

## Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 130 MM 2012

Page 1 of 8

February 19, 2018

## CAPTION

Council President Holly Brown, Mayor Carolyn Comitta, John Hellman, Mayor Leo Scoda, Council President Rich Kirkner, Councilperson Jennifer Mayo, Petitioners

v.

2011 Legislative Reapportionment Commission, Respondent

## CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Journal Number: J-108-2012 September 13, 2012

Case Category: Administrative Agency Case Type(s): Redistricting

## CONSOLIDATED CASES

## RELATED CASES

Docket No / Reason	Type
126 MM 2012 Court Order	Consolidated
127 MM 2012 Court Order	Consolidated
128 MM 2012 Court Order	Consolidated
129 MM 2012 Court Order	Consolidated
131 MM 2012 Court Order	Consolidated
132 MM 2012 Court Order	Consolidated
133 MM 2012 Court Order	Consolidated
134 MM 2012 Court Order	Consolidated
39 WM 2012 Court Order	Consolidated
40 WM 2012 Court Order	Consolidated
41 WM 2012 Court Order	Consolidated
42 WM 2012 Court Order	Consolidated

## COUNSEL INFORMATION

Attorney: Stretton, Samuel C.  
Law Office of Samuel C. Stretton

Address: 301 S High St PO Box 3231  
West Chester, PA 19381-3231

Phone No: (610) 696-4243




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**COUNSEL INFORMATION**


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Representing: Holly Brown, Carolyn Comitta, John Hellman, Leo Scoda, Rich Kirkner, Jennifer Mayo, Petitioner  
 Pro Se: No  
 IFP Status:

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Attorney: Del Sole, Joseph A.  
 Del Sole Cavanaugh Stroyd, L.L.C.  
 Address: 200 First Ave Ste 300  
 Pittsburgh, PA 15222  
 Phone No: (412) 261-2393  
 Representing: 2011 Legislative Reapportionment Commission, Respondent  
 Pro Se: No  
 IFP Status:

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Attorney: Cavanaugh, Patrick Kennedy  
 Del Sole Cavanaugh Stroyd, L.L.C.  
 Address: The Waterfront Building, Suite 300  
 200 First Avenue  
 PITTSBURGH, PA 15222  
 Phone No: (412) 261-2393  
 Representing: 2011 Legislative Reapportionment Commission, Respondent  
 Pro Se: No  
 IFP Status:

---

Attorney: Del Sole, Stephen John  
 Del Sole Cavanaugh Stroyd, L.L.C.  
 Address: The Waterfront Building, Suite 300  
 200 First Avenue  
 Pittsburgh, PA 15222  
 Phone No: (412) 261-2393  
 Representing: 2011 Legislative Reapportionment Commission, Respondent  
 Pro Se: No  
 IFP Status:

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Attorney: Stickman, William Shaw, IV  
 Del Sole Cavanaugh Stroyd, L.L.C.  
 Address: The Waterfront Building, Suite 300  
 200 First Avenue  
 Pittsburgh, PA 15222  
 Phone No: (412) 261-2393  
 Representing: 2011 Legislative Reapportionment Commission, Respondent  
 Pro Se: No  
 IFP Status:

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**COUNSEL INFORMATION**


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Attorney: Gallagher, Kathleen A.  
 Eckert Seamans Cherin & Mellott, LLC  
 Address: 44th Floor USX Tower  
 600 Grant St  
 Pittsburgh, PA 15219  
 Phone No: (412) 566-6034  
 Representing: Michael Turzai, as a Member of the 2011 PA Legislative Reapportionment Commission,  
 Respondent Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Paszamant, Brian S.  
 Blank Rome LLP  
 Address: One Logan Sq 130 N 18th St  
 Philadelphia, PA 19103-6933  
 Phone No: (215) 569-5791  
 Representing: Senator Dominic Pileggi, Respondent Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Buchholz, Carl Merritt  
 Address: DLA Piper LLP  
 One Liberty Place  
 1650 Market St., Suite 4900  
 Philadelphia, PA 19103  
 Phone No: (215) 656-3300  
 Representing: Senator Dominic Pileggi, Respondent Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Mullaney, Mary Ann  
 Blank Rome LLP  
 Address: One Logan Sq 130 N 18th St  
 Philadelphia, PA 19103-6933  
 Phone No: (215) 569-5598  
 Representing: Senator Dominic Pileggi, Respondent Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Robinson, Brian Michael  
 DLA Piper US, LLP  
 Address: DLA Piper US LLP  
 1650 Market St Fl 49  
 Philadelphia, PA 19103-7301  
 Phone No: (215) 656-2445  
 Representing: Senator Dominic Pileggi, Respondent Amicus Curiae  
 Pro Se: No  
 IFP Status:

