1776 Fax No:

Attorney: Kaardal, Erick
Law Firm: Mohrman, Kaardal & Erickson, P.A.
Address: 150 South Fifth Stree, Suite 3100
Minneapolis, MN 55402
Phone No: (612) 341-1074 Fax No:

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

Attorney: Mullen, Kathleen Ann
Law Firm: Pennsylvania Governor's Office of General Counsel
Address: Dept of State
306 N Office Building
Harrisburg, PA 17120-0102
Phone No: (717) 743-7563 Fax No:

Attorney: Kotula, Kathleen Marie
Law Firm: Pennsylvania Department of State
Address: Pa Dept Of State
401 North St Rm 306
Harrisburg, PA 17120
Phone No: (717) 783-1657 Fax No:

Attorney: Everhart, Ian Blythe
Law Firm: Pennsylvania Department of State, Bureau of Elections
Address: 11 Stanwix St Ste 340
Pittsburgh, PA 15222
Phone No: (717) 996-8723 Fax No:

Attorney: Fischer, Michael John
Law Firm: Pennsylvania Office of General Counsel
Address: Pa Office Of General Counsel
30 N Third St Ste 200
Harrisburg, PA 17101
Phone No: (717) 831-2847 Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
12/21/2023	Petition for Review - Appellate	90.25	12/22/2023	2023-CMW-H-002092	90.25

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Commonwealth Docket Sheet **Commonwealth Court of Pennsylvania**

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AGENCY/TRIAL COURT INFORMATION

Order Appealed From:	November 21, 2023	Notice of Appeal Filed:	
Order Type:	Decision		
Documents Received:	December 21, 2023		
Court Below:	HAVA (Office of General Council)		
County:		Division:	HAVA (Office of General Council)
Judge:		OTN:	
Docket Number:	2023-001	Judicial District:	

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Agency Record	April 17, 2024	

Date of Remand of Record: July 2, 2025

BRIEFING SCHEDULE

Petitioner
Honey, Heather
Brief
Due: May 29, 2024 Filed: May 29, 2024

Reply Brief
Due: Filed: July 12, 2024

PA Fair Elections
Reply Brief
Due: Filed: July 12, 2024

Reproduced Record
Due: Filed: May 29, 2024

Respondent
Pennsylvania Department of State
Brief
Due: July 8, 2024 Filed: June 28, 2024

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 21, 2023	Petition for Review Filed			
	Honey, Heather		Petitioner	
	PA Fair Elections		Petitioner	
December 21, 2023	Filed - Other			
	Honey, Heather		Petitioner	
Document Name:	Stmt. regarding transcript			
December 28, 2023	Defect Correction Notice			12/28/2023
	Commonwealth Court Filing Office			
Document Name:	DEFECT: Permission for email or fax service			
January 2, 2024	No Response to Defect Correction Notice			
	Commonwealth Court Filing Office			
Document Name:	Service sufficent to move forward			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 2, 2024	Notice Exited Commonwealth Court Filing Office			
January 16, 2024	Entry of Appearance Mullen, Kathleen Ann	Pennsylvania Department of State	Respondent	
Document Name:	Atty. Mullen for Department of State			
January 16, 2024	Entry of Appearance Fogal, Matthew Drew	Pennsylvania Department of State	Respondent	
Document Name:	Atty. Fogel for Department of State			
February 8, 2024	Praecipe for Withdrawal of Appearance Fogal, Matthew Drew	Pennsylvania Department of State	Respondent	
Document Name:	Atty. Fogal for Department of State			
February 27, 2024	Application for Relief Mullen, Kathleen Ann	Pennsylvania Department of State	Respondent	
Document Name:	Application to Exclude Artificial Entity Pa Fair Elections as Pro Se Participant			
March 25, 2024	Entry of Appearance DiSalvo, Karen T.	PA Fair Elections	Petitioner	
Document Name:	Atty. DiSalvo for Pa Fair Elections			
April 5, 2024	Notice Exited Commonwealth Court Filing Office			
Document Name:	CORRECTED			
April 14, 2024	Docketing Statement Filed DiSalvo, Karen T.	PA Fair Elections	Petitioner	
April 15, 2024	Entry of Appearance Everhart, Ian Blythe	Pennsylvania Department of State	Respondent	
Document Name:	Atty. Everhart for Respondents			
April 17, 2024	Agency Record Received HAVA (Office of General Council)			
April 19, 2024	Briefing Schedule Issued Commonwealth Court Filing Office			
May 3, 2024	Application to be Admitted Pro Hac Vice Filed DiSalvo, Karen T.	PA Fair Elections	Petitioner	
Document Name:	for Attorney Erick Kaardal			
May 20, 2024	Designation of Contents of Reproduced Record DiSalvo, Karen T.	PA Fair Elections	Petitioner	

