

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 249 MD 2021****Page 1 of 14****August 31, 2025****CAPTION**

Stadium Casino RE, LLC,
Petitioner

v.

Pennsylvania Gaming Control Board,
SC Gaming OPCO LLC and
Ira Lubert,
Respondents

CASE INFORMATION

Initiating Document:	Petition for Review		
Case Status:	Closed		
Case Processing Status:	July 17, 2024	Completed	
Journal Number:	47-09-2023		
Case Category:	Miscellaneous	Case Type(s):	Equity

CONSOLIDATED CASES**RELATED CASES****COUNSEL INFORMATION****Petitioner Stadium Casino RE, LLC**

Pro Se: No

IFP Status:

Attorney:	Aronchick, Mark Alan	
Law Firm:	Hangley, Aronchick, Segal, Pudlin & Schiller	
Address:	Hangley Aronchick Et Al 1 Logan Sq Fl 27 Philadelphia, PA 19103-6995	
Phone No:	(215) 496-7002	Fax No:

Attorney:	Rice, Caroline Layne	
Law Firm:	Hangley, Aronchick, Segal, Pudlin & Schiller	
Address:	Hangley Aronchick Segal 1 Logan Sq Fl 27 Philadelphia, PA 19103	
Phone No:	(215) 496-7032	Fax No:

Attorney:	Levine, Jason A.	
Law Firm:	Hangley Aronchick Segal Pudlin & Schiller	
Address:	Hangley Aronchick 1 Logan Sq Fl 27 Philadelphia, PA 19103	
Phone No:	(215) 496-7038	Fax No:

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 2 of 14

August 31, 2025



COUNSEL INFORMATION

Petitioner Stadium Casino RE, LLC

Pro Se: No

IFP Status:

Attorney: Mascioli, Gian Mario
Law Firm: Hangley Aronchick Segal Pudlin & Schiller
Address: 1 Logan Sq Fl 27
Philadelphia, PA 19103
Phone No: (215) 496-7059 Fax No:

Respondent SC Gaming OPCO LLC

Pro Se: No

IFP Status:

Attorney: Kastenberg, Stephen J.
Address: Ballard Spahr LLP
1735 Market St Fl 51
Philadelphia, PA 19103-7599
Phone No: (215) 864-8122 Fax No:

Attorney: Hazlett, Thomas W.
Law Firm: Ballard Spahr LLP
Address: 1735 Market St Fl 51
Philadelphia, PA 19103
Phone No: (215) 665-8500 Fax No:

Attorney: King, Adrian Renz, Jr.
Law Firm: Ballard Spahr, LLP
Address: Ballard Spahr LLP
1735 Market St 51st Fl
Philadelphia, PA 19103
Phone No: (215) 990-4787 Fax No:

Attorney: Fabius, Michael David Matthews
Law Firm: Ballard Spahr, LLP
Address: Ballard Spahr LLP
1735 Market St Fl 51
Philadelphia, PA 19103-7599
Phone No: (215) 864-8246 Fax No:

Attorney: Kearney, Brian Nolan
Law Firm: Ballard Spahr LLP
Address: 1735 Market St 51st Fl
Philadelphia, PA 19103-7599
Phone No: (215) 864-8265 Fax No:

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 3 of 14

August 31, 2025



COUNSEL INFORMATION

Respondent Pennsylvania Gaming Control Board

Pro Se: No

IFP Status:

Attorney: Cook, Stephen S.
Law Firm: PENNSYLVANIA GAMING CONTROL BOARD
Address: Pa Gaming Control Bd
Po Box 69060
Harrisburg, PA 17106-9060
Phone No: (717) 346-8300 Fax No:

Attorney: Straszynski, Daniel Martin
Law Firm: PENNSYLVANIA GAMING CONTROL BOARD
Address: 303 Walnut St Strawberry Squarecommonwealth Tower 5th Fl
Harrisburg, PA 17101
Phone No: (717) 214-9285 Fax No:

