

Appeal Docket Sheet

Superior Court of Pennsylvania

Docket Number: 207 WDA 2019

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August 11, 2022



CAPTION

Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson
Appellants

v.

Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC d/b/a Saloom Department Store

The United States of America
Intervenor

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Active

Case Processing Status: August 27, 2021 Awaiting Decision

Journal Number: J-A18040-19
J-A23024-19
J-E02008-21

Case Category: Civil Case Type(s): Products Liability

CONSOLIDATED CASES

RELATED CASES

SCHEDULED EVENT

Next Event Type:

Next Event Due Date:

COUNSEL INFORMATION

Appellant Gustafson, Mark

Pro Se: No

IFP Status: No

Attorney: Iverson, Kelly Kathleen

Address: Carlson Lynch
1133 Penn Ave 5th Fl
Pittsburgh, PA 15222

Phone No: (412) 253-4989

Fax No:

Attorney: Carlson, Ronald Bruce

Law Firm: Carlson Lynch Sweet Kilpela & Carpenter

Address: 1133 Penn Ave
5th Floor
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Phone No: (412) 322-9243

Fax No:

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COUNSEL INFORMATION

Appellant Gustafson, Mark

Pro Se: No

IFP Status: No

Attorney: Lynch, Gary F.
Law Firm: Carlson Lynch Sweet Kilpela & Carpenter
Address: 1133 Penn Ave
5th Floor
Pittsburgh, PA 15222
Phone No: (724) 656-1555 Fax No:

Attorney: McGraw, James Patrick, III
Law Firm: Lynch Law Group, LLC
Address: Lynch Law Group LLC
501 Smith Dr Ste 3
Cranberry Twp., PA 16066
Phone No: (724) 776-8000 Fax No:

Attorney: Lowy, Jonathan Elias
Address: Brady Center to Prevent Gun Violence
840 First St. NE
Suite 400
Washington, DC 20002

Attorney: Cross, Robert M.
Address: Brady Center to Prevent Gun Violence
840 First Street, N.E.
Suite 400
Washington, DC 20002

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COUNSEL INFORMATION

Appellant Gustafson, Leah

Pro Se: No

IFP Status: No

Attorney: Iverson, Kelly Kathleen

Address: Carlson Lynch
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Phone No: (412) 253-4989

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Attorney: Carlson, Ronald Bruce

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Fax No:

Attorney: Lynch, Gary F.

Law Firm: Carlson Lynch Sweet Kilpela & Carpenter

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Fax No:

Attorney: McGraw, James Patrick, III

Law Firm: Carlson Lynch LLP

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Phone No: (412) 322-9243

Fax No:

Attorney: Lowy, Jonathan Elias

Address: Brady Center to Prevent Gun Violence
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Attorney: Cross, Robert M.

Address: Brady Center to Prevent Gun Violence
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COUNSEL INFORMATION

Appellant Estate of James Robert Gustafson

Pro Se: No

IFP Status: No

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 Phone No: (412) 253-4989 Fax No:

Attorney: Carlson, Ronald Bruce
 Law Firm: Carlson Lynch Sweet Kilpela & Carpenter
 Address: 1133 Penn Ave
 5th Floor
 Pittsburgh, PA 15222
 Phone No: (412) 322-9243 Fax No:

Attorney: Lynch, Gary F.
 Law Firm: Carlson Lynch Sweet Kilpela & Carpenter
 Address: 1133 Penn Ave
 5th Floor
 Pittsburgh, PA 15222
 Phone No: (724) 656-1555 Fax No:

Attorney: McGraw, James Patrick, III
 Law Firm: Carlson Lynch LLP
 Address: 5th Floor
 Pittsburgh, PA 15222
 Phone No: (412) 322-9243 Fax No:

Attorney: Lowy, Jonathan Elias
 Address: Brady Center to Prevent Gun Violence
 840 First St. NE
 Suite 400
 Washington, DC 20002

Attorney: Cross, Robert M.
 Address: Brady Center to Prevent Gun Violence
 840 First Street, N.E.
 Suite 400
 Washington, DC 20002

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COUNSEL INFORMATION

Amicus The National Shooting Sports Foundation, Inc.

Pro Se: No

IFP Status:

Attorney: Toomey, Charles Scott
Address: Littleton Park Joyce Ughetta & Kelly Llp
201 King of Prussia Rd Ste 220
Radnor, PA 19087
Phone No: (484) 254-6220 Fax No:

Attorney: Keane, Lawrence G.
Address: NSSF
11 Mile Hill Road
Newtown, CT 06470

Attorney: Livingston, Craig A.
Address: Livingston Law Firm
1600 S. Main Street
Suite 280
Walnut Creek, CA 94596

Attorney: Van Der Putten, Crystal L.
Address: Livingston Law Firm
1600 S. Main Street
Suite 280
Walnut Creek, CA 94596

Amicus State of Montana

Pro Se: No

IFP Status:

Attorney: Goldstein, Jonathan Shae
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11 Church Rd
Hatfield, PA 19440
Phone No: (610) 949-0444 Fax No:

Attorney: Rodgers, Shawn Michael
Address: Goldstein Law Partners LLC
11 Church Rd
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Phone No: (610) 949-0444 Fax No:

Attorney: Henry, Britain Richard
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Hatfield, PA 19440
Phone No: (610) 949-0444 Fax No:

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COUNSEL INFORMATION

Appellee Springfield, Inc.

