

## Supreme Court of Pennsylvania



## Miscellaneous Docket Sheet

Docket Number: 50 MM 2023

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April 19, 2024

## CAPTION

Stadium Casino RE, LLC

v.

Pennsylvania Gaming Control Board, SC Gaming OPCO LLC and Ira Lubert

Petition of: Pennsylvania Gaming Control Board

## CASE INFORMATION

Initiating Document: Application for Extraordinary Relief

Case Status: Active

Journal Number:

Case Category: Administrative Agency

Case Type(s): Gaming Control Board  
Equity

## CONSOLIDATED CASES

## RELATED CASES

Docket No / Reason	Type
20 MM 2023	Related
Same Record Below	
Stadium Casino RE LLC, Pet v. Pa Gaming Control Bd	
43 MM 2023	Related
Same Record Below	
Stadium Casino RE, LLC v PGCB et al Petof: SC Gaming	
44 MM 2023	Related
Same Record Below	
Stadium Casino RE, LLC v PGCB et al Petof: SC Gaming	
49 MM 2023	Related
Same Record Below	
Stadium Casino RE, LLC v. PGCB et al, Pet of: PGCB	

## COUNSEL INFORMATION

Attorney: Cook, Stephen S.  
PENNSYLVANIA GAMING CONTROL BOARD

Address: Pa Gaming Control Bd  
Po Box 69060  
Harrisburg, PA 17106-9060

Phone No: (717) 346-8300

Receive Mail: Yes

Receive EMail: Yes      Email:

Representing: Pennsylvania Gaming Control Board, Petitioner

Pro Se: No

IFP Status:

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## COUNSEL INFORMATION

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 Receive EMail: Yes Email:  
 Representing: Pennsylvania Gaming Control Board, Petitioner  
 Pro Se: No  
 IFP Status:

Attorney: Zimmermann, Chad Westcott  
 PENNSYLVANIA GAMING CONTROL BOARD  
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 303 Walnut St Fl 5  
 Harrisburg, PA 17101  
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 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Pennsylvania Gaming Control Board, Petitioner  
 Pro Se: No  
 IFP Status:

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 Representing: Stadium Casino RE, LLC, Respondent  
 Pro Se: No  
 IFP Status:

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 Receive EMail: Yes Email:  
 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

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 Receive EMail: Yes Email:  
 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

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 Philadelphia, PA 19103  
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 Receive EMail: Yes Email:  
 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

Attorney: Kearney, Brian Nolan  
 Ballard Spahr LLP  
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 Phone No: (215) 864-8265  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

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 Representing: Lubert, Ira, Respondent  
 Pro Se: No  
 IFP Status:  
 Representing: SC Gaming OPCO LLC, Respondent  
 Pro Se: No  
 IFP Status:

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 Representing: Stadium Casino RE, LLC, Respondent  
 Pro Se: No  
 IFP Status:

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 Philadelphia, PA 19103  
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 Receive Mail: Yes  
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 Representing: Stadium Casino RE, LLC, Respondent  
 Pro Se: No  
 IFP Status:

Attorney: Rice, Caroline Layne  
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 1 Logan Sq Fl 27  
 Philadelphia, PA 19103  
 Phone No: (215) 496-7032  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Stadium Casino RE, LLC, Respondent  
 Pro Se: No  
 IFP Status:

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## SUPREME COURT INFORMATION

Appeal From:

Appeal Filed Below:

Probable Jurisdiction Noted:

Docketed Date:

May 4, 2023

Allocatur/Miscellaneous Granted:

Allocatur/Miscellaneous Docket No.:

Allocatur/Miscellaneous Grant Order:

## FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
05/04/2023	Extraordinary / Plenary Jurisdiction	70.25	05/04/2023	2023-SUP-M-001160	70.25

## INTERMEDIATE APPELLATE COURT INFORMATION

Court Name:

Docket Number:

Date of Order:

Rearg/Recon Disp Date:

