Commonwealth Docket Sheet **Commonwealth Court of Pennsylvania**

Docket Number: 158 CD 2019

March 28, 2024

CAPTION

Jane Ladley and Christopher Meier,
Appellants

v.

Pennsylvania State Education Association

CASE INFORMATION

Initiating Document:	Notice of Appeal		
Case Status:	Closed		
Case Processing Status:	March 8, 2022	Completed	
Journal Number:	34-12-2019		
Case Category:	Civil	Case Type(s):	Declaratory Judgment

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Appellant **Meier, Christopher**
Pro Se: No
IFP Status:

Attorney:	Osborne, David Randel	
Address:	Goldstein Law Partners, LLC 11 Church Rd. Hatfield, PA 19440	
Phone No:	(610) 949-0444	Fax No: (610) 296-7720

Attorney:	McGrath, Nathan John	
Law Firm:	The Fairness Center	
Address:	500 North Third Street Suite600B Harrisburg, PA 17101	
Phone No:	(844) 293-1001	Fax No:

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COUNSEL INFORMATION

Appellant **Ladley, Jane**
Pro Se: No
IFP Status:

Attorney:	Osborne, David Randel	
Address:	Goldstein Law Partners, LLC 11 Church Rd. Hatfield, PA 19440	
Phone No:	(610) 949-0444	Fax No: (610) 296-7720

Attorney:	McGrath, Nathan John	
Law Firm:	The Fairness Center	
Address:	500 North Third Street Suite600B Harrisburg, PA 17101	
Phone No:	(844) 293-1001	Fax No:

Appellee **Pennsylvania State Education Association**
Pro Se: No
IFP Status:

Attorney:	Scott, Thomas W.	
Address:	Killian & Gephart, LLP 218 Pine Street PO Box 886 Harrisburg, PA 17101-1352	
Phone No:	(717) 232-1851	Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
02/14/2019	Transfer	50.00	02/26/2019	2019-CMW-H-000431	50.00
07/23/2019	Petition for Reargument	15.00	07/24/2019	2019-CMW-H-001570	15.00

AGENCY/TRIAL COURT INFORMATION

Order Appealed From:	October 29, 2018	Notice of Appeal Filed:	November 28, 2018
Order Type:	Order Dated		
Documents Received:	February 13, 2019		

Court Below:	Lancaster County Court of Common Pleas		
County:	Lancaster	Division:	Lancaster County Civil Division
Judge:	Brown, Leonard G., III	OTN:	
Docket Number:	CI-14-08552	Judicial District:	02

Court Below:			
County:		Division:	
Judge:		OTN:	
Docket Number:	Superior Court No. 1942 MDA 2018	Judicial District:	

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Trial Court Record	February 14, 2019	

Date of Remand of Record: March 8, 2022

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BRIEFING SCHEDULE

Appellant
Ladley, Jane

Amended Brief
Due: August 8, 2019 Filed: August 8, 2019

Brief
Due: March 27, 2019 Filed: March 27, 2019

Reply Brief
Due: Filed: May 10, 2019
Due: August 8, 2019 Filed: August 8, 2019

Reproduced Record
Due: March 27, 2019 Filed: March 27, 2019

Appellee
Pennsylvania State Education Association

Brief
Due: April 29, 2019 Filed: April 26, 2019

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
November 28, 2018	Notice of Appeal Filed			
	Ladley, Jane & Christopher Meier		Appellant	
	Ladley, Jane		Appellant	
	Meier, Christopher		Appellant	
January 2, 2019	Order - Transfer to Commonwealth Court Superior Court of Pennsylvania			01/02/2019
February 13, 2019	Transfer from Another Court Commonwealth Court			02/13/2019
Document Name:	Case was transferred from 1942 MDA 2018			
Comment:	Case was transferred from 1942 MDA 2018			
February 14, 2019	Trial Court Record Received Lancaster County Court of Common Pleas			
February 15, 2019	Notice of Docketing Appeal Exited Commonwealth Court Filing Office			02/15/2019
February 15, 2019	Briefing Schedule Issued Commonwealth Court Filing Office			
February 25, 2019	Docketing Statement Filed			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
February 25, 2019	Designation of Contents of Reproduced Record			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 27, 2019	Appellant's Brief Filed			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
	Ladley, Jane		Appellant	
March 27, 2019	Appellant's Reproduced Record Filed			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
April 26, 2019	Appellee's Brief Filed			
	Pennsylvania State Education Association		Appellee	
May 6, 2019	Application to Strike			
	Scott, Thomas W.	Pennsylvania State Education Assoc	Appellee	
Document Name:	Appellee's Application for Relief in the Nature of a Motion to Strike Portions of Apts' Br. and the			
Comment:	Entirety of "Exhibit A" Attached to Appellants' Brief			
May 6, 2019	Memorandum of Law Filed			
	Scott, Thomas W.	Pennsylvania State Education Assoc	Appellee	
Document Name:	Memo of Law in Support of Motion to Strike Portions of Appellants' Brief			
May 9, 2019	Tentative Session Date			
	Krimmel, Michael			
Document Name:	September 2019 (Harrisburg)			
May 10, 2019	Appellant's Reply Brief			
	Ladley, Jane		Appellant	
May 10, 2019	Answer to Application to Strike			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
	Miller, Justin Thomas	Ladley, Jane	Appellant	
	Miller, Justin Thomas	Meier, Christopher	Appellant	
Document Name:	Response to PA State Education Association's Application to Strike and New Matter			
May 14, 2019	Order Filed			05/15/2019
	Wojcik, Michael H.			
Document Name:	Argument on appellee's motion to strike portions of appellants' brief is set for 6-17-19, 1:30 pm.			
Comment:	The argument shall be conducted by telephone call to the offices of counsel of record and shall originate from the chambers of a designated judge of the Comm. Ct. sitting in HBG. Cell phones may not be used.			
May 30, 2019	Answer Filed			
	Scott, Thomas W.	Pennsylvania State Education Assoc	Appellee	
Document Name:	An Administrative Motion Pursuant to PA. R.A.P. 3305: Appellee's Reply to New Matter Contained in			
Comment:	the Appellants' Answer Application for Relief in the Nature of a Motion to Strike Portions of Appellants' Brief and the Entirety of "Exhibit A" Attached to Appellants' Brief - msp			
June 6, 2019	Order Filed			06/07/2019
	Per Curiam			
Document Name:	Argument on appellee's motion to strike set for 6-17-19 is rescheduled to 6-25-19 at 10:00 am. The			
Comment:	argument shall be conducted by telephone call to the offices of counsel of record and shall originate from the chambers of a designated judge of the Comm. Ct. sitting in HBG. Cell phones may not be used.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 14, 2019	Notice			
	Miller, Justin Thomas	Ladley, Jane & Christopher Meier	Appellant	
	Miller, Justin Thomas	Ladley, Jane	Appellant	
	Miller, Justin Thomas	Meier, Christopher	Appellant	
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Ladley, Jane & Christopher Meier	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
Document Name:	Notice of Constitutional Challenge to a Statute			
June 24, 2019	Filed - Other			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
	Miller, Justin Thomas	Ladley, Jane	Appellant	
	Miller, Justin Thomas	Meier, Christopher	Appellant	
	Miller, Justin Thomas	Ladley, Jane & Christopher Meier	Appellant	
Document Name:	Notice of Change in Status of Authorities			
July 9, 2019	Memorandum and Order			07/09/2019
	Cohn Jubelirer, Renee			
Document Name:	Memorandum and Order (7 pages) : PSEA's motion to strike will be granted in			
Comment:	part and denied in part. The Court will strike the 11 collective bargaining agreements Objectors submitted that are not part of the certified record on appeal, and will strike the arguments made by Objectors that rely upon this extra-record evidence. The collective bargaining agreement for Penn Manor School District, and Objectors' argument that PSEA failed to amend this agreement, will not be stricken. Objectors are hereby directed to file an amended brief and amended reply brief without the stricken documents, or any reference thereto, on or before August 8, 2019.			
July 23, 2019	Application for Reargument			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
	Miller, Justin Thomas	Ladley, Jane	Appellant	
	Miller, Justin Thomas	Meier, Christopher	Appellant	
Document Name:	Of July 9, 2019 Memorandum and Order Judge Cohn Jubelirer			
July 31, 2019	Application for Extension of Time to File Amended Brief			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
July 31, 2019	Answer to Application for Reargument			
	Scott, Thomas W.	Pennsylvania State Education Assoc	Appellee	
Document Name:	Appellee's Ans. to Appellants' App for Reargument of Judge Cohn Jubelirer's Order dated July 9, 2019			
August 1, 2019	Order Denying Application for Reargument			08/01/2019
	Per Curiam			
Document Name:	Appellants' App. for Reargument is denied. Appellants' unopposed app. for ext. of time is granted.			
Comment:	Appellants shall have 7 days from the date of this order to file an amended brief and reply brief without the documents or reference to the documents struck from the record by this court's 7-9-19 order.			
August 8, 2019	Amended Brief of Appellant Filed			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 8, 2019	Appellant's Reply Brief			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
Document Name:	Amended			
August 12, 2019	Tentative Session Date			
	Krimmel, Michael			
Document Name:	December 2019 (Harrisburg)			
October 23, 2019	Argument Scheduled			10/23/2019
	Krimmel, Michael			
Document Name:	Wednesday, 12-11-19, 9:30 am, En Banc, CR 5001, PJC, HBG. No. 34 on list.			
Comment:	Please file 4 additional copies of appellant's amended brief, appellant's amended reply brief, the RR, and appellee's brief with the court within 10 days of this notice.			
January 23, 2020	Application for Relief			
	Scott, Thomas W.	Pennsylvania State Education Assoc	Appellee	
Document Name:	Application of Appellee, PSEA, For Leave to File Post-Submission Communication			
June 1, 2020	Letter			
	Osborne, David Randel	Ladley, Jane	Appellant	
	Osborne, David Randel	Meier, Christopher	Appellant	
Document Name:	Update of Contact Information			
June 25, 2020	Application for Post-Submission Communication			
	Scott, Thomas W.	Pennsylvania State Education Assoc	Appellee	
Document Name:	Application for Leave Pursuant to Pa. R.A.P. 123, filed by Appellee PSEA for leave to File			
Comment:	Post-Submission Communication Pursuant to Pa. R.A.P. 2501(a)			
January 6, 2021	Praecipe for Withdrawal of Appearance			
	Miller, Justin Thomas	Ladley, Jane & Christopher Meier	Appellant	
	Miller, Justin Thomas	Ladley, Jane	Appellant	
	Miller, Justin Thomas	Meier, Christopher	Appellant	
January 11, 2021	Entry of Appearance			
	McGrath, Nathan John	Ladley, Jane	Appellant	
	McGrath, Nathan John	Meier, Christopher	Appellant	
March 9, 2021	Letter			
	McGrath, Nathan John	Ladley, Jane	Appellant	
Document Name:	Change of Address for Nathan J. McGrath			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 4, 2022	Reversed/Remanded McCullough, Patricia A.			01/04/2022
Document Name:	Opinion (17 pages)			
Comment:	AND NOW, this 4th day of January, 2022, the October 29, 2018 order of the Court of Common Pleas of Lancaster County (trial court) is REVERSED and the matter is REMANDED to the trial court. On remand, the trial court shall determine whether Jane Ladley and Christopher Meier (Teachers) are the prevailing party pursuant to 42 U.S.C. §1988 and, if so, whether they are entitled to reasonable attorney's fees and costs in this action. In making this determination, the trial court shall render a decision with regard to the merits of Teachers' constitutional claims and enter an appropriate order reflecting its findings of fact and conclusions of law. The Application for Leave to File Post-Submission Communication filed by the Pennsylvania State Education Association (PSEA) on January 23, 2020, namely to provide the Court with additional legal authority pursuant to Pa.R.A.P. 2501(a), is hereby GRANTED. The Application for Leave to File Post-Submission Communication filed by PSEA on June 25, 2020, namely to provide the Court with supplemental legal authority pursuant to Pa.R.A.P. 2501(a), is hereby GRANTED. Jurisdiction relinquished.			
March 8, 2022	Remitted Commonwealth Court Filing Office			
March 14, 2022	Acknowledgement of Record Remittal Lancaster County Court of Common Pleas			

SESSION INFORMATION

Journal Number: 34-12-2019
Consideration Type: En Banc Argument
Listed/Submitted Date: December 11, 2019

Panel Composition:

The Honorable Mary Hannah Leavitt	President Judge
The Honorable Renee Cohn Jubelirer	Judge
The Honorable P. Kevin Brobson	Judge
The Honorable Patricia A. McCullough	Judge
The Honorable Anne E. Covey	Judge
The Honorable Christine Fizzano Cannon	Judge
The Honorable Ellen Ceisler	Judge

DISPOSITION INFORMATION

Final Disposition: Yes
Related Journal No:
Judgment Date:
Category: Decided
Disposition Author: McCullough, Patricia A.
Disposition: Reversed/Remanded
Disposition Date: January 4, 2022

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DISPOSITION INFORMATION

Disposition Comment: AND NOW, this 4th day of January, 2022, the October 29, 2018 order of the Court of Common Pleas of Lancaster County (trial court) is REVERSED and the matter is REMANDED to the trial court. On remand, the trial court shall determine whether Jane Ladley and Christopher Meier (Teachers) are the prevailing party pursuant to 42 U.S.C. §1988 and, if so, whether they are entitled to reasonable attorney's fees and costs in this action. In making this determination, the trial court shall render a decision with regard to the merits of Teachers' constitutional claims and enter an appropriate order reflecting its findings of fact and conclusions of law.

The Application for Leave to File Post-Submission Communication filed by the Pennsylvania State Education Association (PSEA) on January 23, 2020, namely to provide the Court with additional legal authority pursuant to Pa.R.A.P. 2501(a), is hereby GRANTED.

The Application for Leave to File Post-Submission Communication filed by PSEA on June 25, 2020, namely to provide the Court with supplemental legal authority pursuant to Pa.R.A.P. 2501(a), is hereby GRANTED.

Jurisdiction relinquished.

Dispositional Filing:	**Opinion**	Filing Author:	McCullough, Patricia A.
Filed Date:	1/4/2022 12:00:00AM		

Dispositional Filing:	**Concurring Statement**	Filing Author:	Cohn Jubelirer, Renee
Filed Date:	1/4/2022 12:00:00AM		

REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date: July 23, 2019
Disposition:
Disposition Date:

Record Remittal: March 8, 2022
Filed Date: July 23, 2019
Disposition:
Disposition Date:

Record Remittal: March 8, 2022

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