Pro Se: No
IFP Status: No

Attorney: Greiner, John Karl
Law Firm: Tremba, Kinney, Greiner & Kerr, LLC
Address: Tremba Kinney Greiner & Kerr LLC
302 W Otterman St
Greensburg, PA 15601-2219
Phone No: (724) 838-7600 Fax No:

Attorney: Hare, John Jacob
Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC
Address: 2000 Market St Ste 2300
Ste 2300
Philadelphia, PA 19103-3231
Phone No: (215) 575-2609 Fax No:

Attorney: Haselbarth, Shane
Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC
Address: 2000 Market St Ste 2300
Ste 2300
Philadelphia, PA 19103-3231
Phone No: (215) 575-2639 Fax No:

Attorney: Renzulli, Christopher
Address: Renzulli Law Firm, LLP
One North Broadway
Suite 1005
White Plains, NY 10603

Attorney: Allan, Scott C.
Address: Renzulli Law Firm, LLC
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White Plains, NY 10603

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COUNSEL INFORMATION

Appellee Saloom Dept. Store. LLC

Pro Se: No

IFP Status: No

Attorney: Greiner, John Karl
 Law Firm: Tremba, Kinney, Greiner & Kerr, LLC
 Address: Tremba Kinney Greiner & Kerr LLC
 302 W Otterman St
 Greensburg, PA 15601-2219
 Phone No: (724) 838-7600 Fax No:

Attorney: Hare, John Jacob
 Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC
 Address: 2000 Market St Ste 2300
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 Phone No: (215) 575-2609 Fax No:

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 Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC
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 White Plains, NY 10603

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COUNSEL INFORMATION

Appellee **Saloom Department Store**

Pro Se: No

IFP Status: No

Attorney: Greiner, John Karl
 Law Firm: Tremba, Kinney, Greiner & Kerr, LLC
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 302 W Otterman St
 Greensburg, PA 15601-2219
 Phone No: (724) 838-7600 Fax No:

Attorney: Hare, John Jacob
 Law Firm: Marshall Dennehey Warner Coleman & Goggin, PC
 Address: 2000 Market St Ste 2300
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 Phone No: (215) 575-2609 Fax No:

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Attorney: Allan, Scott C.
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COUNSEL INFORMATION

Intervenor The United States of America

Pro Se: No

IFP Status: No

Attorney: Irwin, Laura Schleich
 Law Firm: U.S. Department of Justice
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 700 Grant St Ste 400
 Pittsburgh, PA 15219-1906

Phone No: (412) 894-7374 Fax No:

Attorney: Revesz, Joshua
 Address: United States Department of Justice
 Civil Division, Appellate Section
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

Phone No: (202) 514-8100 Fax No: (202) 514-7964

Attorney: Trayer, Thais Lyn
 Law Firm: Department of Justice
 Address: 950 Pennsylvania Avenue NW
 Washington, DC 20530

Attorney: Myron, Laura
 Address: United States Department of Justice, Civil Division
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

FEE INFORMATION

| Fee Dt | Fee Name | Fee Amt | Receipt Dt | Receipt No | Receipt Amt |
|------------|---|---------|------------|-------------------|-------------|
| 02/13/2019 | Notice of Appeal | 90.25 | 02/13/2019 | 2019-SPR-W-000124 | 90.25 |
| 10/13/2020 | Petition for Reargument | 15.00 | 10/14/2020 | 2020-SPR-W-000584 | 15.00 |
| 10/13/2020 | Petition for Reargument | 15.00 | 10/14/2020 | 2020-SPR-W-000585 | 15.00 |
| 12/09/2020 | Motion for Reconsideration or Clarification | 15.00 | 12/10/2020 | 2020-SPR-W-000712 | 15.00 |
| 04/05/2021 | Copy Work by Clerk (Per Page) | 23.00 | 04/05/2021 | 2021-SPR-W-000222 | 23.00 |
| 11/15/2021 | Copy Work by Clerk (Per Page) | 38.00 | 11/15/2021 | 2021-SPR-W-000750 | 38.00 |

AGENCY/TRIAL COURT INFORMATION

Order Appealed From: January 15, 2019 Notice of Appeal Filed: February 7, 2019
 Order Type: Order Entered
 Documents Received: February 13, 2019

Court Below: Westmoreland County Court of Common Pleas
 County: Westmoreland Division: Westmoreland County Civil Division
 Judge: Small, Harry F. OTN:
 Docket Number: 1126 of 2018 Judicial District: 10