Attorney: Zimmermann, Chad Westcott
Law Firm: PENNSYLVANIA GAMING CONTROL BOARD
Address: Pa Gaming Control Board
303 Walnut St Fl 5
Harrisburg, PA 17101
Phone No: (717) 265-8356 Fax No:

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 4 of 14

August 31, 2025



COUNSEL INFORMATION

Respondent Lubert, Ira

Pro Se: No

IFP Status:

Attorney: Kastenber, Stephen J.
 Address: Ballard Spahr LLP
 1735 Market St Fl 51
 Philadelphia, PA 19103-7599
 Phone No: (215) 864-8122

Fax No:

Attorney: Hazlett, Thomas W.
 Law Firm: Ballard Spahr LLP
 Address: 1735 Market St Fl 51
 Philadelphia, PA 19103
 Phone No: (215) 665-8500

Fax No:

Attorney: King, Adrian Renz, Jr.
 Law Firm: Ballard Spahr, LLP
 Address: Ballard Spahr LLP
 1735 Market St 51st Fl
 Philadelphia, PA 19103
 Phone No: (215) 990-4787

Fax No:

Attorney: Fabius, Michael David Matthews
 Law Firm: Ballard Spahr, LLP
 Address: Ballard Spahr LLP
 1735 Market St Fl 51
 Philadelphia, PA 19103-7599
 Phone No: (215) 864-8246

Fax No:

Attorney: Kearney, Brian Nolan
 Law Firm: Ballard Spahr LLP
 Address: 1735 Market St 51st Fl
 Philadelphia, PA 19103-7599
 Phone No: (215) 864-8265

Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
07/28/2021	Miscellaneous Docket Filing Fee	70.25	07/28/2021	2021-CMW-H-001353	70.25
02/23/2023	Subpoena	10.00	02/23/2023	2023-CMW-H-000344	10.00
03/29/2023	Copy Work (Per Page)	32.50	03/31/2023	2023-CMW-H-000596	32.50
04/04/2023	Copy Work (Per Page)	37.50	04/10/2023	2023-CMW-H-000651	37.50
04/11/2023	Copy Work (Per Page)	46.50	04/14/2023	2023-CMW-H-000677	46.50

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 249 MD 2021****Page 5 of 14****August 31, 2025****AGENCY/TRIAL COURT INFORMATION**

Order Appealed From: Notice of Appeal Filed:
 Order Type:
 Documents Received: July 28, 2021

Court Below:
 County: Division:
 Judge: OTN:
 Docket Number: Judicial District:

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
----------------------	------------	---------------------

Date of Remand of Record:**BRIEFING SCHEDULE**

Petitioner	Respondent	
Stadium Casino RE, LLC	Lubert, Ira	
Brief	Brief	
	Due:	Filed: September 17, 2021
	Reply Brief	
	Due:	Filed: November 19, 2021
	Pennsylvania Gaming Control Board	
	Brief	
	Due:	Filed: September 17, 2021
	Reply Brief	
	Due:	Filed: November 19, 2021
	SC Gaming OPCO LLC	
	Brief	
	Due:	Filed: September 17, 2021
	Reply Brief	
	Due:	Filed: November 19, 2021

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 28, 2021	Petition for Review Filed Stadium Casino RE, LLC		Petitioner	
July 28, 2021	Certificate of Service Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
August 2, 2021	Notice Exited Commonwealth Court Filing Office			08/02/2021

