Sealed Documents

**Commonwealth Docket Sheet** **Commonwealth Court of Pennsylvania**

**Docket Number: 1002 CD 2020**



**November 8, 2026**

## CAPTION

Equity Forward and
Mary Alice Carter,
Petitioners
v.
Pennsylvania Department of
Human Services (Office of
Open Records),
Respondent

## CASE INFORMATION

| | | | |
|---|---|---|---|
| Initiating Document: | Petition for Review | | |
| Case Status: | Closed | | |
| Case Processing Status: | July 19, 2022 | Completed | |
| Journal Number: | 19a-03-2022 | | |
| Case Category: | Administrative Agency | Case Type(s): | Right to Know Act |

## CONSOLIDATED CASES

| Docket No / Reason | Type |
|---|---|
| 986 CD 2020<br>Ct Order - Sua Sponte | Consolidated |

## RELATED CASES

| Docket No / Reason | Type |
|---|---|
| 225 CD 2018<br>Appeal After Remand | Related |

## COUNSEL INFORMATION

**Designated Petitioner** **Equity Forward**
IFP/Waiver:
Pro Se: No
Attorney: Mutchler, Terry Lee
Address: Dilworth Paxson LLP
1500 Market Street
Philadelphia, PA 19103
Phone No: (215) 575-7034 Fax No:

**Designated Petitioner** **Carter, Mary Alice**
IFP/Waiver:
Pro Se: No
Attorney: Mutchler, Terry Lee
Address: Dilworth Paxson LLP
1500 Market Street
Philadelphia, PA 19103
Phone No: (215) 575-7034 Fax No:

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## COUNSEL INFORMATION

**Designated Respondent** **Real Alternatives, Inc.**
IFP/Waiver:
Pro Se: No

Attorney: Voss, Joshua John
Law Firm: Kleinbard, LLC
Address: Kleinbard LLC
1717 Arch St Fl 5th
Philadelphia, PA 19103
Phone No: (267) 443-4114 Fax No:

Attorney: Zimmer, Samantha G.
Address: Kleinbard LLC
1717 Arch St 5th Fl
Philadelphia, PA 19103
Phone No: (570) 352-8367 Fax No:

**Designated Respondent** **Department of Human Services**
IFP/Waiver:
Pro Se: No

Attorney: Cohan, Marisa Lynn
Law Firm: Pennsylvania Department of Human Services, Bureau of Hearings and Appeals
Address: Pa-Dhs-office Of General Counsel
625 Forster St 3rd Fl West
Harrisburg, PA 17120
Phone No: (717) 783-2800 Fax No:

Attorney: Serafin, Kenneth J.
Law Firm: Pennsylvania Department of Human Services, Bureau of Hearings and Appeals
Address: Office Of General Counsel
625 Forster St 3rd Fl West
Harrisburg, PA 17120
Phone No: (717) 783-2800 Fax No:

## FEE INFORMATION

| Fee Dt | Fee Name | Fee Amt | Receipt Dt | Receipt No | Receipt Amt |
|---|---|---|---|---|---|
| 10/13/2020 | Petition for Review - Appellate | 90.25 | 10/14/2020 | 2020-CMW-H-001926 | 90.25 |

## AGENCY/TRIAL COURT INFORMATION

Order Appealed From: September 11, 2020
Order Type: Decision
Documents Received: October 13, 2020
Notice of Appeal Filed:

Court Below: Office of Open Records
County:
Judge:
Docket Number: AP 2017-2304
Division: Office of Open Records
OTN:
Judicial District:

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## ORIGINAL RECORD CONTENT

| Original Record Item | Filed Date | Content Description |
|---|---|---|
| Agency Record | November 25, 2020 | |
| Supplemental Record | December 01, 2020 | |

