

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 667 MD 2020**Page 1 of 7****November 8, 2025****CAPTION**

Commonwealth of Pennsylvania,
Department of Health,
Plaintiff

v.

Olde Hickory Grill, County Fare
Restaurant, Juke Box Cafe,
Letterman's Diner, Mad Dogs
Kutztown, Quality Shoppe, Oley
Turnpike Dairy Diner, Frank's Pizza,
Deluxe Restaurant, Mad Dogs Hot
Dogs Macungie, Thompsontown
Corner Deli, County Line Cafe,
Gianna's Traditional Pizza, Mike's
Place, The Greenville Junction,
Fat Boys Summit Diner, Westy Bar and
Grill, Hot Dog House, and Rt. 220
Diner,
Defendants

CASE INFORMATION

Initiating Document:	Complaint		
Case Status:	Closed		
Case Processing Status:	May 21, 2021	Completed	
Journal Number:	21-06-2021		
Case Category:	Miscellaneous	Case Type(s):	Equity

CONSOLIDATED CASES**RELATED CASES**

Docket No / Reason	Type
5 MD 2021 Same Issue(s)	Related

COUNSEL INFORMATION

Plaintiff	Department of Health		
Pro Se:	No		
IFP Status:			
Attorney:	Giunta, Mary Abbegael		
Address:	Pa Governor's Ofc Ogc 333 Market St Fl 17 Harrisburg, PA 17101		
Phone No:	(717) 787-9350	Fax No:	

Miscellaneous Docket Sheet**Docket Number: 667 MD 2020****Page 2 of 7****November 8, 2025****COUNSEL INFORMATION****Defendant Westy Bar and Grill**

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

Defendant Thompsontown Corner Deli

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

Defendant Rt. 220 Diner

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

Defendant Quality Shoppe

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

Defendant Juke Box Cafe

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

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**COUNSEL INFORMATION****Defendant Frank's Pizza**

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

Defendant Deluxe Restaurant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

Defendant County Fare Restaurant

Pro Se: No

IFP Status:

Attorney: Winter, Eric E.
 Law Firm: Prince Law Offices, PC
 Address: Prince Law Ofcs Pc
 646 Lenape Rd
 Bechtelsville, PA 19505
 Phone No: (610) 845-3803

Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
12/23/2020	Miscellaneous Docket Filing Fee	70.25	12/23/2020	2020-CMW-H-002406	70.25

AGENCY/TRIAL COURT INFORMATION

Order Appealed From: Notice of Appeal Filed:
 Order Type:
 Documents Received: December 23, 2020

Court Below:

County:

Judge:

Docket Number:

Division:

OTN:

Judicial District:

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
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Date of Remand of Record:**BRIEFING SCHEDULE**

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BRIEFING SCHEDULE

Plaintiff	Defendant		
Department of Health	County Fare Restaurant		
Brief	Brief		
Due: May 21, 2021	Filed:	Due: April 22, 2021	Filed: April 19, 2021
	Deluxe Restaurant		
	Brief		
	Due: April 22, 2021		Filed: April 19, 2021
	Frank's Pizza		
	Brief		
	Due: April 22, 2021		Filed: April 19, 2021
	Juke Box Cafe		
	Brief		
	Due: April 22, 2021		Filed: April 19, 2021
	Quality Shoppe		
	Brief		
	Due: April 22, 2021		Filed: April 19, 2021
	Rt. 220 Diner		
	Brief		
	Due: April 22, 2021		Filed: April 19, 2021
	Thompsontown Corner Deli		
	Brief		
	Due: April 22, 2021		Filed: April 19, 2021
	Westy Bar and Grill		
	Brief		
	Due: April 22, 2021		Filed: April 19, 2021

