CITY OF PHILADELPHIA LAW DEPARTMENT RENEE GARCIA, CITY SOLICITOR

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1515 Arch Street, 15th Floor

Philadelphia, PA 19102-1595

Attorneys for Respondents



BRIAN T. BAXTER and SUSAN T. KINNIRY,

COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY

Petitioners,

SEPTEMBER TERM, 2024

v.

No. 02481

PHILADELPHIA BOARD OF ELECTIONS,

ELECTION MATTER

Respondent,

And

REPUBLICAN NATIONAL COMMITTEE and REPUBLICAN PARTY OF PENNSYLVANIA,

Intervenors.

NOTICE OF APPEAL

Notice is hereby given that Respondent Philadelphia County Board of Elections hereby appeals to the Commonwealth Court of Pennsylvania from the following:

• the September 26, 2024 Order (1) granting the Petition for Review and reversing the decision of the Philadelphia Board of Elections to not count undated and incorrectly dated mail ballots submitted in the September 17, 2024 Special Election; and (2)

directing the Board to count undated and incorrectly dated mail ballots submitted in the

same Special Election; and

the September 27, 2024 Final Disposition Order—docketed on September 28, 2024—that

(1) granted the Petition of the Republican National Committee and Republican Party of

Pennsylvania to Intervene; and (2) declared moot the Emergency Motion for

Reconsideration and Clarification.

The appealed Judgment and Orders were entered in this matter by the Honorable James

C. Crumlish, III, Court of Common Pleas of Philadelphia County, and are attached as Exhibit A.

They have been entered on the docket, attached here as Exhibit B.

Respectfully submitted,

CITY OF PHILADELPHIA LAW DEPARTMENT

RENEE GARCIA, CITY SOLICITOR

/s/ Alison Stohr

Alison Stohr (I.D. No. 316483)

(215) 683-3563 / alison.stohr@phila.gov

Deputy City Solicitor

Affirmative & Special Litigation Unit

Date: October 1, 2024

CITY OF PHILADELPHIA LAW DEPARTMENT

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Philadelphia, PA 19102-1595

Attorneys for Respondents

BRIAN T. BAXTER and SUSAN T. KINNIRY,

COURT OF COMMON PLEAS

OF PHILADELPHIA COUNTY

Petitioners,

SEPTEMBER TERM, 2024

v.

No. 02481

PHILADELPHIA BOARD OF ELECTIONS,

Respondent,

ELECTION MATTER

And

REPUBLICAN NATIONAL COMMITTEE and REPUBLICAN PARTY OF PENNSYLVANIA,

Intervenors.

NOTICE THAT TRANSCRIPTS WERE ORDERED

In conformity with Rule 1922 of the Pennsylvania Rules of Appellate Procedure, the instant Notice is to inform the Court that the City of Philadelphia has ordered the transcripts of the hearing held **September 25, 2024** in the Juniata Kidd Stout Center for Criminal Justice, Courtroom 602 before the Honorable James C. Crumlish, III (Tiffany Monastro, Court Reporter).

Respectfully submitted,

/s/ Alison Stohr

Alison Stohr (I.D. No. 316483) (215) 683-3563 / <u>alison.stohr@phila.gov</u>

Deputy City Solicitor, Affirmative & Special Litigation

Date: October 1, 2024

Exhibit A

Judgment and Orders Appealed

RECEIVED

SEP 2 C 2024

ROOM 521

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION - CIVIL

BRIAN T. BAXTER and SUSAN T.

PHILADELPHIA BOARD OF

KINNIRY,

ELECTIONS,

SEPTEMBER TERM, 2024

NO. 02481

Petitioners,

ELECTION MATTER

v.

Control No. 24094566

DOCKETED

SEP 2 6 2024

Respondent.

