

**Miscellaneous Docket Sheet****Docket Number: 249 MD 2021****Page 1 of 14****April 1, 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: Hangle, Aronchick, Segal, Pudlin & Schiller  
Address: Hangle 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: Hangle, Aronchick, Segal, Pudlin & Schiller  
Address: Hangle Aronchick Segal  
1 Logan Sq Fl 27  
Philadelphia, PA 19103  
Phone No: (215) 496-7032 Fax No:

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

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## 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: 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  
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 Phone No: (215) 864-8265 Fax No:

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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:

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## COUNSEL INFORMATION

Respondent Lubert, Ira

Pro Se: No

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Attorney: Kastenber, Stephen J.  
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 Law Firm: Ballard Spahr LLP  
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Attorney: King, Adrian Renz, Jr.  
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Attorney: Fabius, Michael David Matthews  
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Attorney: Kearney, Brian Nolan  
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## 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

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**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
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**Date of Remand of Record:**

**BRIEFING SCHEDULE**

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

**DOCKET ENTRY**

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

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<b>August 17, 2021</b>	Entry of Appearance Cook, Stephen S. Straszynski, Daniel Martin	Pennsylvania Gaming Control Board Pennsylvania Gaming Control Board	Respondent Respondent	
	Document Name: Attys Cook and Straszynski for Pennsylvania Gaming Control Board			
<b>August 18, 2021</b>	Entry of Appearance Pennsylvania Gaming Control Board		Respondent	
<b>August 18, 2021</b>	Filed - Other Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Document Name: Cert of Service to Entry of Appearance for Attys Cook and Straszynski			
<b>August 18, 2021</b>	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			
<b>August 18, 2021</b>	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.			
<b>September 17, 2021</b>	Preliminary Objections Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Document Name: Pennsylvania Gaming Board P.O.'s to Petition for Review			
<b>September 17, 2021</b>	Respondent's Brief Filed Pennsylvania Gaming Control Board		Respondent	
	Document Name: Brief in Support of POs			
<b>September 17, 2021</b>	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			

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<b>September 17, 2021</b>	Respondent's Brief Filed SC Gaming OPCO LLC Lubert, Ira		Respondent Respondent	
	Document Name: Brief in Support of POs			
<b>September 29, 2021</b>	Letter Levine, Jason A.	Stadium Casino RE, LLC	Petitioner	
	Document Name: Re: Petitioner's Answer to POs			
<b>September 30, 2021</b>	Praecipe for Withdrawal of Appearance Andrews, Peter Francis	Lubert, Ira	Respondent	
	Andrews, Peter Francis	SC Gaming OPCO LLC	Respondent	
	Document Name: Atty Andrews for Respondent			
<b>November 5, 2021</b>	Answer Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Levine, Jason A.	Stadium Casino RE, LLC	Petitioner	
	Rice, Caroline Layne	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's Answer to Respondent PA Gaming Control Board's P.O.'s			
<b>November 5, 2021</b>	Answer Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Levine, Jason A.	Stadium Casino RE, LLC	Petitioner	
	Rice, Caroline Layne	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner Stadium Casino RE, LLC's Answer to Respondent SC Gaming OPCO LLC, et al P.O.'s			
<b>November 5, 2021</b>	Memorandum of Law Filed Stadium Casino RE, LLC		Petitioner	
	Document Name: Omnibus Memo of Law in Opposition to POs			
<b>November 9, 2021</b>	Order Filed Per Curiam			11/10/2021
	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.			
<b>November 19, 2021</b>	Respondent's Reply Brief Filed Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Pennsylvania Gaming Control Board		Respondent	
	Document Name: In futher support of P.O.'s			
<b>November 19, 2021</b>	Respondent's Reply Brief Filed Hazlett, Thomas W.	Lubert, Ira	Respondent	
	Hazlett, Thomas W.	SC Gaming OPCO LLC	Respondent	
	SC Gaming OPCO LLC		Respondent	
	Lubert, Ira		Respondent	
	Document Name: In futher support of P.O.'s			

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<b>December 20, 2021</b>	Tentative Session Date Krimmel, Michael Document Name: March 2022			
<b>January 28, 2022</b>	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.			
<b>December 16, 2022</b>	Praecipe Hazlett, Thomas W. Hazlett, Thomas W. Fabius, Michael David Matthews Fabius, Michael David Matthews King, Adrian Renz, Jr. King, Adrian Renz, Jr. Document Name: Praecipe 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	
<b>December 19, 2022</b>	Answer Filed Aronchick, Mark Alan Document Name: Petitioner's Answer to Praecipe	Stadium Casino RE, LLC	Petitioner	
<b>December 19, 2022</b>	Order Filed Per Curiam Document Name: Petitioner and Gaming Ctl. Bd. Shall file an Answer to Praecipe within 14 Days Comment: NOW, December 19, 2022, upon consideration of "Praecipe 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
<b>January 3, 2023</b>	Answer Filed Aronchick, Mark Alan Document Name: Petitioner's Answer to Praecipe	Stadium Casino RE, LLC	Petitioner	
<b>January 3, 2023</b>	Answer Filed Cook, Stephen S. Document Name: Gaming Control Board's Answer to Praecipe	Pennsylvania Gaming Control Board	Respondent	
<b>January 5, 2023</b>	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 "Praecipe 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