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ORIGINAL RECORD CONTENT

| Original Record Item | Filed Date | Content Description |
|----------------------|----------------|---------------------|
| Original Record | April 10, 2019 | 1 Part |
| Trial Court Opinion | April 10, 2019 | |
| Transcript(s) | April 10, 2019 | 2 |

Date of Remand of Record:

BRIEFING SCHEDULE

Amicus**State of Montana****Brief**

Due: March 5, 2021 Filed: March 5, 2021

The National Shooting Sports Foundation, Inc.**Brief**

Due: March 5, 2021 Filed: March 5, 2021

Due: March 5, 2021 Filed: March 5, 2021

Appellant**Estate of James Robert Gustafson****Brief**

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

Reply Brief

Due: July 2, 2019 Filed: July 2, 2019

Due: March 19, 2021 Filed: March 18, 2021

Reproduced Record

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

Supplemental Brief

Due: January 13, 2021 Filed: January 13, 2021

Gustafson, Leah**Brief**

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

Reply Brief

Due: July 2, 2019 Filed: July 2, 2019

Due: March 19, 2021 Filed: March 18, 2021

Reproduced Record

Due: May 20, 2019 Filed: May 20, 2019

Due: January 13, 2021 Filed: January 13, 2021

Supplemental Brief**Appellee****Saloom Department Store****Brief**

Due: June 19, 2019 Filed: June 18, 2019

Due: March 5, 2021 Filed: March 5, 2021

Saloom Dept. Store. LLC**Brief**

Due: June 19, 2019 Filed: June 18, 2019

Due: March 5, 2021 Filed: March 5, 2021

Springfield, Inc.**Brief**

Due: June 19, 2019 Filed: June 18, 2019

Due: March 5, 2021 Filed: March 5, 2021

Intervenor**The United States of America****Brief**

Due: Filed: June 18, 2019

Due: March 5, 2021 Filed: February 12, 2021

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BRIEFING SCHEDULE

Appellant

Gustafson, Leah

Supplemental Brief

Due: January 13, 2021

Filed: January 13, 2021

Gustafson, Mark

Brief

Due: May 20, 2019

Filed: May 20, 2019

Due: January 13, 2021

Filed: January 13, 2021

Reply Brief

Due: July 2, 2019

Filed: July 2, 2019

Due: March 19, 2021

Filed: March 18, 2021

Reproduced Record

Due: May 20, 2019

Filed: May 20, 2019

Due: January 13, 2021

Filed: January 13, 2021

Supplemental Brief

Due: January 13, 2021

Filed: January 13, 2021

DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|--------------------------|---|--|----------------------------------|
| February 13, 2019 | Notice of Appeal Docketed | Appellant | Gustafson, Mark |
| | | Appellant | Gustafson, Leah |
| | | Appellant | Estate of James Robert Gustafson |
| February 13, 2019 | Docketing Statement Exited (Civil) | | Superior Court of Pennsylvania |
| February 25, 2019 | Docketing Statement Received (Civil) | Appellant | Gustafson, Mark |
| | | Appellant | Gustafson, Leah |
| | | Appellant | Estate of James Robert Gustafson |
| February 28, 2019 | Application to be Admitted Pro Hac Vice Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson | Appellant | Iverson, Kelly Kathleen |
| | | Appellant | Iverson, Kelly Kathleen |
| | | Appellant | Iverson, Kelly Kathleen |
| | | Document Name: Attorney Robert M. Cross | |
| February 28, 2019 | Application to be Admitted Pro Hac Vice Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson | Appellant | Iverson, Kelly Kathleen |
| | | Appellant | Iverson, Kelly Kathleen |
| | | Appellant | Iverson, Kelly Kathleen |
| | | Document Name: Attorney Jonathan E. Lowy | |