Ř. POSTELL COMMERCE PROGHAM

ORDER

AND NOW, this 26th day of September, 2024, upon consideration of petitioners' Petition for Review in the Nature of a Statutory Appeal pursuant to 25 P.S.§ 3157 from respondent's decision on September 21, 2024, not to count petitioners' and sixty-seven other registered voters' mail-in ballots in the September 17, 2024 Special Election because the date written on the outer envelope was missing or incorrect, and after a hearing on the Petition at which petitioners and respondent stipulated to the operative facts underlying their dispute, it is ORDERED as follows:

- 1. The Petition is GRANTED and the September 21, 2024 decision of the Philadelphia Board of Elections in which it refused to count petitioners' and the sixty-seven other registered voters' mail-in ballots is REVERSED:
 - a. Based on the stipulation and representations made on the record as set forth in the transcript of the hearing held on September 25, 2024, which is attached hereto as an exhibit; and

ORDER-Baxter Etal Vs Philadelphia Board Of Elections [RCP]



- b. Because the refusal to count a ballot due to a voter's failure to "date . . . the declaration printed on [the outer] envelope" used to return his/her mail-in ballot, as directed in 25 P.S. §§ 3146.6(a) and 3150.16(a), violates Art. I, § 5 of the Constitution of the Commonwealth of Pennsylvania, which states that "Elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage."
- Respondent Board of Elections shall cause petitioners' and the sixty-seven other
 registered voters' date-disqualified mail-in ballots from the Special Election to be
 verified, counted if otherwise valid, and included in the results of the Special Election.

BY THE COURT:

CHIMISH III

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY FIRST JUDICIAL DISTRICT OF PENNSYLVANIA TRIAL DIVISION – CIVIL

BRIAN T. BAXTER and SUSAN T.

SEPTEMBER TERM, 2024

KINNIRY,

NO. 02481

Petitioners,

ELECTION MATTER

V.

Control No. 24095206

PHILADELPHIA BOARD OF ELECTIONS,

Respondent,

And

:

REPUBLICAN NATIONAL COMMITTEE: and REPUBLICAN PARTY OF: PENNSYLVANIA.

:

Intervenors.

ORDER

AND NOW, this 27th day of September, 2024, upon consideration of Petition of Republican National Committee and Republican Party of Pennsylvania to Intervene in the above action (filed September 26,2024 the day after the hearing in the above matter) and the Joint Emergency Motion of Petitioners Baxter and Kinniry and Respondent Philadelphia Board of Elections wherein the parties do not oppose the Petition to Intervene, it is hereby **ORDERED** that the Petition to Intervene is **GRANTED**¹ and the Emergency Motion for Reconsideration and Clarification is **MOOT**.

¹ Intervenor disadvantaged under the time constraints of review, the court when counsel appeared at the hearing after it had already concluded and, for the first time, advised the court it had *already* filed a Petition to Intervene. Counsel advised the court that although a Petition "had been filed", before the hearing but, it could not provide the court any such any filing on the 25th.

It is further ordered and due consideration, that Intervenor's Motion to Dismiss is **DENIED**.

BY THE COURT:

Crumlish, III, J.

The court deferred considering Intervenors Petition in this matter and repeatedly consulted the docket for a filing, but no Petition was reflected on the record as of the time the court submitted its order and its order was entered on the docket at 4:38 p.m. on September 25. The docket thereafter revealed that Petitioner's filing was not made (despite representations to the court to the contrary) until 1:13 pm the following day after the hearing had been concluded. Petitioner's delay disadvantaged the court insofar as the court had no basis at the trial to review the Intervenor's Petition and issue a ruling until such filing was made of record and the delay further has caused inconvenience to the parties in obtaining finality in the court's ruling and necessitating further proceedings to dispose of the Petition to Intervene.

Exhibit B

Trial Court Docket

A \$5 Convenience fee will be added to the transaction at checkout.

Case Description

Case ID: 240902481

Case Caption: BAXTER ETAL VS PHILADELPHIA BOARD OF ELECTIONS

Filing Date: Monday, September 23rd, 2024

Court: PETITIONS
Location: CITY HALL
Jury: NON JURY

Case Type: ELECTION MATTERS

Status: ORDER ENTERED - FINAL DISPOS

Related Cases

No related cases were found.

Case Event Schedule

No case events were found.

Case motions

No case motions were found.

Case Parties

Seq#	Assoc	Expn Date	Туре	Name
1			ATTORNEY FOR PETITIONER	DEPALMA, CLAUDIA
Address:	2 PENN CENTER 1500 JFK BLVD. SUITE 802 PHILADELPHIA PA 19102 (267)546-1313 cdepalma@pubintlaw.org	Aliases:	none	
2	1		PETITIONER	BAXTER, BRIAN T
Address:	2401 PENNSYLVANIA AVENUE UNIT 8A11 PHILADELPHIA PA 19130	Aliases:	none	
3	1		PETITIONER	KINNIRY, SUSAN T

,				•	
Address:	859 N. STILLMAN STREET PHILADELPHIA PA 19130		Aliases:	none	
4		11		RESPONDENT	PHILADELPHIA BOARD OF ELECTIONS
Address:	1400 JFK BLVD., ROOM 142 CITY HALL PHILADELPHIA PA 19107		Aliases:	none	
5		1		ATTORNEY FOR PETITIONER	MCKENZIE, MARY M
Address:	PUBLIC INTEREST LAW CENTER 1709 BENJAMIN FRANKLIN PARKWAY PHILADELPHIA PA 19103 (267)546-1319 mmckenzie@pubintlaw.org		Aliases:	none	
6		1		ATTORNEY FOR PETITIONER	GEFFEN, BENJAMIN D
Address:	PUBLIC INTEREST LAW CENTER 1500 JFK BLVD SUITE 802 PHILADELPHIA PA 19102 (267)546-1308 bgeffen@pubintlaw.org		Aliases:	none	
7		1		ATTORNEY FOR PETITIONER	SCHNEIDER, MARIAN K
	005 5 004505050505050		Aliases:	nono	"
Address:	295 E. SWEDESFORD ROAD, #348 WAYNE PA 19087 (610)644-1925 marianesq@mac.com		Allases.	none	
Address:	#348 WAYNE PA 19087 (610)644-1925		Allases.	none	

Address:	ACLU OF PENNSYLVANIA P.O. BOX 60173 PHILADELPHIA PA 19102 (215)592-1513 sloney@aclupa.org	Aliases:	none	
9	1		ATTORNEY FOR PETITIONER	STEIKER- GINZBERG, KATE
Address:	ACLU OF PENNSYLVANIA P.O. BOX 60173 PHILADELPHIA PA 19102 (917)444-6803 ksteiker-ginzberg@aclupa.org	Aliases:	none	JI.
10			JUDGE	PADILLA, NINA W
Address:	360 CITY HALL PHILADELPHIA PA 19107	Aliases:	none	
11			ATTORNEY FOR RESPONDENT	STOHR, ALISON L
Address:	CITY OF PHILADELPHIA LAW DEPT 1515 ARCH STREET 15TH FLOOR PHILADELPHIA PA 19102 (215)683-3563 alison.stohr@phila.gov	Aliases:	none	
12	11		ATTORNEY FOR	JOSEFOVITS, M
12	11		RESPONDENT	DAVID
Address:	112 RENNARD PL PHILADELPHIA PA 19116 (215)656-3378 david.josefovits@us.dlapiper.com	Aliases:	none	
13	11		ATTORNEY FOR	FABENS-LASSEN,
13			RESPONDENT	BEN
Address:	2000 AVENUE OF THE STARS, SUIT LOS ANGELS CA 910067 (215)656-3300 ben.fabens- lassen@us.dlapiper.com	Aliases:	none	
				Case ID: 2409

/24, 3:54 PIVI			CIVII DO	скет кероп	
14		11		ATTORNEY FOR RESPONDENT	EISENSTEIN, ILANA H
Address:	ONE LIBERTY PL 1650 MARKET ST SUITE 5000 PHILADELPHIA PA 19103 (215)656-3351 ilana.eisenstein@dlapiper.com		Aliases:	none	
15		11		ATTORNEY FOR RESPONDENT	BENJET, BRIAN H
Address:	1650 MARKET STREET PHILADELPHIA PA 19103 (215)656-3311 brian.benjet@us.dlapiper.com		Aliases:	none	
16				ATTORNEY FOR PETITIONER	KERNS ESQ, LINDA A
Address:	1420 LOCUST STREET SUITE 200 PHILADELPHIA PA 19102 (215)731-1400 linda@lindakernslaw.com		Aliases:	none	
17				JUDGE	CRUMLISH III, JAMES
Address:	534 CITY HALL PHILADELPHIA PA 19107		Aliases:	none	
18				MOTION ASSIGMENT JUDGE	CRUMLISH III, JAMES
Address:	534 CITY HALL PHILADELPHIA PA 19107		Aliases:	none	
		1			-ir
19		11		ATTORNEY FOR RESPONDENT	PFAUTZ, MICHAEL W
Address:	PHILADELPHIA LAW DEPARTMENT 1515 ARCH ST 15TH FLOOR PHILADELPHIA PA 19102 (215)683-5233 michael.pfautz@phila.gov		Aliases:	none	Case ID; 2409

			okot Koport	
20	27	2	INTERVENOR	REPUBLICAN NATIONAL COMMITTEE
Address:	NONE GIVEN PHILADELPHIA PA 19107	Aliases:	none	
21	2:	2	INTERVENOR	REPUBLICAN PARTY OF PENNSYLVANIA
Address:	NONE GIVEN PHILADELPHIA PA 19107	Aliases:	none	
22			ATTORNEY FOR INTERVENOR	KERNS ESQ, LINDA A
Address:	1420 LOCUST STREET SUITE 200 PHILADELPHIA PA 19102 (215)731-1400 linda@lindakernslaw.com	Aliases:	none	
		'		
23	27	2	ATTORNEY FOR INTERVENOR	KING III, THOMAS W
Address:	128 W. CUNNINGHAM ST. BUTLER PA 16001 (724)283-2200 tking@dmkcg.com	Aliases:	none	
24			JUDGE	EMERGENCY JUDGE, JUDGE
Address:	ROOM 280 CITY HALL PHILADELPHIA PA 19107	Aliases:	none	

Docket Entries

Filing Date/Time	Docket Type	Filing Party	Disposition Amount
23-SEP-2024 04:12 PM	ACTIVE CASE		
Docket Entry:	E-Filing Number: 2409047953		

23-SEP-2024	COMMENCEMENT BY PETITION	DEPALMA, CLAUDIA	
04:12 PM			
Documents:	Final Cover		
Docket Entry:	PETITION FOR ELECTION MATTER	RS FILED.	
23-SEP-2024 04:12 PM	PETITION FILED	DEPALMA, CLAUDIA	
Documents:	24.09.23 Philadelphia 3157 combined for filin	g <u>.pdf</u>	<u> </u>
Docket Entry:	66-24094566		
24-SEP-2024 11:35 AM	MOTION ASSIGNED		
Docket Entry:	66-24094566 PETITION FILED ASSI DATE: SEPTEMBER 24, 2024	GNED TO JUDGE: PADILL	A, NINA W. ON
24-SEP-2024 04:48 PM	ORDER ENTERED/236 NOTICE GIVEN	PADILLA, NINA W	
Documents:	ORDER_5.pdf	7	
Docket Entry:		L, IT IS HEREBY ORDEREI 25, 2024, AT 3:00 P.M., IN C R CRIMINAL JUSTICE, PH ORDER AND A COPY OF T UNTY BOARD OF ELECTION IARGE, IN ROOM 142, CIT IO LATER THAN SEPTEME	D THAT A HEARING OURTROOM 602, ILADELPHIA, HE PETITION DNS BY PERSONA Y HALL,
	NOTICE GIVEN UNDER RULE 236		
		II.	
04:48 PM	NOTICE GIVEN ON 24-SEP-2024 O ENTERED ON 24-SEP-2024.	F ORDER ENTERED/236 N	IOTICE GIVEN
04:48 PM Docket Entry:	ENTERED ON 24-SEP-2024.	F ORDER ENTERED/236 N	IOTICE GIVEN
04:48 PM Docket	ENTERED ON 24-SEP-2024.	F ORDER ENTERED/236 N	IOTICE GIVEN

25-SEP-2024 06:01 AM	ENTRY OF APPEARANCE	STOHR, ALISON L				
Documents:	<u>24.09.25 - EOA_Stohr.pdf</u>					
	ENTRY OF APPEARANCE OF ALISON L STOHR FILED. (FILED ON BEHALF OF PHILADELPHIA BOARD OF ELECTIONS)					
_			1			
25-SEP-2024 06:01 AM	CITY CHARGE SUBSEQUENT FILINGS	STOHR, ALISON L				
Docket Entry:	none.					
25-SEP-2024 09:03 AM	ENTRY OF APPEARANCE	JOSEFOVITS, M DAVID				
Documents:	Baxter EOA - MDJ.pdf					
Docket Entry:	ENTRY OF APPEARANCE OF M DAVID JOSEFOVITS FILED. (FILED ON BEHALF OF PHILADELPHIA BOARD OF ELECTIONS)					
_			<u> </u>			
25-SEP-2024 09:17 AM	ENTRY OF APPEARANCE	FABENS-LASSEN, BEN				
Documents:	Baxter EOA - BFL.pdf					
Docket Entry:	ENTRY OF APPEARANCE OF BEN OF PHILADELPHIA BOARD OF ELE		FILED ON BEHALF			
			Ir			
25-SEP-2024 09:44 AM	ENTRY OF APPEARANCE	EISENSTEIN, ILANA H				
Documents:	Baxter EOA - IHE.pdf					
	ENTRY OF APPEARANCE OF ILANA OF PHILADELPHIA BOARD OF ELE		ILED ON BEHALF			
25-SEP-2024 10:04 AM	ENTRY OF APPEARANCE	BENJET, BRIAN H				
Documents:	Baxter EOA - BB.pdf					
	ENTRY OF APPEARANCE OF BRIA PHILADELPHIA BOARD OF ELECTI		O ON BEHALF OF			