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 6 of 14

August 31, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 17, 2021	Entry of Appearance Cook, Stephen S. Straszynski, Daniel Martin	Pennsylvania Gaming Control Board Respondent Pennsylvania Gaming Control Board Respondent		
	Document Name: Attys Cook and Straszynski for Pennsylvania Gaming Control Board			
August 18, 2021	Entry of Appearance Pennsylvania Gaming Control Board		Respondent	
August 18, 2021	Filed - Other Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: Cert of Service to Entry of Appearance for Attys Cook and Straszynski			
August 18, 2021	Entry of Appearance Kastenberg, Stephen J. Kastenberg, Stephen J. Andrews, Peter Francis Fabius, Michael David Matthews Hazlett, Thomas W. King, Adrian Renz, Jr. Andrews, Peter Francis Fabius, Michael David Matthews Hazlett, Thomas W. King, Adrian Renz, Jr.	Lubert, Ira SC Gaming OPCO LLC Lubert, Ira Lubert, Ira Lubert, Ira Lubert, Ira SC Gaming OPCO LLC SC Gaming OPCO LLC SC Gaming OPCO LLC SC Gaming OPCO LLC	Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respondent Respondent	
	Document Name: Attys. Kastenberg, King, Fabius, Hazlett and Andrews for Respondents			
August 18, 2021	Certificate of Service Filed Kastenberg, Stephen J. Kastenberg, Stephen J.	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
	Document Name: I accept service of Stadium Casino RE, LLC's Petition for Review on behalf of SC Gaming OpCo LLC			
	Comment: and Ira Lubert as of today's date, August 18, 2021, and certify that I am authorized to do so. A response to the Petition for Review, by agreement of the parties, will be filed with the Court on or before September 17, 2021.			
September 17, 2021	Preliminary Objections Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: Pennsylvania Gaming Board P.O.'s to Petition for Review			
September 17, 2021	Respondent's Brief Filed Pennsylvania Gaming Control Board		Respondent	
	Document Name: Brief in Support of POs			
September 17, 2021	Preliminary Objections Kastenberg, Stephen J. Kastenberg, Stephen J.	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
	Document Name: Respondent's Ira Lubert and SC Gaming OPCO LLC P.O.'s to the Petition for Review			

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 7 of 14

August 31, 2025



DOCKET ENTRY				
Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 17, 2021	Respondent's Brief Filed SC Gaming OPCO LLC Lubert, Ira Document Name: Brief in Support of POs		Respondent Respondent	
September 29, 2021	Letter Levine, Jason A. Document Name: Re: Petitioner's Answer to POs	Stadium Casino RE, LLC	Petitioner	
September 30, 2021	Praecipe for Withdrawal of Appearance Andrews, Peter Francis Andrews, Peter Francis Document Name: Atty Andrews for Respondent	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
November 5, 2021	Answer Filed Aronchick, Mark Alan Levine, Jason A. Rice, Caroline Layne Document Name: Petitioner's Answer to Respondent PA Gaming Control Board's P.O.'s	Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC	Petitioner Petitioner Petitioner	
November 5, 2021	Answer Filed Aronchick, Mark Alan Levine, Jason A. Rice, Caroline Layne Document Name: Petitioner Stadium Casino RE, LLC's Answer to Respondent SC Gaming OPCO LLC, et al P.O.'s	Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC	Petitioner Petitioner Petitioner	
November 5, 2021	Memorandum of Law Filed Stadium Casino RE, LLC Document Name: Omnibus Memo of Law in Opposition to POs		Petitioner	
November 9, 2021	Order Filed Per Curiam Document Name: Preliminary Objections will be listed for the next appropriate argument session Comment: NOW, November 9, 2021, this Court having received briefs in support of the preliminary objections filed by the Pennsylvania Gaming Control Board, SC Gaming OPCO LLC and Ira Lubert (Respondents), and a memorandum of law in opposition to Respondents' preliminary objections filed by Stadium Casino RE, LLC (Petitioner), the Prothonotary is directed to list the preliminary objections for oral argument at the next appropriate argument session.			11/10/2021
November 19, 2021	Respondent's Reply Brief Filed Cook, Stephen S. Pennsylvania Gaming Control Board Document Name: In further support of P.O.'s	Pennsylvania Gaming Control Board	Respondent Respondent	
November 19, 2021	Respondent's Reply Brief Filed Hazlett, Thomas W. Hazlett, Thomas W. SC Gaming OPCO LLC Lubert, Ira Document Name: In further support of P.O.'s	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent Respondent Respondent	