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DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|----------------|---|---------------------|---|
| March 7, 2019 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam |
| | <p>Comment: Upon consideration of the February 28, 2019 motion of Kelly Iverson, Esquire on behalf of Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson for Admission pro hac vice of Jonathan E. Lowy, Esquire the following is hereby ORDERED:</p> <p>Jonathan E. Lowy, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>Kelly Iverson, Esquire shall remain attorney of record for Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p> | | |
| March 7, 2019 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam |
| | <p>Comment: Upon consideration of the February 28, 2019 motion of Kelly Iverson, Esquire on behalf of Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson for Admission pro hac vice of Robert M. Cross, Esquire the following is hereby ORDERED:</p> <p>Robert M. Cross, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>Kelly Iverson, Esquire shall remain attorney of record for Appellants Mark and Leah Gustafson, individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p> | | |
| March 18, 2019 | Application for Intervention | Possible Intervenor | Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff |
| | Comment: Filed by Assistant U.S. Attorney Laura Schleich Irwin on behalf of the United States. | | |
| March 18, 2019 | Application to be Admitted Pro Hac Vice | Possible Intervenor | Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff |
| March 18, 2019 | Application to be Admitted Pro Hac Vice | Possible Intervenor | Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff |
| March 20, 2019 | Application for Intervention | Intervenor | The United States of America |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|----------------|--|-------------------------------------|--|
| March 20, 2019 | Order | | Per Curiam |
| | <p>Comment: As it appears that the United States has been permitted to intervene in the lower court, the March 18, 2019 "Application for Intervention" and March 20, 2019 "Application for Intervention" are DISMISSED as moot. See Pa.R.C.P. 2330.</p> <p>Upon consideration of the March 18, 2019 motions of Laura Schleich Irwin, Esquire on behalf of the United States for Admission pro hac vice of Joshua Revesz, Esquire and for waiver of the pro hac vice admission fee, the applications are DENIED without prejudice for Attorney Irwin to refile the application for admission pro hac vice to indicate compliance with Pa.R.C.P 1012.1(b)(1).</p> | | |
| March 21, 2019 | Application to be Admitted Pro Hac Vice The United States of America | Intervenor | Irwin, Laura Schleich |
| March 25, 2019 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam |
| | <p>Comment: Upon consideration of the March 21, 2019 motion of Laura Schleich Irwin, Esquire on behalf of the United States for Admission pro hac vice of Joshua Revesz, Esquire the following is hereby ORDERED:</p> <p>Joshua Revesz, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b).</p> <p>Laura Schleich Irwin, Esquire shall remain attorney of record for the United States, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court.</p> | | |
| April 10, 2019 | Trial Court Record Received | | Westmoreland County Civil Division |
| April 10, 2019 | Briefing Schedule Issued | | Superior Court of Pennsylvania |
| April 10, 2019 | Trial Court Opinion Received | | Westmoreland County Civil Division |
| May 20, 2019 | Appellant's Brief Filed | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| May 20, 2019 | Reproduced Record Filed | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| May 20, 2019 | Reply Letter(s) Printed | | Superior Court of Pennsylvania |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|----------------------|--|-------------------------------------|--|
| May 28, 2019 | Reply Received (Argument) | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| May 30, 2019 | Application to be Admitted Pro Hac Vice Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC | Appellee Appellee Appellee | Greiner, John Karl Greiner, John Karl Greiner, John Karl |
| June 5, 2019 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam Comment: Upon consideration of the May 30, 2019 motion of John K. Greiner, Esquire on behalf of Appellees Springfield, Inc. d/b/a/ Springfield Armory, and Saloom Department Store, LLC d/b/a Saloom Department Store, for Admission pro hac vice of Christopher Renzulli, Esquire, the following is hereby ORDERED: Christopher Renzulli, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b). John K. Greiner, Esquire shall remain attorney of record for Appellees and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court. |
| June 18, 2019 | Appellee's Brief Filed | Appellee Appellee Appellee | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC |
| June 18, 2019 | Intervenor's Brief Filed | Intervenor | The United States of America |
| June 19, 2019 | Paper Version of PACFiled Document Received Document Name: Intervenor's Brief | Intervenor | The United States of America |
| June 19, 2019 | Paper Version of PACFiled Document Received Document Name: Appellee's Brief | Appellee Appellee Appellee | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC |
| June 26, 2019 | Argument Letter Sent | | Corsetti, Nicholas V. |
| June 27, 2019 | Acknowledgement of Argument Notice The United States of America | Intervenor | Irwin, Laura Schleich |

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|----------------------|---|------------------|----------------------------------|
| June 27, 2019 | Acknowledgement of Argument Notice | | |
| | Springfield, Inc. | Appellee | Greiner, John Karl |
| | Saloom Department Store | Appellee | Greiner, John Karl |
| | Saloom Dept. Store. LLC | Appellee | Greiner, John Karl |
| June 28, 2019 | Acknowledgement of Argument Notice | | |
| | The United States of America | Intervenor | Revesz, Joshua |
| July 2, 2019 | Appellant's Reply Brief | | |
| | | Appellant | Gustafson, Mark |
| | | Appellant | Gustafson, Leah |
| | | Appellant | Estate of James Robert Gustafson |
| July 9, 2019 | Application for Relief | | |
| | | Intervenor | The United States of America |
| July 10, 2019 | Application for Continuance | | |
| | | Appellant | Gustafson, Mark |
| | | Appellant | Gustafson, Leah |
| | | Appellant | Estate of James Robert Gustafson |
| July 10, 2019 | Acknowledgement of Argument Notice | | |
| | Gustafson, Mark | Appellant | Iverson, Kelly Kathleen |
| | Gustafson, Leah | Appellant | Iverson, Kelly Kathleen |
| | Estate of James Robert Gustafson | Appellant | Iverson, Kelly Kathleen |
| July 15, 2019 | Order Granting Application for Continuance | | |
| | | | Per Curiam |
| | Comment: AND NOW, this 15th day of July, 2019, upon consideration of the Appellant's Motion Continuance, said Motion is GRANTED. The Motion to Release from Obligation to Attend Argument, filed by the United States' counsel, Laura Schleich Irwin, Esquire, is denied as moot. The Prothonotary is directed to schedule this case on the next available argument list. | | |
| July 15, 2019 | Order | | |
| | | | Per Curiam |
| | Comment: AND NOW, this 15th day of July, 2019, upon consideration of the Appellant's Motion Continuance, said Motion is GRANTED. The Motion to Release from Obligation to Attend Argument, filed by the United States' counsel, Laura Schleich Irwin, Esquire, is denied as moot. The Prothonotary is directed to schedule this case on the next available argument list. | | |
| July 17, 2019 | Application to be Admitted Pro Hac Vice | | |
| | Springfield, Inc. | Appellee | Greiner, John Karl |
| | Saloom Department Store | Appellee | Greiner, John Karl |
| | Saloom Dept. Store. LLC | Appellee | Greiner, John Karl |

