

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 172 CD 2023

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December 11, 2023



CAPTION

Pennsylvania Real Estate
Investment Trust,
Appellant

v.

Plymouth Township Zoning
Hearing Board

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Active

Case Processing Status: August 31, 2023 Awaiting Consideration

Journal Number:

Case Category: Civil Case Type(s): Zoning Hearing Board

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Appellant Pennsylvania Real Estate Investment Trust

Pro Se: No

IFP Status:

Attorney: Kaplin, Marc B.
Law Firm: Kaplin Stewart
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Fax No:

Attorney: Tucker, Robert M., Jr.
Law Firm: Kaplin Stewart
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Blue Bell, PA 19422
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Fax No:

Appellee Plymouth Township Zoning Hearing Board

Pro Se: No

IFP Status:

Attorney: Sander, David Jonathan
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COUNSEL INFORMATION

Appellee Plymouth Township

Pro Se: No

IFP Status:

Attorney: Amuso, Peter Charles
 Law Firm: Rudolph Clarke, LLC
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Attorney: Heleniak, Gregory R.
 Law Firm: Rudolph Clarke, LLC
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 Trevose, PA 19053
 Phone No: (215) 633-1890 Fax No:

Attorney: Fonteix, Harrison
 Law Firm: Rudolph Clarke, LLC
 Address: Seven Neshaminy Interplex Ste 200
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 Phone No: (215) 633-1890 Fax No:

Appellee Plymouth Meeting KPG III, LLC

Pro Se: No

IFP Status:

Attorney: Gundlach, Robert W.
 Law Firm: Fox Rothschild LLP
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Attorney: Stoll, Andrew Richard
 Law Firm: Fox Rothschild LLP
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 Phone No: (215) 345-7500 Fax No:

Attorney: Kasman, Jenna Nicole
 Law Firm: Fox Rothschild LLP
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FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
01/17/2023	Notice of Appeal	90.25	02/24/2023	2023-CMW-H-000363	90.25
07/26/2023	Copy Work (Per Page)	27.00	07/26/2023	2023-CMW-H-001275	27.00

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AGENCY/TRIAL COURT INFORMATION

Order Appealed From:	December 21, 2022	Notice of Appeal Filed:	January 17, 2023
Order Type:	Lower Court Order		
Documents Received:	February 24, 2023		

Court Below:	Montgomery County Court of Common Pleas		
County:	Montgomery	Division:	Montgomery County Civil Division
Judge:	Tolliver, Steven C.	OTN:	
Docket Number:	2021 - 23520	Judicial District:	38

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Trial Court Record	March 10, 2023	
Trial Court Opinion	March 10, 2023	

Date of Remand of Record:

BRIEFING SCHEDULE

Appellant	Appellee
Pennsylvania Real Estate Investment Trust	Plymouth Meeting KPG III, LLC
Brief	Brief
Due: April 19, 2023	Filed: June 21, 2023
Reply Brief	Plymouth Township
Due: August 11, 2023	Filed: August 11, 2023
	Due: July 24, 2023
	Filed: July 20, 2023
Reproduced Record	Plymouth Township Zoning Hearing Board
Due: June 21, 2023	Filed: June 21, 2023
	Brief

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 17, 2023	Notice of Appeal Filed Pennsylvania Real Estate Investment Trust		Appellant	
March 7, 2023	Defect Correction Notice Commonwealth Court Filing Office Document Name: DEFECT: Service on tc judge and ct. reporter, request for transcript			03/07/2023
March 8, 2023	Response to Defect Correction Notice Tucker, Robert M., Jr. Document Name: Compliant	Pennsylvania Real Estate Investmer	Appellant	
March 10, 2023	Trial Court Record Received Montgomery County Civil Division			
March 10, 2023	Trial Court Opinion Received Montgomery County Civil Division			
March 29, 2023	Notice of Docketing Appeal Exited Commonwealth Court Filing Office			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 10, 2023	Docketing Statement Filed Tucker, Robert M., Jr.	Pennsylvania Real Estate Investmer	Appellant	
May 12, 2023	Briefing Schedule Issued Commonwealth Court Filing Office			
May 22, 2023	Designation of Contents of Reproduced Record Kaplin, Marc B.	Pennsylvania Real Estate Investmer	Appellant	
	Document Name: Appellant's			
June 8, 2023	Entry of Appearance Stoll, Andrew Richard Kasman, Jenna Nicole	Plymouth Meeting KPG III, LLC Plymouth Meeting KPG III, LLC	Appellee Appellee	
	Document Name: Attys. Andrew R. Stoll & Jenna N. Kasman for Appellee Plymouth Meeting KPG III, LLC			
June 21, 2023	Appellant's Brief Filed Pennsylvania Real Estate Investment Trust		Appellant	
June 21, 2023	Appellant's Reproduced Record Filed Kaplin, Marc B.	Pennsylvania Real Estate Investmer	Appellant	
June 29, 2023	Entry of Appearance Fonteix, Harrison	Plymouth Township	Appellee	
	Document Name: Atty. Harrison E. Fonteix for Appellee Plymouth Township			
July 20, 2023	Appellee's Brief Filed Plymouth Township		Appellee	
August 1, 2023	Application for Extension of Time to File Brief - First Request Kaplin, Marc B.	Pennsylvania Real Estate Investmer	Appellant	
	Pennsylvania Real Estate Investment Trust		Appellant	
August 7, 2023	Order Granting Application for Extension of Time to File Appellant Paperbook Per Curiam			08/07/2023
	Document Name: Brief Ext. Granted Comment: NOW, August 7, 2023, upon consideration of Pennsylvania Real Estate Investment Trust's (Appellant) "Application For An Extension Of Time To File Appellant's Reply Brief (First Request)" (Application), the Application is GRANTED. Appellant shall file four copies of the reply brief and serve on Appellees one copy of the reply brief, on or before August 11, 2023.			
August 11, 2023	Appellant's Reply Brief Pennsylvania Real Estate Investment Trust		Appellant	

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 25, 2023	Dormant Order for Failure to File Appellee Brief Issued Per Curiam			08/25/2023
	Document Name: Appellees briefs due within 14 days			
	Comment: NOW, August 25, 2023, the docket in the above-captioned matter reflects that Appellees Plymouth Township Zoning Hearing Board and Plymouth Meeting KPG III, LLC's briefs were due July 24, 2023, and that to date the same have not been filed. Therefore, these Appellees' briefs shall be filed (4 copies) and served (1 copy) within 14 days of the exit date stamped on this Order or these Appellees shall be precluded from oral argument, if oral argument is scheduled, and from filing a brief, unless otherwise ordered.			
August 31, 2023	No Brief to be Filed by Appellee Sander, David Jonathan	Plymouth Township Zoning Hearing Appellee		
	Document Name: Joins in brief of Appellee Plymouth Twp.			
September 25, 2023	Appellee Precluded Krimmel, Michael			09/25/2023
	Document Name: Appellee Plymouth Meeting KPG III is Precluded from filing a brief and Oral Argument			
	Comment: NOW, September 25, 2023, Appellee Plymouth Meeting KPG III, LLC having failed to file a brief pursuant to this Court's order of August 25, 2023, Appellee Plymouth Meeting KPG III, LLC is hereby precluded from filing a brief and participating in oral argument, if oral argument is scheduled.			