**Date of Remand of Record:** February 16, 2023

## BRIEFING SCHEDULE

| | |
|---|---|
| None | None |

## DOCKET ENTRY

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|---|---|---|---|---|
| **October 13, 2020** | Petition for Review Filed | | | |
| | Carter, Mary Alice | | Designated Petitioner | |
| | Equity Forward | | Designated Petitioner | |
| **October 19, 2020** | Application for Intervention (Pa.R.A.P. 1531b) | | | |
| | Voss, Joshua John | Real Alternatives, Inc. | Designated Respondent | |
| Document Name: | Unopposed Application for Intervention by Real Alternatives | | | |
| **October 21, 2020** | Notice Exited | | | 10/21/2020 |
| | Commonwealth Court Filing Office | | | |
| **October 22, 2020** | Order Granting Application for Intervention | | | 10/22/2020 |
| | Per Curiam | | | |
| Document Name: | upon consideration of the "Unopposed Application To Intervene by Real Alternatives," | | | |
| Comment: | and it appearing that Real Alternatives was a participant in the administrative proceedings that led to the Order of the Office of Open Records giving rise to this petition for review, the Application is GRANTED. Real Alternatives shall proceed as a party principally aligned with Respondent Department of Human Services. | | | |
| **October 30, 2020** | Docketing Statement Filed | | | |
| | Mutchler, Terry Lee | Equity Forward | Designated Petitioner | |
| | Mutchler, Terry Lee | Carter, Mary Alice | Designated Petitioner | |
| **November 25, 2020** | Agency Record Received | | | |
| | Office of Open Records | | | |
| Document Name: | See Briefing Schedule at 986 CD 2020 | | | |
| **November 25, 2020** | Briefing Schedule Issued | | | |
| | Commonwealth Court Filing Office | | | |
| **December 1, 2020** | Sealed Supplemental Record | | | |
| | Office of Open Records | | | |
| Document Name: | Sealed Program Development and Advancement Agrrement. | | | |
| **December 3, 2020** | Order Sua Sponte for Consolidation | | | 12/03/2020 |
| | Per Curiam | | | |
| Document Name: | NOW, December 3, 2020, the above-captioned matters are hereby consolidated. | | | |
| Comment: | Equity Forward and Mary Alice Carter are Designated Petitioners under Pa. R.A.P. 2136. The briefing schedule previously issued at No. 1002 C.D. 2020 remains in effect for these consolidated matters. All further filings in these consolidated matters shall be captioned as set forth above. | | | |

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**DOCKET ENTRY**

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|---|---|---|---|---|
| **January 25, 2021** | Entry of Appearance | | | |
| | Zimmer, Samantha G. | Real Alternatives, Inc. | Designated Respondent | |
| Document Name: | Atty. Zimmer for Real Alternatives | | | |
| **March 3, 2021** | Tentative Session Date | | | |
| | Krimmel, Michael | | | |
| Document Name: | May 2021 | | | |
| **April 7, 2021** | Argument Scheduled | | | |
| | Krimmel, Michael | | | |
| Document Name: | MONDAY, May 10, 2021 (Panel 2) @9:30 a.m. via WebEx Video Conference (No. 11 & 11a on the list) | | | |
| **April 27, 2021** | Filed - Other | | | |
| | Mutchler, Terry Lee | Equity Forward | Designated Petitioner | |
| | Mutchler, Terry Lee | Carter, Mary Alice | Designated Petitioner | |
| **April 27, 2021** | Application for Continuance | | | |
| | Mutchler, Terry Lee | Equity Forward | Designated Petitioner | |
| | Mutchler, Terry Lee | Carter, Mary Alice | Designated Petitioner | |
| | Cohan, Marisa Lynn | Department of Human Services | Designated Respondent | |
| | Voss, Joshua John | Real Alternatives, Inc. | Designated Respondent | |
| Document Name: | Jt. Motion for Continuance | | | |
| **April 30, 2021** | Argument Continued | | | |
| | Per Curiam | | | |
| Document Name: | Application for Continuance Granted | | | |
| Comment: | AND NOW, this 30th day of April, 2021, upon consideration of the Joint Motion for Continuance, the application is GRANTED. The argument scheduled for Monday, May 10, 2021 at 9:30 a.m. on the above-captioned matter via WebEx videoconference is hereby CONTINUED. The prothonotary is hereby directed to list this matter for the next available argument list. | | | |
| **May 3, 2021** | Amended | | | 05/03/2021 |
| | Per Curiam | | | |
| Document Name: | Amended Order | | | |
| Comment: | AND NOW, this 3rd day of May, 2021, upon consideration of the Joint Motion for Continuance, the application is GRANTED. The argument scheduled for Monday, May 10, 2021 at 9:30 a.m. in the above-captioned matter via WebEx videoconference is hereby CONTINUED. In addition, the parties' request for entry of the stipulated briefing schedule is hereby GRANTED. Designated Petitioners shall file a Response Brief to Designated Respondent's February 3, 2021 Brief within 14 days of entry of this Order and Designated Respondent shall file a Reply Brief within 14 days of service of Designated Petitioners' Response Brief. The Prothonotary is hereby directed to list this matter for the next available argument list. | | | |
| **May 17, 2021** | Memorandum of Law Filed | | | |
| | Mutchler, Terry Lee | Equity Forward | Designated Petitioner | |
| | Mutchler, Terry Lee | Carter, Mary Alice | Designated Petitioner | |
| Document Name: | Response Brief of Designated Petitioners Equity Forward and Mary Alice Carter to Brief | | | |
| Comment: | of Designated Respondent's Real Alternatives | | | |
| **June 30, 2021** | Tentative Session Date | | | |
| | Krimmel, Michael | | | |
| Document Name: | November 2021 | | | |