Rearg/Recon Disposition:

Judge(s):

Fizzano Cannon, Christine  
Wallace, Stacy  
Leadbetter, Bonnie Brigance

Intermediate Appellate Court Action:

Referring Court:

## AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania

County:

Division: Commonwealth Court of Pennsylvania

Date of Agency/Trial Court Order:

Docket Number: 249 MD 2021

Judge(s):

OTN:

Order Type:

## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
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Record Remittal:

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
May 4, 2023	Application for Extraordinary Relief	Petitioner	Pennsylvania Gaming Control Board
May 18, 2023	No Answer Letter to Application for Extraordinary Relief	Respondent	Lubert, Ira
		Respondent	SC Gaming OPCO LLC

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
May 22, 2023	<b>Stadium Casino RE, LLC Answer to Application for Extraordinary Relief</b>	Respondent	Stadium Casino RE, LLC
July 13, 2023	<b>Praecipe for Appearance</b> Lubert, Ira SC Gaming OPCO LLC	Respondent Respondent	Kearney, Brian Nolan Kearney, Brian Nolan
August 9, 2023	<b>Application in the Nature of a Motion to Supplement its Application for Extraordinary Relief</b>	Petitioner	Pennsylvania Gaming Control Board
August 22, 2023	<b>No Answer Letter to Application in Nature of a Motion to Supplement App for Extraordinary Relief</b>	Respondent Respondent	Lubert, Ira SC Gaming OPCO LLC
August 23, 2023	<b>Answer to Application in the Nature of a Motion to Supplement its App for Extraordinary Relief</b>	Respondent	Stadium Casino RE, LLC
September 6, 2023	<b>Order Granting Application for Extraordinary Jurisdiction</b>		Per Curiam
Comments: AND NOW, this 6th day of September, 2023, the Application in the Nature of a Motion to Supplement is GRANTED.  The "Application for Extraordinary Relief under 42 Pa.C.S. § 726 for the Court to Exercise Extraordinary Jurisdiction" is GRANTED. This Court exercises its plenary jurisdiction over Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 249 MD 2021. All proceedings relative to Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 249 MD 2021, are stayed pending further order of this Court. See generally Pa.R.A.P. 3309(d) (delineating that this Court's exercise of extraordinary jurisdiction operates as a stay of the lower court proceedings).  No further briefing shall be accepted in this Miscellaneous Docket matter absent further directive from this Court.			
September 6, 2023	<b>Order Exited</b>		Office of the Prothonotary
January 11, 2024	<b>Application to Discontinue Counterclaim</b>	Petitioner	Pennsylvania Gaming Control Board
January 26, 2024	<b>No Answer Letter to Application to Discontinue Counterclaim</b>	Respondent	Stadium Casino RE, LLC
January 29, 2024	<b>No Answer Letter to Application to Discontinue Counterclaim</b>	Respondent Respondent	Lubert, Ira SC Gaming OPCO LLC

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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February 26, 2024	Order Denying Application to Discontinue Counterclaim		
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Per Curiam

## Comments:

AND NOW, this 26th day of February, 2024, with respect to the Application to Discontinue Counterclaim, in which the Pennsylvania Gaming Control Board seeks to discontinue a counterclaim it presented on April 10, 2023, in Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 249 MD 2021, it is NOTED that all proceedings as to that action are stayed. See Stadium Casino RE, LLC v. Pennsylvania Gaming Control Board, 50 MM 2023 (per curiam order dated Sept. 6, 2023). As such, the Application to Discontinue Counterclaim is DENIED, WITHOUT PREJUDICE to the Pennsylvania Gaming Control Board to renew such a request following the dissolution of the stay.

February 26, 2024	Order Exited		
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Office of the Prothonotary

## CROSS COURT ACTIONS

Docket Number:	148 MT 2023
Docket Number:	249 MD 2021
Docket Number:	43 MM 2023
Docket Number:	44 MM 2023
Docket Number:	49 MM 2023