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**COUNSEL INFORMATION**


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Attorney: Clemmer, Shauna Christine  
 PA Department of State  
 Address: PA Department of State  
 301 N Office Building  
 Harrisburg, PA 17120-0102  
 Phone No: (717) 783-0736  
 Representing: Bureau of Elections, Department of State, Participant  
 Pro Se: No  
 IFP Status:

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Attorney: Kelly, Linda L.  
 Office of Attorney General  
 Address: Commonwealth of Pennsylvania  
 Litigation Section  
 15th Floor, Strawberry Square  
 Harrisburg, PA 17120  
 Representing: Attorney General's Office, Participant  
 Pro Se: No  
 IFP Status:

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Attorney: Granahan, Kathleen M.  
 PA Office of Attorney General  
 Address: 16th Floor, Strawberry Square  
 Harrisburg, PA 17120  
 Phone No: (717) 787-3391  
 Representing: Attorney General's Office, Participant  
 Pro Se: No  
 IFP Status:

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**FEE INFORMATION**


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Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
07/09/2012	Petition for Review	73.50	07/10/2012	2012-SUP-M-000886	73.50

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**AGENCY/TRIAL COURT INFORMATION**


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Court Below: Legislative Reapportionment Commission  
 County: Division: Legislative Reapportionment Commission  
 Date of Agency/Trial Court Order: June 8, 2012  
 Order Type: Order  
 OTN(s):  
 Lower Ct Docket No(s): 156th Legislative District 157th Legislative District  
 Lower Ct Judge(s):

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**ORIGINAL RECORD CONTENT**


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Original Record Item	Filed Date	Content/Description
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**Record Remittal:**

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**BRIEFING SCHEDULE**


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## BRIEFING SCHEDULE

**Petitioner**

**Holly Brown, Carolyn Comitta, John Hellman, Leo Scoda, Rich Kirkner, Jennifer Mayo**  
Brief

Due: August 6, 2012                      Filed: August 2, 2012

**Reproduced Record**

Due: August 6, 2012                      Filed: August 2, 2012

**Respondent**

**2011 Legislative Reapportionment Commission**  
Brief

Due: August 20, 2012                      Filed: August 20, 2012

**Respondent Amicus Curiae**

**Michael Turzai, as a Member of the 2011 PA**  
**Legislative Reapportionment Commission**  
Brief

Due: August 20, 2012                      Filed: August 20, 2012

**Senator Dominic Pileggi****Brief**

Due: August 20, 2012                      Filed: August 20, 2012

## SESSION INFORMATION

Journal Number:                      J-108-2012  
Listed/Submitted Date:                September 13, 2012  
Consideration Type:                    Oral Argument Supreme Ct.

## DISPOSITION INFORMATION

Related Journal No:                    J-108-2012                                      Judgment Date:                      May 8, 2013  
Category:                                    Decided    Disposition Author:                    Castille, Ronald D.  
Disposition:                                Appeal Dismissed                                      Disposition Date:                      May 8, 2013  
Dispositional Filing:    Author:  
Filed Date:

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>July 9, 2012</b>	<b>Petition for Review</b>	Petitioner	Holly Brown, Carolyn Comitta, John Hellman, Leo Scoda, Rich Kirkner, Jennifer Mayo
<b>July 10, 2012</b>	<b>Order Regarding Answer/No Answer Letter, Petitioner's Briefs, Consolidation and Argument</b>		Bizzoso, Irene M.

## Comments:

AND NOW, this 10th day of July, 2012, the above referenced matters are hereby consolidated for purposes of pleading, briefing and argument.

A consolidated answer or no answer letter to the petitions for review is due by 1 P.M. Monday, July 23, 2012. Any prior directives regarding time frame for filing an answer is/are hereby rescinded.

Petitioners' briefs are to be received by the Supreme Court of Pennsylvania Prothonotary's Office by 1:00 p.m. on Monday, August 6, 2012. If hand delivered, briefs may be filed at the nearest Supreme Court Prothonotary's Office.