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|-----------------|--|---------------------|---|
| July 24, 2019 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam |
| | Comment: Upon consideration of the July 17, 2019 motion of John K. Greiner, Esquire on behalf of Appellees Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store for Admission pro hac vice of Scott C. Allen, Esquire the following is hereby ORDERED: | | |
| | Scott C. Allen, Esquire is permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301(a) and (b). | | |
| | John K. Greiner, Esquire shall remain attorney of record for Appellees Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store, and shall sign and serve, or be served with as the case may be, all notices, orders, pleadings or other papers filed in this action, and shall attend all proceedings before this Court unless excused by this Court. | | |
| July 24, 2019 | Other | Intervenor | The United States of America |
| | Document Name: Notice of Unavailability for Oral Argument | | |
| July 24, 2019 | Order | | Per Curiam |
| | Comment: The July 24, 2019 "Notice of Unavailability For Oral Argument" is DISMISSED as moot as no argument will be scheduled August 11, 2019 or August 28, 2019. | | |
| August 8, 2019 | Argument Letter Sent | | Corsetti, Nicholas V. |
| August 8, 2019 | Application for Relief | Intervenor | The United States of America |
| August 12, 2019 | Acknowledgement of Argument Notice | Possible Intervenor | Joshua Revesz, Attorney, United States Department of Justice, Civil Division, Appellate Staff |
| August 12, 2019 | Acknowledgement of Argument Notice | | |
| | Gustafson, Mark | Appellant | Iverson, Kelly Kathleen |
| | Gustafson, Leah | Appellant | Iverson, Kelly Kathleen |
| | Estate of James Robert Gustafson | Appellant | Iverson, Kelly Kathleen |
| August 13, 2019 | Acknowledgement of Argument Notice | | |
| | The United States of America | Intervenor | Irwin, Laura Schleich |
| August 14, 2019 | Acknowledgement of Argument Notice | | |
| | Springfield, Inc. | Appellee | Greiner, John Karl |
| | Saloom Department Store | Appellee | Greiner, John Karl |
| | Saloom Dept. Store. LLC | Appellee | Greiner, John Karl |
| August 14, 2019 | Acknowledgement of Argument Notice | | |
| | Springfield, Inc. | Appellee | Renzulli, Christopher |
| | Saloom Department Store | Appellee | Renzulli, Christopher |
| | Saloom Dept. Store. LLC | Appellee | Renzulli, Christopher |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|--|---|------------------|------------------------------|
| August 14, 2019 | Acknowledgement of Argument Notice | | |
| | Springfield, Inc. | Appellee | Allan, Scott C. |
| | Saloom Dept. Store. LLC | Appellee | Allan, Scott C. |
| | Saloom Department Store | Appellee | Allan, Scott C. |
| September 11, 2019 | Order Granting Application for Relief | | Per Curiam |
| | Comment: AND NOW, this 11th day of September, 2019, upon consideration of the United States Attorney's "Motion to Release From Obligation to Attend Argument," filed in the above captioned matter, it is hereby ORDERED that said Motion is GRANTED. | | |
| September 17, 2019 | Entry of Appearance - Private | | |
| | Gustafson, Mark | Appellant | McGraw, James Patrick, III |
| | Gustafson, Leah | Appellant | McGraw, James Patrick, III |
| | Estate of James Robert Gustafson | Appellant | McGraw, James Patrick, III |
| June 23, 2020 | Application to Withdraw As Counsel | | |
| | The United States of America | Intervenor | Irwin, Laura Schleich |
| July 1, 2020 | Order Granting Application to Withdraw as Counsel | | Per Curiam |
| | Comment: AND NOW, this 1st day of July, 2020, we hereby GRANT the Application to Withdraw as Counsel filed by Joshua Revesz, Esquire. | | |
| September 28, 2020 | Reversed/Remanded | | Kunselman, Deborah A. |
| | Comment: Jurisdiction relinquished | | |
| October 8, 2020 | Application for Extension of Time to File Panel Reconsideration/Reargument | | |
| | | Appellee | Springfield, Inc. |
| | | Appellee | Saloom Department Store |
| | | Appellee | Saloom Dept. Store. LLC |
| October 9, 2020 | Application to be Admitted Pro Hac Vice | | |
| | The United States of America | Intervenor | Irwin, Laura Schleich |
| | | | |
| October 12, 2020 | Entry of Appearance - Private | | |
| | Springfield, Inc. | Appellee | Hare, John Jacob |
| | Saloom Department Store | Appellee | Hare, John Jacob |
| | Saloom Dept. Store. LLC | Appellee | Hare, John Jacob |
| October 12, 2020 | Entry of Appearance - Private | | |
| | Springfield, Inc. | Appellee | Haselbarth, Shane |
| | Saloom Department Store | Appellee | Haselbarth, Shane |
| | Saloom Dept. Store. LLC | Appellee | Haselbarth, Shane |
| October 13, 2020 | Application for Reargument | | |
| | | Intervenor | The United States of America |
| October 13, 2020 | Other | | |
| | | Intervenor | The United States of America |
| Document Name: Superior Court decision 9-28-20 | | | |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|--|--|-------------------------------------|---|
| October 13, 2020 | Application for Reargument | Appellee Appellee Appellee | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC |
| October 14, 2020 | Other | Intervenor | The United States of America |
| Document Name: Exhibit C for Admission pro hac vice petition | | | |
| October 15, 2020 | Order Denying Application for Extension of Time to File Reargument/Reconsideration | | Per Curiam |
| Document Name: as moot | | | |
| Comment: AND NOW, this 15th day of October, 2020, because a petition for reargument has been timely filed in this appeal, Appellees Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC d/b/a Saloom Department Store's, and Intervenor the United States of America's joint application for extension of time to file a petition for reargument is DENIED as moot. | | | |
| October 23, 2020 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam |
| Comment: the October 13, 2020 motions of the U.S. Attorney's office for Admission pro hac vice of Thais-Lyn Trayer, Esquire and for waiver of the pro hac vice admission fee is GRANTED. | | | |
| October 27, 2020 | Answer to Application for Reargument | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |

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DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|------------------|--|-------------------------------------|--|
| December 3, 2020 | Order Granting Application for Reargument | | Per Curiam |
| | <p>Comment: Upon consideration of the October 13, 2020 applications for reargument, filed by Appellees Springfield, Inc. D/B/A Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC D/B/A Saloom Department Store and Intervenor, the United States of America, IT IS HEREBY ORDERED: THAT this Court's Prothonotary shall amend the caption in the abovecaptioned case to reflect the United States of America as Intervenor; THAT en banc reargument is GRANTED; THAT the decision of this COURT filed September 28, 2020, is withdrawn; THAT the case be listed before the next available en banc panel; THAT Appellants, Mark and Leah Gustafson, Individually and as Administrators and Personal Representatives of the Estate of James Robert (Jr.) Gustafson, shall file an original and ten (10) copies of either the brief previously filed, the brief previously filed together with a supplemental brief, or a substituted Brief for Appellant by December 14, 2020, along with an original and ten (10) copies of the reproduced record; THAT Appellees, Springfield, Inc. D/B/A Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC D/B/A Saloom Department Store, and Intervenor, the United States of America, shall thereafter have twenty-one (21) days after service to file an original and ten (10) copies of the brief previously filed, the brief previously filed together with a supplemental brief, or a substituted Brief for Appellees or Intervenor; THAT Appellants shall thereafter have fourteen (14) days after service of the Brief for Appellees or the Brief for Intervenor, whichever is served later, to file an original and ten (10) copies of one (1) reply brief in accordance with Pa.R.A.P. 2113(a) if desired. No other briefs may be filed by the parties without leave of this Court; AND THAT any substituted or supplemental brief shall clearly indicate on the cover page that it is a substituted or supplemental brief.</p> | | |
| December 8, 2020 | Application for Extension of Time to File Brief - First Request | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| December 8, 2020 | Order Granting Application for Extension of Time to File Brief and Reproduced Record | | Per Curiam |
| December 9, 2020 | Order | | Per Curiam |
| | <p>Document Name: Extension of time</p> <p>Comment: On December 8, 2020, this Court inadvertently granted Appellants' application for an extension of time to file briefs. The December 8, 2020 Order is VACATED, and Appellants' request for an extension remains pending. Appellees and Intervenor shall have until December 15, 2020, to file an answer, if any.</p> | | |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|--------------------------|---|-------------------------------------|---|
| December 9, 2020 | Application for Clarification | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| December 10, 2020 | Answer to Application for Extension of Time to File Brief | Appellee Appellee Appellee | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC |
| December 10, 2020 | Answer to Application for Clarification | Appellee Appellee Appellee | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC |
| December 11, 2020 | Answer to Application for Extension of Time to File Brief | Intervenor | The United States of America |
| December 11, 2020 | Order Granting Application for Extension of Time to File Brief and Reproduced Record | | Per Curiam |
| | <p>Comment: Upon consideration of the answers filed by Appellees and Intervenor, Appellants' application for an extension of time to file en banc briefs is GRANTED. The Brief for Appellants is due by January 13, 2021. Accordingly, Appellants' application for clarification is DENIED AS MOOT.1 PER CURIAM Footnote 1 The Court acknowledges and expresses appreciation for the prompt responses of all the parties.</p> | | |
| December 11, 2020 | Order Denying Application for Clarification | | Per Curiam |
| | <p>Document Name: as moot Comment: Appellants' application for clarification is DENIED AS MOOT.1 PER CURIAM 1 The Court acknowledges and expresses appreciation for the prompt responses of all the parties. (One order for two motions entered)</p> | | |
| January 13, 2021 | Appellant's Supplemental Brief Filed | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| January 13, 2021 | Appellant's Brief Filed | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|------------------|---|--|---|
| January 13, 2021 | Reproduced Record Filed | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| January 15, 2021 | Application for Extension of Time to File Brief - First Request | Appellee Appellee Appellee Intervenor | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC The United States of America |
| January 19, 2021 | Answer to Application for Extension of Time to File Brief | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| January 21, 2021 | Paper Version of PACFiled Document Received | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| | Document Name: Appellant's Supplemental Brief | | |
| January 21, 2021 | Paper Version of PACFiled Document Received | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| | Document Name: Appellant's Brief | | |
| January 21, 2021 | Paper Version of PACFiled Document Received | Appellant Appellant Appellant | Gustafson, Mark Gustafson, Leah Estate of James Robert Gustafson |
| | Document Name: Reproduced Record | | |
| February 1, 2021 | Application for Leave to File Amicus Brief | Amicus | The National Shooting Sports Foundation, Inc. |
| February 1, 2021 | Application for Leave to File Amicus Brief | Amicus | The National Shooting Sports Foundation, Inc. |
| February 1, 2021 | Application for Leave to File Amicus Brief | Amicus | State of Montana |
| February 1, 2021 | Application for Emergency Relief | Appellee Appellee Appellee | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|-------------------|---|------------------|------------------------------|
| February 2, 2021 | Order | | Per Curiam |
| | Document Name: resolves all petitions and answers filed 1/15/21, 1/19/21, and 2/1/21 | | |
| | Comment: The unopposed joint application of Springfield, Inc. d/b/a Springfield Armory & Saloom Dep't Store & Saloom Dep't Store, LLC d/b/a Saloom Dep't Store, and of Intervenor, The United States of America, for an extension of time to file briefs is GRANTED. As requested, the Briefs of Appellees and Intervenor are due by March 5, 2021. The application of The National Shooting Sports Foundation, Inc. for permission to file Briefs of Amicus Curiae is GRANTED. The applications of The National Shooting Sports Foundation, Inc., and of the State of Montana for an extension of time to file Briefs of Amicus Curiae are GRANTED. Briefs of Amicus Curiae in support of Appellees or Intervenor are due by March 5, 2021. The application for emergency relief to resolve the extension request is DENIED AS MOOT. | | |
| February 12, 2021 | Intervenor's Brief Filed | Intervenor | The United States of America |
| February 16, 2021 | Application to be Admitted Pro Hac Vice The United States of America | Intervenor | Irwin, Laura Schleich |
| February 17, 2021 | Paper Version of PACFiled Document Received | Intervenor | The United States of America |
| | Document Name: Intervenor | | |
| March 5, 2021 | Application to be Admitted Pro Hac Vice The National Shooting Sports Foundation, Inc. | Amicus | Toomey, Charles Scott |
| | The National Shooting Sports Foundation, Inc. | Amicus | Toomey, Charles Scott |
| March 5, 2021 | Application to be Admitted Pro Hac Vice The National Shooting Sports Foundation, Inc. | Amicus | Toomey, Charles Scott |
| | The National Shooting Sports Foundation, Inc. | Amicus | Toomey, Charles Scott |
| March 5, 2021 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam |
| | Comment: Upon consideration of the application of Laura Schleich Irwin, Esquire, on behalf of Intervenor, The United States of America, for admission pro hac vice of Laura Myron, Esquire, the application is GRANTED. The application for waiver of fee for pro hac vice admission is GRANTED. Attorney Myron shall be permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301. Attorney Irwin shall remain as attorney of record for Intervenor, and shall sign and serve, or be served with, all notices, pleadings, or other papers filed in this action, and shall attend all proceedings in this Court unless otherwise excused. | | |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|-----------------------|---|------------------|---|
| March 5, 2021 | Application to be Admitted Pro Hac Vice | | |
| | The National Shooting Sports Foundation, Inc. | Amicus | Toomey, Charles Scott |
| | The National Shooting Sports Foundation, Inc. | Amicus | Toomey, Charles Scott |
| March 5, 2021 | Amicus Curiae Brief | Amicus | The National Shooting Sports Foundation, Inc. |
| | | Amicus | The National Shooting Sports Foundation, Inc. |
| March 5, 2021 | Amicus Curiae Brief | Amicus | State of Montana |
| March 5, 2021 | Appellee's Brief Filed | Appellee | Springfield, Inc. |
| | | Appellee | Saloom Department Store |
| | | Appellee | Saloom Dept. Store. LLC |
| March 10, 2021 | Paper Version of PACFiled Document Received | Amicus | The National Shooting Sports Foundation, Inc. |
| | | Amicus | The National Shooting Sports Foundation, Inc. |
| | Document Name: Amicus Brief | | |
| March 11, 2021 | Paper Version of PACFiled Document Received | Appellee | Springfield, Inc. |
| | | Appellee | Saloom Department Store |
| | | Appellee | Saloom Dept. Store. LLC |
| | Document Name: appellee substitute brief | | |
| March 15, 2021 | Paper Version of PACFiled Document Received | Amicus | State of Montana |
| | | | |
| | Document Name: Amicus Brief | | |
| March 18, 2021 | Appellant's Reply Brief | Appellant | Gustafson, Mark |
| | | Appellant | Gustafson, Leah |
| | | Appellant | Estate of James Robert Gustafson |
| March 22, 2021 | Paper Version of PACFiled Document Received | Appellant | Gustafson, Mark |
| | | Appellant | Gustafson, Leah |
| | | Appellant | Estate of James Robert Gustafson |
| | Document Name: reply brief | | |

