

Miscellaneous Docket Sheet**Docket Number: 249 MD 2021****Page 1 of 10****June 9, 2023****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: Active

Case Processing Status: January 28, 2022 Awaiting Consideration

Journal Number: 12-03-2022

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
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Miscellaneous Docket Sheet**Docket Number: 249 MD 2021****Page 2 of 10****June 9, 2023****COUNSEL INFORMATION****Petitioner Stadium Casino RE, LLC**

Pro Se: No

IFP Status:

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Respondent SC Gaming OPCO LLC

Pro Se: No

IFP Status:

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 Phone No: (215) 864-8122 Fax No:

Attorney: Hazlett, Thomas W.
 Law Firm: Ballard Spahr LLP
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 Phone No: (215) 665-8500 Fax No:

Attorney: King, Adrian Renz, Jr.
 Law Firm: Ballard Spahr, LLP
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Attorney: Fabius, Michael David Matthews
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Miscellaneous Docket Sheet

Docket Number: 249 MD 2021

Page 3 of 10

June 9, 2023



COUNSEL INFORMATION

Respondent **Pennsylvania Gaming Control Board**

Pro Se: No

IFP Status:

Attorney: Cook, Stephen S.
 Law Firm: PENNSYLVANIA GAMING CONTROL BOARD
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 Harrisburg, PA 17106-9060
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Attorney: Straszynski, Daniel Martin
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 303 Walnut St Fl 5
 Harrisburg, PA 17101
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Respondent **Lubert, Ira**

Pro Se: No

IFP Status:

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Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 249 MD 2021****Page 4 of 10****June 9, 2023****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

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**

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

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 28, 2021	Petition for Review Filed Stadium Casino RE, LLC		Petitioner	

Miscellaneous Docket Sheet

Docket Number: 249 MD 2021

Page 5 of 10

June 9, 2023



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 28, 2021	Certificate of Service Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
August 2, 2021	Notice Exited Commonwealth Court Filing Office			08/02/2021
August 17, 2021	Entry of Appearance Cook, Stephen S. Straszynski, Daniel Martin	Pennsylvania Gaming Control Board Respondent Pennsylvania Gaming Control Board Respondent		
	Document Name: Attys Cook and Straszynski for Pennsylvania Gaming Control Board			
August 18, 2021	Entry of Appearance Pennsylvania Gaming Control Board		Respondent	
August 18, 2021	Filed - Other Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: Cert of Service to Entry of Appearance for Attys Cook and Straszynski			
August 18, 2021	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			
August 18, 2021	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.			
September 17, 2021	Preliminary Objections Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: Pennsylvania Gaming Board P.O.'s to Petition for Review			
September 17, 2021	Respondent's Brief Filed Pennsylvania Gaming Control Board		Respondent	
	Document Name: Brief in Support of POs			

Miscellaneous Docket Sheet

Docket Number: 249 MD 2021

Page 6 of 10

June 9, 2023



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 17, 2021	Preliminary Objections			
	Kastenberg, Stephen J.	Lubert, Ira	Respondent	
	Kastenberg, Stephen J.	SC Gaming OPCO LLC	Respondent	
	Document Name: Respondent's Ira Lubert and SC Gaming OPCO LLC P.O.'s to the Petition for Review			
September 17, 2021	Respondent's Brief Filed			
	SC Gaming OPCO LLC		Respondent	
	Lubert, Ira		Respondent	
	Document Name: Brief in Support of POs			
September 29, 2021	Letter			
	Levine, Jason A.	Stadium Casino RE, LLC	Petitioner	
	Document Name: Re: Petitioner's Answer to POs			
September 30, 2021	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			
November 5, 2021	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			
November 5, 2021	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			
November 5, 2021	Memorandum of Law Filed			
	Stadium Casino RE, LLC		Petitioner	
	Document Name: Omnibus Memo of Law in Opposition to POs			
November 9, 2021	Order Filed			11/10/2021
	Per Curiam			
	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.			
November 19, 2021	Respondent's Reply Brief Filed			
	Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Pennsylvania Gaming Control Board		Respondent	
	Document Name: In further support of P.O.'s			

Miscellaneous Docket Sheet

Docket Number: 249 MD 2021

Page 7 of 10

June 9, 2023



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
November 19, 2021	Respondent's Reply Brief Filed Hazlett, Thomas W. Hazlett, Thomas W. SC Gaming OPCO LLC Lubert, Ira	Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent Respondent Respondent	
	Document Name: In futher support of P.O.'s			
December 20, 2021	Tentative Session Date Krimmel, Michael			
	Document Name: March 2022			
January 28, 2022	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.			
December 16, 2022	Praecipe Hazlett, Thomas W. Hazlett, Thomas W. Fabius, Michael David Matthews Fabius, Michael David Matthews King, Adrian Renz, Jr. King, Adrian Renz, Jr.	Lubert, Ira SC Gaming OPCO LLC Lubert, Ira SC Gaming OPCO LLC Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent Respondent Respondent Respondent Respondent	
	Document Name: Praecipe of Respondents to provide relevant information to the court			
December 19, 2022	Answer Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's Answer to Praecipe			
December 19, 2022	Order Filed Per Curiam			12/19/2022
	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.			
January 3, 2023	Answer Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's Answer to Praecipe			
January 3, 2023	Answer Filed Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Document Name: Gaming Control Board's Answer to Praecipe			

Miscellaneous Docket Sheet

Docket Number: 249 MD 2021

Page 8 of 10

June 9, 2023



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
January 5, 2023	Memorandum and Order Per Curiam			01/05/2023
	Document Name: Resps.' App. to Submit a Post-Argument Communication is DENIED.			
	Comment: NOW, January 5, 2023, upon consideration of "Praeipice 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.			
February 8, 2023	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.			
February 23, 2023	Entry of Appearance Zimmermann, Chad Westcott	Pennsylvania Gaming Control Board Respondent		
	Document Name: for Chad W. Zimmerman			
February 23, 2023	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			
February 28, 2023	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.			
March 10, 2023	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			
March 10, 2023	Application for Relief Cook, Stephen S.	Pennsylvania Gaming Control Board Respondent		
	Document Name: Gaming Control Board's Application to Amend Order			
March 21, 2023	Entry of Appearance Mascioli, Gian Mario	Stadium Casino RE, LLC	Petitioner	
	Document Name: Atty. Mascioli for Petitioner			
March 24, 2023	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			

Miscellaneous Docket Sheet

Docket Number: 249 MD 2021

Page 9 of 10

June 9, 2023



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 24, 2023	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			
March 28, 2023	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			
March 28, 2023	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			
April 5, 2023	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.			
April 7, 2023	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			
April 10, 2023	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			
April 10, 2023	Answer and New Matter Cook, Stephen S.	Pennsylvania Gaming Control Board	Respondent	
	Document Name: PaGCB Answer, New Matter and Counter Claim			
April 19, 2023	Filed - Other Stadium Casino RE, LLC Lubert, Ira		Petitioner Respondent	
	Document Name: 43 MM 2023-Petition for Permission to Appeal			
May 3, 2023	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.			

Miscellaneous Docket Sheet

Docket Number: 249 MD 2021

Page 10 of 10

June 9, 2023



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 4, 2023	Filed - Other Pennsylvania Gaming Control Board		Respondent	
	Document Name: 49 MM 2023-Petition for Permission to Appeal.			
May 4, 2023	Filed - Other Pennsylvania Gaming Control Board		Respondent	
	Document Name: 50 MM 2023-Application for Extraordinary Relief.			
May 10, 2023	Answer to New Matter 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's answer to Resp. SC Gaming & IRA Lubert's New Matter			
May 10, 2023	Answer to New Matter 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's answer to Resp. PA Gaming Control Board's New Matter & Counterclaim			
May 10, 2023	Application for Summary Relief Aronchick, Mark Alan Mascioli, Gian Mario Rice, Caroline Layne Levine, Jason A.	Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC Stadium Casino RE, LLC	Petitioner Petitioner Petitioner Petitioner	
	Document Name: Petitioner's app for summary relief in the nature of a motion for judgment on the pleadings			
May 24, 2023	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			
June 7, 2023	Answer Filed Aronchick, Mark Alan	Stadium Casino RE, LLC	Petitioner	
	Document Name: Petitioner's Response to GCB's Cross Application for Summary Relief			

SESSION INFORMATION

Journal Number: 12-03-2022
 Consideration Type: Oral Argument - Panel
 Listed/Submitted Date: March 7, 2022