

## Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 41 WM 2012

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July 27, 2017

## CAPTION

Richard Lattanzi, Mayor of the City of Clairton and Richard Ford, Councilman in the City of Clairton, Petitioners

v.

2011 Legislative Reapportionment Commission, Respondent

## CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Journal Number: J-106-2012 September 10, 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
130 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
42 WM 2012 Court Order	Consolidated

## COUNSEL INFORMATION

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Pittsburgh, PA 15219

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**COUNSEL INFORMATION**


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Representing: Richard Lattanzi and Richard Ford, 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  
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 Phone No: (412) 261-2393  
 Representing: 2011 Legislative Reapportionment Commission, Respondent  
 Pro Se: No  
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Attorney: Cavanaugh, Patrick Kennedy  
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 Phone No: (412) 261-2393  
 Representing: 2011 Legislative Reapportionment Commission, Respondent  
 Pro Se: No  
 IFP Status:

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Attorney: O'Connor, Charles E., Jr.  
 Address: 2011 Legislative Reapportionment Commission  
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 Harrisburg, PA 17120  
 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  
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 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  
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 600 Grant St  
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 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.  
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 Representing: Senator Dominic Pileggi, Respondent Amicus Curiae  
 Pro Se: No  
 IFP Status:

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Attorney: Buchholz, Carl Merritt  
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 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  
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 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  
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 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

Attorney: Clemmer, Shauna Christine  
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 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:

Attorney: Kelly, Linda L.  
 Address: Ofc of Attorney General  
 1600 Strawberry Sq  
 Harrisburg, PA 17120-0048  
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 Representing: Attorney General's Office, Participant  
 Pro Se: No  
 IFP Status:

#### FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
07/09/2012	Petition for Review	73.50	07/09/2012	2012-SUP-W-001505	73.50

#### AGENCY/TRIAL COURT INFORMATION

Court Below: Legislative Reapportionment Commission  
 County: Division: Legislative Reapportionment Commission  
 Date of Agency/Trial Court Order:  
 Order Type:  
 OTN(s):  
 Lower Ct Docket No(s): Allegheny County  
 Lower Ct Judge(s):

#### ORIGINAL RECORD CONTENT

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

#### BRIEFING SCHEDULE

Petitioner	Respondent
<b>Richard Lattanzi and Richard Ford</b>	<b>2011 Legislative Reapportionment Commission</b>
<b>Brief</b>	<b>Brief</b>
Due: August 6, 2012      Filed: August 7, 2012	Due: August 20, 2012      Filed: August 20, 2012
<b>Reproduced Record</b>	<b>Respondent Amicus Curiae</b>
Due: August 6, 2012      Filed:	<b>Michael Turzai, as a Member of the 2011 PA</b> <b>Legislative Reapportionment Commission</b>



## BRIEFING SCHEDULE

## 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-106-2012  
Listed/Submitted Date: September 10, 2012  
Consideration Type: Submit on Briefs Supreme

## DISPOSITION INFORMATION

Related Journal No:		Judgment Date:	May 8, 2013
Category:	Decided	Disposition Author:	Castille, Ronald D.
Disposition:	Appeal Dismissed	Disposition Date:	May 8, 2013
Dispositional Filing:	<b>Majority Opinion</b>	Author:	
Filed Date:	May 8, 2013		
Justice:	Eakin, J. Michael	Vote:	Joins
Justice:	Baer, Max	Vote:	Joins
Justice:	Todd, Debra	Vote:	Joins
Justice:	McCaffery, Seamus P.	Vote:	Joins
Justice:	Orie Melvin, Joan	Vote:	Did Not Participate in Consid/Decision of Case
Dispositional Filing:	<b>Concurring Opinion</b>	Author:	Saylor, Thomas G.
Filed Date:	May 8, 2013		

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>July 9, 2012</b>	<b>Petition for Review</b>	Petitioner	Richard Lattanzi and Richard Ford

## Supreme Court of Pennsylvania



## Miscellaneous Docket Sheet

Docket Number: 41 WM 2012

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 10, 2012	<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. 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	<b>Order Exited</b>		Office of the Prothonotary
July 19, 2012	<b>Agency Record Received</b>		Legislative Reapportionment Commission
July 23, 2012	<b>Answer to Petition for Review</b>	Respondent	2011 Legislative Reapportionment Commission
July 23, 2012	<b>Praecepte for Appearance</b> 2011 Legislative Reapportionment Commission	Respondent	Stickman, William Shaw, IV
August 6, 2012	<b>Order Regarding Oral Argument</b>		Bizzoso, Irene M.
Comments:			
AND NOW, this 6th day of August, 2012, this matter is hereby listed as case #8 for argument session commencing at 9:30 a.m., Thursday, September 13, 2012, in Philadelphia, PA. Petitioners and Respondent will be allotted up to five (5) minutes per side to present their argument.			
August 6, 2012	<b>Order Exited</b>		Office of the Prothonotary
August 6, 2012	<b>Motion for Leave to File a Brief in Excess of the Page Limit Set Forth by Pa.R.A.P. 2135</b>	Respondent	2011 Legislative Reapportionment Commission
August 6, 2012	<b>Order Granting Motion for Leave to File Brief in Excess of Page Limitation</b>		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	<b>Order Exited</b>		Office of the Prothonotary



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>August 7, 2012</b>	<b>Notice of Joinder in Brief at 39 WM 2012</b>	Petitioner	Richard Lattanzi and Richard Ford
<b>August 9, 2012</b>	<b>Acknowledgement of Argument Notice</b>	Respondent	2011 Legislative Reapportionment Commission
Comments: Joseph A., Del Sole, Esq.			
<b>August 9, 2012</b>	<b>Acknowledgement of Argument Notice</b>	Respondent	2011 Legislative Reapportionment Commission
Comments: William S. Stickman, Esq			
<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 23, 2012</b>	<b>Acknowledgement of Argument Notice</b>	Respondent	2011 Legislative Reapportionment Commission
Comments: Charles E. O'Connor, Esq.			
<b>August 27, 2012</b>	<b>Notice of Non-Participation</b>	Participant	Attorney General's Office



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>August 28, 2012</b>	<b>Order Denying Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument</b>		Per Curiam
<b>August 28, 2012</b>	<b>Order Exited</b>		Office of the Prothonotary
<b>September 10, 2012</b>	<b>Submitted on Brief</b>		Supreme Court of Pennsylvania
<b>September 11, 2012</b>	<b>Praecipe for Appearance</b> 2011 Legislative Reapportionment Commission	Respondent	Cavanaugh, Patrick Kennedy
<b>May 8, 2013</b>	<b>Appeal Dismissed</b>		Castille, Ronald D.

## 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).

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.