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DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|-----------------|---|----------------------------------|---|
| April 15, 2021 | Order Granting Application to be Admitted Pro Hac Vice | | Per Curiam |
| | <p>Comment: Upon consideration of the applications of C. Scott Toomey, Esquire, on behalf of Amicus Curiae, The National Shooting Sports Foundation, Inc. ("NSSF"), for admission pro hac vice of Lawrence G. Keane, Esquire, Craig A. Livingston, Esquire, and Crystal L. Van Der Putten, Esquire, the applications are GRANTED. Attorneys Keane, Livingston, and Van Der Putten shall be permitted to appear before this Court limited to the above-captioned appeal, but shall not act as attorney of record. See Pa.B.A.R. 301. Attorney Toomey shall remain as attorney of record for NSSF, in its capacity as amicus curiae. Attorney Toomey shall sign and serve, or be served with, all notices, pleadings, or other papers filed in this action, and shall be responsible for coordinating NSSF's participation in all proceedings in this Court. In the event NSSF participates in any proceeding in this Court, Attorney Toomey shall attend on NSSF's behalf.</p> | | |
| July 15, 2021 | Argument Letter Sent | | Wagner, Bobbi Jo |
| July 20, 2021 | Acknowledgement of Argument Notice Gustafson, Mark | Appellant | Lowy, Jonathan Elias |
| July 27, 2021 | Acknowledgement of Argument Notice Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC | Appellee Appellee Appellee | Renzulli, Christopher Renzulli, Christopher Renzulli, Christopher |
| July 30, 2021 | Other | Appellee Appellee Appellee | Springfield, Inc. Saloom Department Store Saloom Dept. Store. LLC |
| | Document Name: Notice of Supplemental Authority | | |
| August 5, 2021 | Acknowledgement of Argument Notice The United States of America | Intervenor | Irwin, Laura Schleich |
| August 10, 2021 | Argument Letter Sent | | Wagner, Bobbi Jo |

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SESSION INFORMATION

Journal Number: J-A18040-19
 Consideration Type: Continued
 Listed/Submitted Date: July 31, 2019

Panel Composition:

| | |
|----------------------------------|-------|
| The Honorable Mary Jane Bowes | Judge |
| The Honorable Carolyn H. Nichols | Judge |
| The Honorable John L. Musmanno | Judge |

Journal Number: J-A23024-19
 Consideration Type: Completed
 Listed/Submitted Date: September 17, 2019

Panel Composition:

| | |
|------------------------------------|--------------------------|
| The Honorable John T. Bender | President Judge Emeritus |
| The Honorable Deborah A. Kunselman | Judge |
| The Honorable John L. Musmanno | Judge |

Journal Number: J-E02008-21
 Consideration Type: En Banc Argument
 Listed/Submitted Date: August 24, 2021

Panel Composition:

| | |
|------------------------------------|--------------------------|
| The Honorable Jack A. Panella | President Judge |
| The Honorable John T. Bender | President Judge Emeritus |
| The Honorable Mary Jane Bowes | Judge |
| The Honorable Anne E. Lazarus | Judge |
| The Honorable Judith F. Olson | Judge |
| The Honorable Alice B. Dubow | Judge |
| The Honorable Deborah A. Kunselman | Judge |
| The Honorable Mary P. Murray | Judge |
| The Honorable Daniel D. McCaffery | Judge |

DISPOSITION INFORMATION

| | | | |
|-----------------------|---------------------------|---------------------|-----------------------|
| Final Disposition: | No | Judgment Date: | September 28, 2020 |
| Related Journal No: | J-A23024-19 | Disposition Author: | Kunselman, Deborah A. |
| Category: | Decided | Disposition Date: | September 28, 2020 |
| Disposition: | Reversed/Remanded | | |
| Disposition Comment: | Jurisdiction relinquished | | |
| Dispositional Filing: | Opinion | Filing Author: | Kunselman, Deborah A. |
| Filed Date: | 9/28/2020 12:00:00AM | | |

REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date: October 13, 2020
 Disposition: Order Granting Application for Reargument
 Disposition Date: December 3, 2020
 Record Remittal: