

## Commonwealth Docket Sheet

## Commonwealth Court of Pennsylvania

Docket Number: 1512 CD 2023

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August 9, 2025



## 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

Pro Se: No

IFP Status:

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**

Pro Se: No

IFP Status:

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**

Pro Se: No

IFP Status:

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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## 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	Respondent
<b>Honey, Heather</b>	<b>Pennsylvania Department of State</b>
<b>Brief</b>	<b>Brief</b>
Due: May 29, 2024      Filed: May 29, 2024	Due: July 8, 2024      Filed: June 28, 2024
<b>Reply Brief</b>	
Due:      Filed: July 12, 2024	
<b>PA Fair Elections</b>	
<b>Reply Brief</b>	
Due:      Filed: July 12, 2024	
<b>Reproduced Record</b>	
Due:      Filed: May 29, 2024	

## DOCKET ENTRY

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

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>January 2, 2024</b>	Notice Exited Commonwealth Court Filing Office			
<b>January 16, 2024</b>	Entry of Appearance Mullen, Kathleen Ann Document Name: Atty. Mullen for Department of State	Pennsylvania Department of State	Respondent	
<b>January 16, 2024</b>	Entry of Appearance Fogal, Matthew Drew Document Name: Atty. Fogel for Department of State	Pennsylvania Department of State	Respondent	
<b>February 8, 2024</b>	Praecipe for Withdrawal of Appearance Fogal, Matthew Drew Document Name: Atty. Fogal for Department of State	Pennsylvania Department of State	Respondent	
<b>February 27, 2024</b>	Application for Relief Mullen, Kathleen Ann Document Name: Application to Exclude Artificial Entity Pa Fair Elections as Pro Se Participant	Pennsylvania Department of State	Respondent	
<b>March 25, 2024</b>	Entry of Appearance DiSalvo, Karen T. Document Name: Atty. DiSalvo for Pa Fair Elections	PA Fair Elections	Petitioner	
<b>April 5, 2024</b>	Notice Exited Commonwealth Court Filing Office Document Name: CORRECTED			
<b>April 14, 2024</b>	Docketing Statement Filed DiSalvo, Karen T.	PA Fair Elections	Petitioner	
<b>April 15, 2024</b>	Entry of Appearance Everhart, Ian Blythe Document Name: Atty. Everhart for Respondents	Pennsylvania Department of State	Respondent	
<b>April 17, 2024</b>	Agency Record Received HAVA (Office of General Council)			
<b>April 19, 2024</b>	Briefing Schedule Issued Commonwealth Court Filing Office			
<b>May 3, 2024</b>	Application to be Admitted Pro Hac Vice Filed DiSalvo, Karen T. Document Name: for Attorney Erick Kaardal	PA Fair Elections	Petitioner	
<b>May 20, 2024</b>	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
<b>May 22, 2024</b>	Order Granting Application to be Admitted Pro Hac Vice Per Curiam 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.			05/22/2024
<b>May 22, 2024</b>	Designation of Contents of Reproduced Record Mullen, Kathleen Ann	Pennsylvania Department of State	Respondent	
<b>May 29, 2024</b>	Petitioner's Reproduced Record Filed DiSalvo, Karen T.	PA Fair Elections	Petitioner	
<b>May 29, 2024</b>	Petitioner's Brief Filed Honey, Heather		Petitioner	
<b>June 3, 2024</b>	Order Filed Per Curiam 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.			06/03/2024
<b>June 28, 2024</b>	Respondent's Brief Filed Pennsylvania Department of State		Respondent	
<b>July 12, 2024</b>	Petitioner's Reply Brief Filed Honey, Heather PA Fair Elections		Petitioner Petitioner	
<b>August 26, 2024</b>	Tentative Session Date Krimmel, Michael Document Name: November, 2024 (Philadelphia)			
<b>September 23, 2024</b>	Tentative Session Date Krimmel, Michael Document Name: November 2024 (Harrisburg)			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>September 25, 2024</b>	Application for Relief Mullen, Kathleen Ann	Pennsylvania Department of State	Respondent	
	Document Name: (Request for Submission on Briefs or Continuance of Oral Argument)			
<b>September 27, 2024</b>	Order Filed Per Curiam			09/27/2024
	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.			
<b>October 7, 2024</b>	Order Granting Application for Relief Per Curiam			10/07/2024
	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, <sup>1</sup> to which Petitioners do not consent, <sup>2</sup> 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.			
<b>October 7, 2024</b>	Tentative Session Date Krimmel, Michael			
	Document Name: December 2024 (Harrisburg)			
<b>October 18, 2024</b>	Order Filed Per Curiam			10/18/2024
	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, seriatim with the matter of PA Fair Elections v. Pennsylvania Department of State (Pa. Cmwlth., No. 372 C.D. 2024).			
<b>November 18, 2024</b>	Tentative Session Date Krimmel, Michael			
	Document Name: February 2025 (Pittsburgh)			
<b>January 7, 2025</b>	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
<b>January 13, 2025</b>	Entry of Appearance Nielsen, Elizabeth Anne	PA Fair Elections	Petitioner	
	Document Name: Atty. Nielsen for PA Fair Elections			
<b>January 31, 2025</b>	Entry of Appearance Fischer, Michael John	Pennsylvania Department of State	Respondent	
	Document Name: Attorney Michael J. Fischer for Respondent			
<b>February 4, 2025</b>	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			
<b>February 4, 2025</b>	Order Granting Application for Relief Per Curiam			02/04/2025
	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.			
<b>May 2, 2025</b>	Affirmed Covey, Anne E.			05/02/2025
	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.			
<b>July 2, 2025</b>	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	Judgment Date:	
Related Journal No:		Disposition Author:	Covey, Anne E.
Category:	Decided	Disposition Date:	May 2, 2025
Disposition:	Affirmed		

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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