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 8 of 14

August 31, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 20, 2021	Tentative Session Date Krimmel, Michael Document Name: March 2022			
January 28, 2022	Argument Scheduled Krimmel, Michael Document Name: Monday, March 7, 2022, 9:30 a.m. (Panel) CR 3001, Pennsylvania Judicial Center, Harrisburg Comment: No. 12 on the list.			
December 16, 2022	Praeipce Hazlett, Thomas W. Hazlett, Thomas W. Fabius, Michael David Matthews Fabius, Michael David Matthews King, Adrian Renz, Jr. King, Adrian Renz, Jr. Document Name: Praeipce of Respondents to provide relevant information to the court	Lubert, Ira SC Gaming OPCO LLC Lubert, Ira SC Gaming OPCO LLC Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent Respondent Respondent Respondent Respondent	
December 19, 2022	Answer Filed Aronchick, Mark Alan Document Name: Petitioner's Answer to Praeipce	Stadium Casino RE, LLC	Petitioner	
December 19, 2022	Order Filed Per Curiam Document Name: Petitioner and Gaming Ctl. Bd. Shall file an Answer to Praeipce within 14 Days Comment: NOW, December 19, 2022, upon consideration of "Praeipce of Respondents SC Gaming OPCO, LLC and Ira Lubert to Provide Relevant Information to the Court," which the Court treats as an application to submit a post-argument communication pursuant to Pa.R.A.P. 2501 (Application), Petitioner Stadium Casino RE, LLC and Respondent Pennsylvania Gaming Control Board shall each file and serve an answer to the Application within 14 days from the entry date of this Order.			12/19/2022
January 3, 2023	Answer Filed Aronchick, Mark Alan Document Name: Petitioner's Answer to Praeipce	Stadium Casino RE, LLC	Petitioner	
January 3, 2023	Answer Filed Cook, Stephen S. Document Name: Gaming Control Board's Answer to Praeipce	Pennsylvania Gaming Control Board	Respondent	
January 5, 2023	Memorandum and Order Per Curiam Document Name: Resps.' App. to Submit a Post-Argument Communication is DENIED. Comment: NOW, January 5, 2023, upon consideration of "Praeipce of Respondents SC Gaming OPCO, LLC and Ira Lubert to Provide Relevant Information to the Court," to which Petitioner, Stadium Casino RE, LLC, objects, and which the Court treats as an application to submit a post-argument communication pursuant to Pa.R.A.P. 2501, the application is DENIED.			01/05/2023

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 9 of 14

August 31, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 8, 2023	Memorandum Opinion Filed Leadbetter, Bonnie Brigance			02/08/2023
	Document Name: POs to PFR are OVERRULED / Resps. are directed to file answers to PFR w/i 30 days of Order date.			
	Comment: AND NOW, this 8th day of February, 2023, the Preliminary Objections to the Petition for Review of Petitioner, Stadium Casino RE, LLC, are OVERRULED. Respondents, Pennsylvania Gaming Control Board, SC Gaming OPCO LLC and Ira Lubert, are directed to file answers to the Petition for Review within thirty (30) days of the date of this order.			
	Judge Covey did not participate in the decision for this case.			
February 23, 2023	Entry of Appearance Zimmermann, Chad Westcott	Pennsylvania Gaming Control Board Respondent		
	Document Name: for Chad W. Zimmerman			
February 23, 2023	Application for Extension of Time to File Cook, Stephen S. Straszynski, Daniel Martin	Pennsylvania Gaming Control Board Respondent Pennsylvania Gaming Control Board Respondent		
	Document Name: Consent application for extension of time to answer			
February 28, 2023	Order Granting Application for Extension of Time to File Per Curiam			02/28/2023
	Document Name: Respondents shall file their Answer to the Petition for Review on or before April 10, 2023.			
	Comment: NOW, February 28, 2023, upon consideration of Respondents' Consent Application for Extension of Time to Answer (Application), the Application is GRANTED.			
	Respondents shall file their Answer to the Petition for Review on or before April 10, 2023.			
March 10, 2023	Application for Relief Hazlett, Thomas W. Hazlett, Thomas W.	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
	Document Name: SC Gaming's and IRA Lubert's Application for Amendment of Feb. 8, 2023 Order			
March 10, 2023	Application for Relief Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: Gaming Control Board's Application to Amend Order			
March 21, 2023	Entry of Appearance Mascioli, Gian Mario	Stadium Casino RE, LLC	Petitioner	
	Document Name: Atty. Mascioli for Petitioner			
March 24, 2023	Answer to Application to Amend Aronchick, Mark Alan Levine, Jason A. Rice, Caroline Layne	Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC	Petitioner Petitioner Petitioner	
	Document Name: Petitioner Answer to Respondents' Apps. to Amend the Court's 2/8/2023 Order			
March 24, 2023	Application for Stay Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: PA Gaming Control Board's Application in the nature of a motion seeking a stay			
March 28, 2023	Filed - Other Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: The PA Gaming Control Board's Objections to Petitioner's Subpoenas to be served on Robert Poole			