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 23, 2020	Complaint Filed Department of Health		Plaintiff	
December 29, 2020	Notice Bedell, Lindsey Allison	Department of Health	Plaintiff	
	Document Name: Notice of Dismissal			
December 30, 2020	Order Filed Per Curiam			12/30/2020
	Document Name: NOW, December 30, 2020, upon consideration of Petitioner's Notice of Dismissal, the Prothonotary is Comment: directed to mark this matter discontinued as to Respondents 230 Café, Sharky's Café, and Dutch Oven.			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 15, 2021	Amended Bedell, Lindsey Allison	Department of Health	Plaintiff	
	Document Name: Complaint Comment: "First Amened Petition for Review in the Nature of a Complaint in Equity"			
February 11, 2021	Return of Service Sheriff			
	Document Name: Sheriff's Return			
February 15, 2021	Entry of Appearance			
	Winter, Eric E.	County Fare Restaurant	Defendant	
	Winter, Eric E.	Juke Box Cafe	Defendant	
	Winter, Eric E.	Quality Shoppe	Defendant	
	Winter, Eric E.	Frank's Pizza	Defendant	
	Winter, Eric E.	Deluxe Restaurant	Defendant	
	Winter, Eric E.	Thompsontown Corner Deli	Defendant	
	Winter, Eric E.	Rt. 220 Diner	Defendant	
	Winter, Eric E.	Westy Bar and Grill	Defendant	
February 15, 2021	Preliminary Objections			
	Winter, Eric E.	County Fare Restaurant	Defendant	
	Winter, Eric E.	Juke Box Cafe	Defendant	
	Winter, Eric E.	Quality Shoppe	Defendant	
	Winter, Eric E.	Frank's Pizza	Defendant	
	Winter, Eric E.	Deluxe Restaurant	Defendant	
	Winter, Eric E.	Thompsontown Corner Deli	Defendant	
	Winter, Eric E.	Rt. 220 Diner	Defendant	
	Winter, Eric E.	Westy Bar and Grill	Defendant	
	Document Name: POs			
March 17, 2021	Answer to Preliminary Objections Bedell, Lindsey Allison	Department of Health	Plaintiff	
	Document Name: Response to POs			
March 23, 2021	Order Filed Per Curiam			03/23/2021
	Document Name: Briefing Schedule/ Argument Comment: NOW, March 23, 2021, Respondents Country Fare Restaurant, Juke Box Café, Quality Shoppe, Frank's Pizza, Deluxe Restaurant, Thompsontown Corner Deli, Westy Bar and Grill, and Rt. 220 Diner (Answering Respondents) shall file and serve a brief in support of their Preliminary Objections (4 copies) no later than April 22, 2021. Petitioner's brief in opposition to Answering Respondents' Preliminary Objections (4 copies) shall be filed and served within 30 days after service of Answering Respondents' brief. Any reply brief (4 copies) shall be filed and served in accordance with Pa.R.A.P. 2185. The Prothonotary shall list Answering Respondents' Preliminary Objections to Petitioner's Amended Petition for Review for oral argument on the next available and appropriate argument list.			
March 31, 2021	Tentative Session Date Krimmel, Michael			
	Document Name: June 2021			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 12, 2021	Entry of Appearance Giunta, Mary Abbegael	Department of Health	Plaintiff	
April 13, 2021	Praecipe for Withdrawal of Appearance Romano, Karen Mascio	Department of Health	Plaintiff	
April 13, 2021	Praecipe for Withdrawal of Appearance Bedell, Lindsey Allison	Department of Health	Plaintiff	
April 19, 2021	Respondent's Brief Filed County Fare Restaurant Juke Box Cafe Quality Shoppe Frank's Pizza Deluxe Restaurant Thompsontown Corner Deli Westy Bar and Grill Rt. 220 Diner		Defendant Defendant Defendant Defendant Defendant Defendant Defendant Defendant	
	Document Name: Respondent's Brief in Support of PO			
May 5, 2021	Order Filed Per Curiam			05/05/2021
	Document Name: Petition for Review shall be docketed as a Complaint			
	Comment: NOW, May 5, 2021, upon review of the document that initiated this action, and it appearing that the Commonwealth of Pennsylvania, Department of Health, is the moving party, the "Petition for Review in the Nature of a Complaint in Equity" shall be docketed as a Complaint filed in this Court's original jurisdiction, and the "First Amended Petition for Review in the Nature of a Complaint in Equity" shall be docketed as an Amended Complaint. See 42 Pa. C.S. § 761(a). This matter shall proceed in accordance with the Pennsylvania Rules of Civil Procedure. The Prothonotary shall amend the caption as reflected above.			
May 7, 2021	Argument Scheduled Krimmel, Michael			
	Document Name: MONDAY, June 7, 2021 (Panel 2) @9:30 a.m. via WebEx Video Conference (No. 21 on the list)			
May 19, 2021	Application for Extension of Time to File Brief - First Request Giunta, Mary Abbegael Department of Health	Department of Health	Plaintiff Plaintiff	
May 20, 2021	Order Granting Application for Extension of Time to File Brief Per Curiam			05/20/2021
	Document Name: Plaintiff's Brief is due by May 21, 2021			
	Comment: NOW, May 20, 2021, upon consideration of the Unopposed Application for Enlargement of Time to File Brief (Application), filed by Plaintiff Department of Health, the Application is GRANTED. Plaintiffs brief (4 copies) shall be filed on or before May 21, 2021. Any reply brief (4 copies) shall be filed on or before May 28, 2021.			
May 21, 2021	Praecipe for Discontinuance Giunta, Mary Abbegael	Department of Health	Plaintiff	

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 25, 2021	Discontinued Per Curiam			05/25/2021
	Document Name: Argument Cancelled			
	Comment: NOW, May 25, 2021, upon consideration of Plaintiffs Notice of Discontinuance pursuant to Pa.R.C.P. No. 229, the Prothonotary is directed to mark this matter as discontinued and ended. Oral argument on preliminary objections before a panel of judges scheduled for June 7, 2021, at 9:30 a.m., by WebEx videoconference is hereby cancelled.			

SESSION INFORMATION

Journal Number: 21-06-2021
 Consideration Type: Oral Argument - Panel
 Listed/Submitted Date: June 7, 2021

DISPOSITION INFORMATION

Final Disposition: Yes

Related Journal No: Judgment Date:

Category: Disposed Before Decision Disposition Author: Per Curiam

Disposition: Discontinued Disposition Date: May 25, 2021

Disposition Comment: NOW, May 25, 2021, upon consideration of Plaintiffs Notice of Discontinuance pursuant to Pa.R.C.P. No. 229, the Prothonotary is directed to mark this matter as discontinued and ended.
Oral argument on preliminary objections before a panel of judges scheduled for June 7, 2021, at 9:30 a.m., by WebEx videoconference is hereby cancelled.

Dispositional Filing: Filing Author:

Filed Date: