

## Commonwealth Docket Sheet

## Commonwealth Court of Pennsylvania

Docket Number: 172 CD 2023

Page 1 of 5

May 4, 2024



## 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  
Address: Kaplin Stewart Meloff Et Al  
910 Harvest Dr PO Box 3037  
Blue Bell, PA 19422-0765  
Phone No: (610) 941-2666

Fax No:

Attorney: Tucker, Robert M., Jr.  
Law Firm: Kaplin Stewart  
Address: 910 Harvest Dr Ste 200  
Blue Bell, PA 19422  
Phone No: (610) 941-2484

Fax No:

**Appellee**      **Plymouth Township Zoning Hearing Board**

Pro Se: No

IFP Status:

Attorney: Sander, David Jonathan  
Law Firm: Kilkenny Law, LLC  
Address: 519 Swede St  
Norristown, PA 19401  
Phone No: (484) 679-8150

Fax No:

## Commonwealth Docket Sheet

## Commonwealth Court of Pennsylvania

Docket Number: 172 CD 2023

Page 2 of 5

May 4, 2024



## COUNSEL INFORMATION

## Appellee Plymouth Township

Pro Se: No

IFP Status:

Attorney: Amuso, Peter Charles  
 Law Firm: Rudolph Clarke, LLC  
 Address: Rudolph Clarke LLC  
 350 Sentry Pkwy Ste 110 A  
 Blue Bell, PA 19422-2314  
 Phone No: (215) 633-1890 Fax No:

Attorney: Heleniak, Gregory R.  
 Law Firm: Rudolph Clarke, LLC  
 Address: Seven Neshaminy Interplex  
 Ste 200  
 Trevoose, PA 19053  
 Phone No: (215) 633-1890 Fax No:

Attorney: Fonteix, Harrison  
 Law Firm: Rudolph Clarke, LLC  
 Address: Seven Neshaminy Interplex Ste 200  
 Trevoose, PA 19053  
 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  
 Address: 2800 Kelly Rd Ste 200  
 Warrington, PA 18976  
 Phone No: (215) 918-3636 Fax No:

Attorney: Stoll, Andrew Richard  
 Law Firm: Fox Rothschild LLP  
 Address: 2800 Kelly Rd Ste 200  
 Warrington, PA 18976  
 Phone No: (215) 345-7500 Fax No:

Attorney: Kasman, Jenna Nicole  
 Law Firm: Fox Rothschild LLP  
 Address: 2800 Kelly Rd Ste 200  
 Warrington, PA 18976  
 Phone No: (215) 694-8564 Fax No:

## 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

## Commonwealth Docket Sheet

## Commonwealth Court of Pennsylvania

Docket Number: 172 CD 2023

Page 3 of 5

May 4, 2024



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

## DOCKET ENTRY

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

## Commonwealth Docket Sheet

## Commonwealth Court of Pennsylvania

Docket Number: 172 CD 2023

Page 4 of 5

May 4, 2024



## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>April 10, 2023</b>	Docketing Statement Filed Tucker, Robert M., Jr.	Pennsylvania Real Estate Investmer	Appellant	
<b>May 12, 2023</b>	Briefing Schedule Issued Commonwealth Court Filing Office			
<b>May 22, 2023</b>	Designation of Contents of Reproduced Record Kaplin, Marc B.	Pennsylvania Real Estate Investmer	Appellant	
	Document Name: Appellant's			
<b>June 8, 2023</b>	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			
<b>June 21, 2023</b>	Appellant's Brief Filed Pennsylvania Real Estate Investment Trust		Appellant	
<b>June 21, 2023</b>	Appellant's Reproduced Record Filed Kaplin, Marc B.	Pennsylvania Real Estate Investmer	Appellant	
<b>June 29, 2023</b>	Entry of Appearance Fonteix, Harrison	Plymouth Township	Appellee	
	Document Name: Atty. Harrison E. Fonteix for Appellee Plymouth Township			
<b>July 20, 2023</b>	Appellee's Brief Filed Plymouth Township		Appellee	
<b>August 1, 2023</b>	Application for Extension of Time to File Brief - First Request Kaplin, Marc B.	Pennsylvania Real Estate Investmer	Appellant	
	Pennsylvania Real Estate Investment Trust		Appellant	
<b>August 7, 2023</b>	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.			
<b>August 11, 2023</b>	Appellant's Reply Brief Pennsylvania Real Estate Investment Trust		Appellant	

## Commonwealth Docket Sheet

## Commonwealth Court of Pennsylvania

Docket Number: 172 CD 2023

Page 5 of 5

May 4, 2024



## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>August 25, 2023</b>	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.			
<b>August 31, 2023</b>	No Brief to be Filed by Appellee Sander, David Jonathan	Plymouth Township Zoning Hearing   Appellee		
	Document Name: Joins in brief of Appellee Plymouth Twp.			
<b>September 25, 2023</b>	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.			