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 10 of 14

August 31, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 28, 2023	Filed - Other Hazlett, Thomas W. Hazlett, Thomas W.	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
	Document Name: SC Gaming OPCO, LLC's & IRA Lubert Objections to Petitioner notice of intent to serve subpoenas			
April 5, 2023	Memorandum and Order Leadbetter, Bonnie Brigance			04/05/2023
	Document Name: Resps.' Apps. for Amendment & for Stay are DENIED.			
	Comment: NOW, April 5, 2023, upon consideration of the "Application for Amendment of the Court's February 8, 2023 Order pursuant to 42 Pa.C.S. § 702(b), and for Stay Ancillary to Appeal pursuant to Pa.R.A.P. 1702(b) and 1732(a)" filed by Respondents, SC Gaming OPCO LLC and Ira Lubert, and the "Application pursuant to Pa.R.A.P. 131 I(b) to Amend Order to Include Statement Specified in 42 Pa.C.S. § 702(b)" filed by the Respondent, the Pennsylvania Gaming Control Board, and the "Omnibus Answer to Respondents' Applications to Amend the Court's February 8, 2023 Order pursuant to 42 Pa.C.S. § 702(b), and for Stay Ancillary to Appeal pursuant to Pa.R.A.P. 1702(b) and 1732(a)" filed by Petitioner, Stadium Casino RE, LLC, it is hereby ordered that both of the Applications are hereby DENIED.			
April 7, 2023	Answer Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's answer to Respondent's app in the nature of a motion seeking a stay			
April 10, 2023	Answer and New Matter Hazlett, Thomas W. Hazlett, Thomas W.	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
	Document Name: SC Gaming OPC and Lubert's			
April 10, 2023	Answer and New Matter Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Document Name: PaGCB Answer, New Matter and Counter Claim			
April 19, 2023	Filed - Other Stadium Casino RE, LLC Lubert, Ira		Petitioner Respondent	
	Document Name: 43 MM 2023-Petition for Permission to Appeal			
May 3, 2023	Order Filed Per Curiam			05/03/2023
	Document Name: Argument on Motion for Stay is set for May 22, 2023, 1:30pm via telephone			
	Comment: NOW, May 3, 2023, argument on Respondent Pennsylvania Gaming Control Board's Application in the Nature of a Motion Seeking Stay, and Petitioner Stadium Casino RE, LLC's Answer thereto, is set for May 22, 2023 at 1:30 p.m. The argument shall be conducted by telephone conference call with counsel of record and shall be heard by a designated judge of the Commonwealth Court sitting in Harrisburg. The Court will contact counsel of record to confirm the call and to provide the call-in information.			
May 4, 2023	Filed - Other Pennsylvania Gaming Control Board		Respondent	
	Document Name: 49 MM 2023-Petition for Permission to Appeal.			