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**DOCKET ENTRY**

| Filed Date | Docket Entry / Filer | Representing | Participant Type | Exit Date |
|---|---|---|---|---|
| **October 20, 2021** | Argument Scheduled | | | |
| | Krimmel, Michael | | | |
| Document Name: | Thursday, November 18, 2021, 9:30 a.m. (Panel) CR 5001, Pennsylvania Judicial Center, Harrisburg | | | |
| Comment: | No. 38 & 38a on the list. | | | |
| **November 17, 2021** | Argument Continued | | | 11/17/2021 |
| | Per Curiam | | | |
| Document Name: | Order Granting Application for Continuance/ Continued to Next Available Argument List | | | |
| Comment: | AND NOW, this 17th day of November, 2021, Petitioners', Equity Forward and Mary Alice Carter, unopposed Emergency Application for Relief Seeking Continuance for Oral Argument scheduled for Thursday, November 18, 2021 at 9:30 a.m/1:00 p.m. is hereby GRANTED and is continued until the next available list.<br>The Prothonotary is directed to schedule the matter for the next available list. | | | |
| **December 27, 2021** | Tentative Session Date | | | |
| | Krimmel, Michael | | | |
| Document Name: | March 2022 | | | |
| **January 28, 2022** | Argument Scheduled | | | |
| | Krimmel, Michael | | | |
| Document Name: | Monday, March 7, 2022, 11:30 a.m. (Panel) CR 3001, Pennsylvania Judicial Center, Harrisburg | | | |
| Comment: | No. 19 & 19a on the list. | | | |
| **July 19, 2022** | Affirmed | | | 07/19/2022 |
| | Fizzano Cannon, Christine | | | |
| Document Name: | Opinion (30 pages) | | | |
| Comment: | AND NOW, this 19th day of July, 2022, the September 11, 2020 final determination of the Office of Open Records is AFFIRMED. Judge Cohn Jubelirer and Wallace did not participate in the decision. | | | |
| **August 18, 2022** | Petition for Allowance of Appeal to PA Supreme Court Filed | | | |
| | Carter, Mary Alice | | Designated Petitioner | |
| | Equity Forward | | Designated Petitioner | |
| Document Name: | 355 MAL 2022 | | | |
| Comment: | 355 MAL 2022 | | | |
| **September 1, 2022** | Petition for Allowance of Appeal to PA Supreme Court Filed | | | |
| | Real Alternatives, Inc. | | Designated Respondent | |
| Document Name: | 378 MAL 2022 | | | |
| Comment: | 378 MAL 2022 | | | |
| **January 23, 2023** | Order Denying Petition for Allowance of Appeal to PA Supreme Court | | | 01/24/2023 |
| | Per Curiam | | | |
| Document Name: | 355 & 378 MAL 2022 | | | |
| Comment: | 378 MAL 2022 | | | |
| **February 16, 2023** | Remitted | | | |
| | Commonwealth Court Filing Office | | | |
| **February 21, 2023** | Acknowledgement of Record Remittal | | | |
| | Office of Open Records | | | |

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Sealed Documents

**Commonwealth Docket Sheet** **Commonwealth Court of Pennsylvania**

**Docket Number: 1002 CD 2020**



**November 8, 2026**

## SESSION INFORMATION

Journal Number: 19a-03-2022
Consideration Type: Oral Argument - Panel
Listed/Submitted Date: March 7, 2022

Panel Composition:

| | |
|---|---|
| The Honorable Anne E. Covey | Judge |
| The Honorable Christine Fizzano Cannon | Judge |
| The Honorable Bonnie Brigance Leadbetter | Senior Judge |

## DISPOSITION INFORMATION

Final Disposition: Yes
Related Journal No:
Judgment Date:
Category: Decided
Disposition Author: Fizzano Cannon, Christine
Disposition: Affirmed
Disposition Date: July 19, 2022

Disposition Comment: AND NOW, this 19th day of July, 2022, the September 11, 2020 final determination of the Office of Open Records is AFFIRMED. Judge Cohn Jubelirer and Wallace did not participate in the decision.

Dispositional Filing: **Opinion**
Filing Author: Fizzano Cannon, Christine
Filed Date: 7/19/2022 12:00:00AM

Dispositional Filing: **Dissenting Opinion**
Filing Author: Leadbetter, Bonnie Brigance
Filed Date: 7/19/2022 12:00:00AM

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