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 22, 2024	Order Granting Application to be Admitted Pro Hac Vice Per Curiam			05/22/2024
Document Name:	Erick Kaardal, Esq. for Petitioner			
Comment:	NOW, May 22, 2023, upon consideration of Karen DiSalvo, Esq.'s Motion for Admission Pro Hac Vice of Erick Kaardal, Esq. on behalf of Petitioner PA Fair Elections, it is hereby ordered: (1) Erick Kaardal, 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 this Petitioner in this matter; (2) Erick Kaardal, Esq. shall abide by the rules of this Court including all disciplinary rules; (3) Erick Kaardal, 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) Karen DiSalvo, Esq., the moving attorney herein, shall continue to be responsible as counsel of record for the conduct of this matter on behalf of this Petitioner.			
May 22, 2024	Designation of Contents of Reproduced Record Mullen, Kathleen Ann	Pennsylvania Department of State	Respondent	
May 29, 2024	Petitioner's Reproduced Record Filed DiSalvo, Karen T.	PA Fair Elections	Petitioner	
May 29, 2024	Petitioner's Brief Filed Honey, Heather		Petitioner	
June 3, 2024	Order Filed Per Curiam			06/03/2024
Document Name:	Application to exclude PA Fair Elections as Pro Se participant is denied			
Comment:	NOW, June 3, 2024, upon review of the Pennsylvania Department of State's (Respondent) "Application to Exclude Artificial Entity PA Fair Elections as Pro Se Participant" (Application), to which no answer has been filed, the Application is DENIED. The Application seeks an order directing PA Fair Elections, "an association of Pennsylvania citizens concerned with the fairness and integrity of elections in Pennsylvania, including issues of election system vulnerabilities," Certified Record, Item No. 1 ¶1, to obtain counsel.1 On May 22, 2024, the Court granted Attorney Karen DiSalvo's2 "Motion for Admission Pro Hac Vice" of Erick Kaadal, Esq. as counsel on behalf of PA Fair Elections. Thus, the Court's docket reflects that Attorneys DiSalvo and Kaadal appear on behalf of PA Fair Elections.			
June 28, 2024	Respondent's Brief Filed Pennsylvania Department of State		Respondent	
July 12, 2024	Petitioner's Reply Brief Filed Honey, Heather PA Fair Elections		Petitioner Petitioner	
August 26, 2024	Tentative Session Date Krimmel, Michael			
Document Name:	November, 2024 (Philadelphia)			
September 23, 2024	Tentative Session Date Krimmel, Michael			
Document Name:	November 2024 (Harrisburg)			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 25, 2024	Application for Relief			
	Mullen, Kathleen Ann	Pennsylvania Department of State	Respondent	
Document Name:	(Request for Submission on Briefs or Continuance of Oral Argument)			
September 27, 2024	Order Filed			09/27/2024
	Per Curiam			
Document Name:	Answers to Request to Submit Case on the Briefs is due by Oct. 2, 2024			
Comment:	NOW, September 27, 2024, upon review of Respondent Pennsylvania Department of State's "Application for Relief" (Application), seeking submission of the above Petition for Review on the briefs previously filed or a continuance of the tentative argument scheduled for the Court's November 2024 Argument Session, Petitioners PA Fair Elections and Heather Honey may file and serve an answer to the Application no later than Wednesday, October 2, 2024, 12:00 p.m.			
October 7, 2024	Order Granting Application for Relief			10/07/2024
	Per Curiam			
Document Name:	The Prothonotary is directed to list this matter for En Banc Argument on the next available list			
Comment:	NOW, October 7, 2024, upon consideration of Respondent's Application for Relief (Application), seeking to either submit this matter on the briefs previously filed or, alternatively, to continue oral argument on this matter,1 to which Petitioners do not consent,2 the Application is GRANTED to the extent it seeks a continuance. The Prothonotary is directed to list this matter for oral argument before the Court en banc on the next available list. 1 At the time the Application was filed, this matter was tentatively scheduled for oral argument in November. 2 Consistent with Rule 3707 of the Pennsylvania Rules of Appellate Procedure, Pa.R.A.P. 3707, Respondent contacted Petitioners to inquire whether they consent to the relief sought and Petitioners indicated they did not. (Application ¶ 6.) The Court issued an order requesting that any answer to the Application be filed by October 2, 2024, but no response was filed.			
October 7, 2024	Tentative Session Date			
	Krimmel, Michael			
Document Name:	December 2024 (Harrisburg)			
October 18, 2024	Order Filed			10/18/2024
	Per Curiam			
Document Name:	Prothonotary shall list the matter for oral argument during the Court's February 2025 Argument			
Comment:	Upon review of the above matter, the Prothonotary shall list the matter for oral argument during the Court's February 2025 Argument Session, seriately with the matter of PA Fair Elections v. Pennsylvania Department of State (Pa. Cmwlth., No. 372 C.D. 2024).			
November 18, 2024	Tentative Session Date			
	Krimmel, Michael			
Document Name:	February 2025 (Pittsburgh)			
January 7, 2025	Argument Scheduled			
	Krimmel, Michael			
Document Name:	Wednesday, February 5, 2025, 9:30 am (En Banc), Supreme Court Courtroom, 8th Fl., City-County Bldg.			
Comment:	Pittsburgh, PA No. 64 on the list.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 13, 2025	Entry of Appearance			
	Nielsen, Elizabeth Anne	PA Fair Elections	Petitioner	
Document Name:	Atty. Nielsen for PA Fair Elections			
January 31, 2025	Entry of Appearance			
	Fischer, Michael John	Pennsylvania Department of State	Respondent	
Document Name:	Attorney Michael J. Fischer for Respondent			
February 4, 2025	Application for Relief			
	DiSalvo, Karen T.	Honey, Heather	Petitioner	
	DiSalvo, Karen T.	PA Fair Elections	Petitioner	
Document Name:	Attorney's Request to be Excused from Oral Argument			
February 4, 2025	Order Granting Application for Relief			02/04/2025
	Per Curiam			
Document Name:	Atty. DiSalvo's request to be excused from attending Oral Argument is Granted			
Comment:	NOW, February 4, 2025, upon consideration of the correspondence received from Attorney Karen DiSalvo (Application), requesting to be excused from attending Oral Argument as the sponsoring attorney for Erick Kaardal, the Application is GRANTED.			
May 2, 2025	Affirmed			05/02/2025
	Covey, Anne E.			
Document Name:	Opinion: Final Determination of PA Department of State, Office of General Counsel is affirmed.			
Comment:	AND NOW, this 2nd day of May, 2025, the Pennsylvania Department of State, Office of General Counsel's November 21, 2023 Final Determination is affirmed.			
July 2, 2025	Remitted			
	Commonwealth Court Filing Office			

SESSION INFORMATION

Journal Number: 64-02-2025
Consideration Type: En Banc Argument
Listed/Submitted Date: February 5, 2025

Panel Composition:

The Honorable Renee Cohn Jubelirer	President Judge
The Honorable Patricia McCullough	Judge
The Honorable Anne E. Covey	Judge
The Honorable Michael H. Wojcik	Judge
The Honorable Lori A. Dumas	Judge
The Honorable Stacy Wallace	Judge
The Honorable Matthew S. Wolf	Judge

DISPOSITION INFORMATION

Final Disposition: Yes
Related Journal No:
Judgment Date:
Category: Decided
Disposition Author: Covey, Anne E.
Disposition: Affirmed
Disposition Date: May 2, 2025

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DISPOSITION INFORMATION

Disposition Comment:	AND NOW, this 2nd day of May, 2025, the Pennsylvania Department of State, Office of General Counsel's November 21, 2023 Final Determination is affirmed.
Dispositional Filing:	**Opinion** Filing Author: Covey, Anne E.
Filed Date:	5/2/2025 12:00:00AM

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