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<b>February 8, 2023</b>	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.			
<b>February 23, 2023</b>	Entry of Appearance Zimmermann, Chad Westcott	Pennsylvania Gaming Control Board Respondent		
	Document Name: for Chad W. Zimmerman			
<b>February 23, 2023</b>	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			
<b>February 28, 2023</b>	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.			
<b>March 10, 2023</b>	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			
<b>March 10, 2023</b>	Application for Relief Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: Gaming Control Board's Application to Amend Order			
<b>March 21, 2023</b>	Entry of Appearance Mascioli, Gian Mario	Stadium Casino RE, LLC	Petitioner	
	Document Name: Atty. Mascioli for Petitioner			
<b>March 24, 2023</b>	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			
<b>March 24, 2023</b>	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			
<b>March 28, 2023</b>	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			

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<b>March 28, 2023</b>	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			
<b>April 5, 2023</b>	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.			
<b>April 7, 2023</b>	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			
<b>April 10, 2023</b>	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			
<b>April 10, 2023</b>	Answer and New Matter Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Document Name: PaGCB Answer, New Matter and Counter Claim			
<b>April 19, 2023</b>	Filed - Other Stadium Casino RE, LLC Lubert, Ira		Petitioner Respondent	
	Document Name: 43 MM 2023-Petition for Permission to Appeal			
<b>May 3, 2023</b>	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.			
<b>May 4, 2023</b>	Filed - Other Pennsylvania Gaming Control Board		Respondent	
	Document Name: 49 MM 2023-Petition for Permission to Appeal.			

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<b>May 4, 2023</b>	Filed - Other Pennsylvania Gaming Control Board		Respondent	
	Document Name: 50 MM 2023-Application for Extraordinary Relief.			
<b>May 10, 2023</b>	Answer to New Matter Levine, Jason A.	Stadium Casino RE, LLC	Petitioner	
	Rice, Caroline Layne	Stadium Casino RE, LLC	Petitioner	
	Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's answer to Resp. SC Gaming & IRA Lubert's New Matter			
<b>May 10, 2023</b>	Answer to New Matter Levine, Jason A.	Stadium Casino RE, LLC	Petitioner	
	Rice, Caroline Layne	Stadium Casino RE, LLC	Petitioner	
	Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's answer to Resp. PA Gaming Control Board's New Matter & Counterclaim			
<b>May 10, 2023</b>	Application for Summary Relief Mascioli, Gian Mario	Stadium Casino RE, LLC	Petitioner	
	Rice, Caroline Layne	Stadium Casino RE, LLC	Petitioner	
	Levine, Jason A.	Stadium Casino RE, LLC	Petitioner	
	Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's app for summary relief in the nature of a motion for judgment on the pleadings			
<b>May 24, 2023</b>	Application for Summary Relief Straszynski, Daniel Martin	Pennsylvania Gaming Control Board	Respondent	
	Document Name: GCB's Cross Application for Summary Relief, Judgment on Pleadings and Answer			
<b>June 7, 2023</b>	Answer Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's Response to GCB's Cross Application for Summary Relief			
<b>June 30, 2023</b>	Order Filed Wallace, Stacy			06/30/2023
	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.			

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<b>July 6, 2023</b>	Tentative Session Date Krimmel, Michael Document Name: September 2023 (Harrisburg)			
<b>July 13, 2023</b>	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	
<b>August 4, 2023</b>	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.			
<b>August 4, 2023</b>	Praecipe Cook, Stephen S. Document Name: to Transfer to Supreme Court	Pennsylvania Gaming Control Board Respondent		
<b>August 10, 2023</b>	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
<b>August 17, 2023</b>	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	
<b>August 17, 2023</b>	Answer Filed Aronchick, Mark Alan Document Name: Petitioner's Answer to Praecipe to Transfer	Stadium Casino RE, LLC	Petitioner	
<b>September 6, 2023</b>	Order Filed Supreme Court of Pennsylvania Document Name: Supreme Court Middle District: 44 MM 2023/ Application for Extraordinary Relief - Granted			09/06/2023
<b>September 6, 2023</b>	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

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<b>September 6, 2023</b>	Argument Cancelled Per Curiam			09/06/2023
	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.			
<b>September 6, 2023</b>	Order Filed Supreme Court of Pennsylvania			09/06/2023
	Document Name: 43 MM 2023-Peririon for Permission to Appeal is Denied.			
<b>September 6, 2023</b>	Order Filed Supreme Court of Pennsylvania			09/06/2023
	Document Name: 44 MM 23-Order Granting Application for Extraordinary Jurisdiction.			
<b>September 6, 2023</b>	Order Filed Supreme Court of Pennsylvania			09/06/2023
	Document Name: 49 MM 2023-Petition for Permission to Appeal is Denied.			
<b>September 6, 2023</b>	Order Filed Supreme Court of Pennsylvania			09/06/2023
	Document Name: 50 MM 2023-Order Granting Application for Extraordinary Jurisdiction.			
<b>July 17, 2024</b>	Opinion Supreme Court of Pennsylvania			
	Document Name: 20 MM 2023-Supreme Court affirms the Board's determination and dismisses 249 MD 2021.			
<b>September 11, 2024</b>	Order Filed Supreme Court of Pennsylvania			09/11/2024
	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.			
<b>September 11, 2024</b>	Order Filed Supreme Court of Pennsylvania			09/11/2024
	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.			

**Miscellaneous Docket Sheet**

**Docket Number: 249 MD 2021**

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**April 1, 2025**



**SESSION INFORMATION**

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