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
Service of said briefs shall be made via personal service or e-mail as agreed to by the parties. Respondent's consolidate brief is due on or before 1:00 p.m. Monday, August 20, 2012, under the same filing and service constraints as aforementioned. Due to the nature of these appeals and the constricted time frame, no applications for extensions of time will be entertained. Oral argument will be scheduled during the September argument session in Philadelphia, by separate order.			
July 10, 2012	Order Exited		Office of the Prothonotary
July 19, 2012	Agency Record Received		Legislative Reapportionment Commission
July 23, 2012	Answer to Petition for Review	Respondent	2011 Legislative Reapportionment Commission
August 2, 2012	Petitioner's Brief	Petitioner	Holly Brown, Carolyn Comitta, John Hellman, Leo Scoda, Rich Kirkner, Jennifer Mayo
August 2, 2012	Petitioner's Reproduced Record Filed	Petitioner	Holly Brown, Carolyn Comitta, John Hellman, Leo Scoda, Rich Kirkner, Jennifer Mayo
August 6, 2012	Order Regarding Oral Argument		Bizzoso, Irene M.
Comments: AND NOW, this 6th day of August, 2012, this matter is hereby listed as case #10 for argument session commencing at 9:30 a.m., Thursday, September 13, 2012, in Philadelphia, PA. Petition and Respondent will be allotted up to five (5) minutes per side to present their argument.			
August 6, 2012	Order Exited		Office of the Prothonotary
August 6, 2012	Motion for Leave to File a Brief in Excess of the Page Limit Set Forth by Pa.R.A.P. 2135	Respondent	2011 Legislative Reapportionment Commission
August 6, 2012	Order Granting Motion for Leave to File Brief in Excess of Page Limitation		Vaskov, John A.
Comments: AND NOW, this 6th day of August, 2012, the Motion for Leave to File Brief in Excess of Page Limitation is granted, the Respondent's Brief not to exceed 110 pages.			
August 6, 2012	Order Exited		Office of the Prothonotary



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>August 13, 2012</b>	<b>Acknowledgement of Argument Notice</b>		
	2011 Legislative Reapportionment Commission	Respondent	Del Sole, Joseph A.
	2011 Legislative Reapportionment Commission	Respondent	Stickman, William Shaw, IV
<b>August 13, 2012</b>	<b>Acknowledgement of Argument Notice</b>		
	Bureau of Elections, Department of State	Participant	Clemmer, Shauna Christine
<b>August 20, 2012</b>	<b>Respondent's Brief</b>		
		Respondent	2011 Legislative Reapportionment Commission
<b>August 20, 2012</b>	<b>Respondent Amicus Curiae's Brief</b>		
		Respondent Amicus Curiae	Michael Turzai, as a Member of the 2011 PA Legislative Reapportionment Commission
<b>August 20, 2012</b>	<b>Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument</b>		
		Respondent Amicus Curiae	Michael Turzai, as a Member of the 2011 PA Legislative Reapportionment Commission
<b>August 20, 2012</b>	<b>Respondent Amicus Curiae's Brief</b>		
		Respondent Amicus Curiae	Senator Dominic Pileggi
<b>August 22, 2012</b>	<b>No Answer Letter to Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument</b>		
		Respondent	2011 Legislative Reapportionment Commission
<b>August 28, 2012</b>	<b>Order Denying Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument</b>		
			Per Curiam
Comments:			
AND NOW, this 28th day of August, 2012, the Petition of Amicus Curiae Michael Turzai as a Member of the 2011 Pennsylvania Legislative Reapportionment Commission for Leave to Participate in Oral Argument is DENIED. See Pa.R.A.P. 531(b).			
<b>August 28, 2012</b>	<b>Order Exited</b>		
			Office of the Prothonotary
<b>September 11, 2012</b>	<b>Praecipe for Appearance</b>		
	2011 Legislative Reapportionment Commission	Respondent	Cavanaugh, Patrick Kennedy
<b>September 13, 2012</b>	<b>Argued</b>		
			Supreme Court of Pennsylvania



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>May 8, 2013</b>	<b>Appeal Dismissed</b>		Castille, Ronald D.

## Comments:

The matter has been ably briefed, both by concerned citizens and the LRC. For the reasons we have articulated above, we reaffirm Holt I as against the various challenges made to the decision; and we further determine that, as against the specific challenges presented in these various appeals, the LRC, in crafting the 2012 Final Plan, sufficiently heeded this Court's admonition that it "could have easily achieved a substantially greater fidelity to all of the mandates in Article II, Section 16" than it did in its unconstitutional 2011 Final Plan. See Holt I, 38 A.3d at 718. Moreover, we hold that the appellants have not demonstrated that the 2012 Final Plan is contrary to law. We therefore conclude that the LRC has utilized the population data of the 2010 census to create a redistricting map that complies with the Pennsylvania Constitution, which shall hereby have the force of law, beginning with the 2014 election cycle. The appeals are dismissed.

Jurisdiction relinquished.

Former Justice Orié Melvin did not participate in the consideration or decision of these appeals.

Messrs. Justice Eakin and Baer, Madame Justice Todd and Mr. Justice McCaffery join the opinion.

Mr. Justice Saylor files a concurring opinion.

<b>May 8, 2013</b>	<b>Judgment Entered</b>		Office of the Prothonotary
<b>May 30, 2013</b>	<b>Reconsideration Time Expired/Case Closed</b>		Office of the Prothonotary

## Comments:

Notification sent to the Legislative Reapportionment Commission

6-4-13 - Received receipt acknowledgment from the Reapportionment Commission.