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 11 of 14

August 31, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 4, 2023	Filed - Other Pennsylvania Gaming Control Board Document Name: 50 MM 2023-Application for Extraordinary Relief.		Respondent	
May 10, 2023	Answer to New Matter Levine, Jason A. Rice, Caroline Layne Aronchick, Mark Alan Document Name: Petitioner's answer to Resp. SC Gaming & IRA Lubert's New Matter	Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC	Petitioner Petitioner Petitioner	
May 10, 2023	Answer to New Matter Levine, Jason A. Rice, Caroline Layne Aronchick, Mark Alan Document Name: Petitioner's answer to Resp. PA Gaming Control Board's New Matter & Counterclaim	Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC	Petitioner Petitioner Petitioner	
May 10, 2023	Application for Summary Relief Mascioli, Gian Mario Rice, Caroline Layne Levine, Jason A. Aronchick, Mark Alan Document Name: Petitioner's app for summary relief in the nature of a motion for judgment on the pleadings	Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC	Petitioner Petitioner Petitioner Petitioner	
May 24, 2023	Application for Summary Relief Straszynski, Daniel Martin Document Name: GCB's Cross Application for Summary Relief, Judgment on Pleadings and Answer	Pennsylvania Gaming Control Board Respondent		
June 7, 2023	Answer Filed Aronchick, Mark Alan Document Name: Petitioner's Response to GCB's Cross Application for Summary Relief	Stadium Casino RE, LLC	Petitioner	
June 30, 2023	Order Filed Wallace, Stacy Document Name: Stay Granted as to Discovery / Cross Applications for Judgment on the Pleadings to be argued Comment: NOW, June 30, 2023, following argument on Respondent Pennsylvania Gaming Control Board's (Board) "Application in the Nature of a Motion Seeking Stay" (Motion to Stay), and Petitioner Stadium Casino RE, LLC's (Stadium Casino) Answer in opposition thereto, which was heard on May 22, 2023, the Motion to Stay is GRANTED IN PART and DENIED IN PART. The Motion to Stay is granted, limited solely to ongoing discovery in this matter. In all other respects, the Motion to Stay is DENIED. Further, upon consideration of Stadium Casino's "Application for Summary Relief in the Nature of a Motion for Judgment on the Pleadings on the [Pennsylvania Gaming Control Board's (Board)] Counterclaim"1 and the Board's "Cross-Application for Summary Relief in the Nature of a Motion for Judgment on the Pleadings" related to this Counterclaim, the Prothonotary is directed to list these cross-applications for summary relief for argument during the Court's September 2023 argument session. The Court will reconsider the stay following disposition of these crossapplications for summary relief.			06/30/2023

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 12 of 14

August 31, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 6, 2023	Tentative Session Date Krimmel, Michael Document Name: September 2023 (Harrisburg)			
July 13, 2023	Entry of Appearance Kearney, Brian Nolan Kearney, Brian Nolan Document Name: Atty. Kearney for Lubert and SC Gaming OpCo LLC	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
August 4, 2023	Argument Scheduled Krimmel, Michael Document Name: Wednesday, September 13 2023, 9:30 a.m. (En Banc), CR 5001, Pennsylvania Judicial Center, Harrisburg Comment: No. 47 on the list.			
August 4, 2023	Praecipe Cook, Stephen S. Document Name: to Transfer to Supreme Court	Pennsylvania Gaming Control Board Respondent		
August 10, 2023	Order Filed Per Curiam Document Name: Responses to Praecipe to Transfer are due within 7 Days of this Order / Arg. on Praecipe at En Banc Comment: NOW, August 10, 2023, upon consideration of Respondent Pennsylvania Gaming Control Board's (Board) "Praecipe . . . to Transfer the Parties' Cross-[Applications] for Judgment on the Pleading[s] Relative to the . . . Board's Counterclaim to the Pennsylvania Supreme Court" (Praecipe), Petitioner Stadium Casino RE, LLC (Stadium Casino) and Respondents SC Gaming OPCO LLC and Ira Lubert shall file responses, if any, to the Praecipe within 7 days of the date of this Order. The Court will hear argument with respect to the Praecipe, and any responses thereto, during the previously-scheduled September 13, 2023 en banc argument relating to the Cross-Applications for Summary Relief in the Nature of a Motion for Judgment on the Pleadings (Cross-Applications) filed on behalf of Stadium Casino and the Board. Forty (40) minutes total argument time (20 minutes per side) has been set aside for argument on both the Praecipe and merits of the Cross-Applications. Counsel for Respondents shall share their allotted 20 minutes and shall advise the Court as to how they intend to divide their time at the commencement of the argument.			08/10/2023
August 17, 2023	Answer Filed Kearney, Brian Nolan Kearney, Brian Nolan Document Name: SC Gaming and Ira Lubert's Response to Praecipe to Transfer	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	
August 17, 2023	Answer Filed Aronchick, Mark Alan Document Name: Petitioner's Answer to Praecipe to Transfer	Stadium Casino RE, LLC	Petitioner	
September 6, 2023	Order Filed Supreme Court of Pennsylvania Document Name: Supreme Court Middle District: 44 MM 2023/ Application for Extraordinary Relief - Granted			09/06/2023
September 6, 2023	Order Filed Supreme Court of Pennsylvania Document Name: Supreme Court Middle District: 50 MM 2023/ Application in Nature of Motion to Supplement - Granted			09/06/2023

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 13 of 14

August 31, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 6, 2023	Argument Cancelled Per Curiam Document Name: In light of The Pa. Supreme Court's Orders...Argument is Cancelled Comment: NOW, September 6, 2023, in light of the Pennsylvania Supreme Court's orders issued today in the matters of Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, SC Gaming OPCO, LLC and Ira Lubert, Petition of: SC Gaming OPCO, LLC and Ira Lubert (Pa., No. 44 MM 2023) and Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, SC Gaming OPCO LLC and Ira Lubert, Petition of: Pennsylvania Gaming Control Board (Pa., No. 50 MM 2023), which granted the respective "Application[s]" for Extraordinary Relief under 42 Pa.C.S. § 726 for the Court to Exercise Extraordinary Jurisdiction" and stayed all proceedings before this Court, the en banc argument previously scheduled in this matter for September 13, 2023, is hereby CANCELLED.			09/06/2023
September 6, 2023	Order Filed Supreme Court of Pennsylvania Document Name: 43 MM 2023-Peririon for Permission to Appeal is Denied.			09/06/2023
September 6, 2023	Order Filed Supreme Court of Pennsylvania Document Name: 44 MM 23-Order Granting Application for Extraordinary Jurisdiction.			09/06/2023
September 6, 2023	Order Filed Supreme Court of Pennsylvania Document Name: 49 MM 2023-Petition for Permission to Appeal is Denied.			09/06/2023
September 6, 2023	Order Filed Supreme Court of Pennsylvania Document Name: 50 MM 2023-Order Granting Application for Extraordinary Jurisdiction.			09/06/2023
July 17, 2024	Opinion Supreme Court of Pennsylvania Document Name: 20 MM 2023-Supreme Court affirms the Board's determination and dismisses 249 MD 2021.			
September 11, 2024	Order Filed Supreme Court of Pennsylvania Document Name: 44 MM 2023-Matter is DISMISSED. Comment: AND NOW, this 11th day of September, 2024, it is NOTED that this Court "dismiss[ed]" the action pending in the Commonwealth Court, 249 MD 2021, as moot." Stadium Casino RE, LLC v. Pa. Gaming Control Bd., J-3-2024, Slip Op. at 22 (Pa. July 17, 2024). Accordingly, this miscellaneous matter, via which we previously exercised extraordinary jurisdiction over 249 MD 2021, is DISMISSED.			09/11/2024
September 11, 2024	Order Filed Supreme Court of Pennsylvania Document Name: 50 MM 2023-Matter is DISMISSED. Comment: AND NOW, this 11th day of September, 2024, it is NOTED that this Court "dismiss[ed]" the action pending in the Commonwealth Court, 249 MD 2021, as moot." Stadium Casino RE, LLC v. Pa. Gaming Control Bd., J-3-2024, Slip Op. at 22 (Pa. July 17, 2024). Accordingly, this miscellaneous matter, via which we previously exercised extraordinary jurisdiction over 249 MD 2021, is DISMISSED.			09/11/2024

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 249 MD 2021

Page 14 of 14

August 31, 2025



SESSION INFORMATION

Journal Number: 47-09-2023
Consideration Type: En Banc Argument
Listed/Submitted Date: September 13, 2023