172 1, 0.0 1 1 101		ON BOOKOT TOPOT				
25-SEP-2024 11:31 AM	MOTION ASSIGNMENT UPDATED					
Docket Entry:	66-24094566 REASSIGNED TO JUD	GE CRUMLISH, JAMES O	N 25-SEP-24			
25-SEP-2024 01:45 PM	STIPULATION FILED	STOHR, ALISON L				
Documents:	Baxter v. PCBOE - Consent Order Authorizing	g Certification (9-25-2024).pdf				
Docket Entry:	28-24095328 STIPULATION TO ENTER CONSENT ORDER FILED. AWAITING JUDICIAL APPROVAL (FILED ON BEHALF OF PHILADELPHIA BOARD OF ELECTIONS) ENTRY OF APPEARANCE FILED ON BEHALF OF PHILADELPHIA BOARD OF ELECTIONS.					
25-SEP-2024 04:38 PM	ORDER ENTERED/236 NOTICE GIVEN	CRUMLISH III, JAMES				
Documents:	ORDER_15.pdf					
Docket Entry:	66-24094566 IT IS ORDERED, ADJU- PHILADELPHIA COUNTY BOARD OF THE RESULTS OF THE SEPTEMBE PENNSYLVANIA DEPARTMENT OF OTHER ACTIONS NECESSARY TO IMPACTING THE PENDING LITIGAT THAT IF EITHER OR BOTH OF THE MERTIS, THE PHILADELPHIA COUNTERNOONS THEIR MAIL BALLOTS AND THE PENNSYVANIA DEPARTMENT THE SEPTEMBER 17, 2024 SPECIA J. 9-23-24	F ELECTIONS IS SUTHOR R 17, 2024 SPECIAL ELEC STATE AND TO TAKE ANY ACCOMPLISH THE SAME, TON; AND 2. THE PARTIES PETITIONER ULTIMATELY NTY BOURD OF ELECTION ND FILE AN AMENDED VO OF STATE REFLECTING T	RIZED TO CERTIFY TION TO THE AND ALL SUCH WITHOTU HAVE AGREED PREVAIL ON THE NS WILL OPEN AND TE COUNT WITH THEIR VOTES IN			
25-SEP-2024 04:38 PM	NOTICE GIVEN UNDER RULE 236					
	NOTICE GIVEN ON 26-SEP-2024 OF ENTERED ON 25-SEP-2024.	F ORDER ENTERED/236 N	IOTICE GIVEN			
		1	1			
26-SEP-2024 01:10 PM	PETITION TO INTERVENE	KERNS ESQ, LINDA A				
Documents:	Baxter Petition for Leave to Intervene(154132 Baxter v. Philly Motion to Dismiss(154132159 Brief in Support of Motion to Dismiss Petition Motion CoverSheet Form	7.1).pdf	odf			
	06-24095206 PETITION TO INTERVI PARTY OF PENNSYLVANIA AND RE					
			Case ID: 24090			

724, 3.54 PIVI		Civil Docket Report	
26-SEP-2024 01:13 PM	MOTION ASSIGNED		
	06-24095206 PETITION TO INTERV JAMES . ON DATE: SEPTEMBER 26		E: CRUMLISH,
26-SEP-2024 03:43 PM	ORDER ENTERED/236 NOTICE GIVEN	CRUMLISH III, JAMES	
Documents:	ORDER_19.pdf		
Docket Entry:	66-24094566 AND NOW, THIS 26TH CONSIDERATION OF PETITIONERS OF A STATUTORY APPEAL PURSUA RESPONDENT'S DECISION ON SE PETITIONERS' AND SIXTY-SEVEN BALLOTS IN THE SEPTEMBER 17, DATE WRITTEN ON THE OUTER EI AND AFTER A HEARING ON THE PIRESPONDENT STIPULATED TO THE DISPUTE, IT IS ORDERED AS FOLL THE SEPTEMBER 21, 2024 DECISION ELECTIONS IN WHICH IT REFUSED SEVEN OTHER SETIPULATION AND RECORD SET FORTH IN THE TRANSEPTEMBER 25, 2024, WHICH IS AS BECAUSE THE REFUSAL TO COUN "DATETHE DECLARATION PRINT RETURN HIS/HER MAIL-IN BALLOT 3146.6(A), VIOLATES ART. I, SECTION COMMONWEALTH OF PENNSYLVA SHALL BE FREE AND EQUAL; AND ANY TIME INTERFERE TO PREVEN SUFFERAGE." 2. RESPONDENT BO PETITIONERS' AND THE SIXTY-SEY DISQUALIFIED MAIL-IN BALLOTS FOR THE SPECIAL ELECTION. BY THE	S' PETITION FOR REVIEW ANT TO 25 P.S. SECTION 3 PTEMBER 21, 2024, NOT TOTHER REGISTERED VOCA 2024 SPECIAL ELECTION EVELOPE WAS MISSING OF THE PETITION AT WHICH PETITION OF THE PETITION IS ON OF THE PHILADELPHIODOR OF THE PHILADELPHIODOR OF THE PHILADELPHIODOR OF THE HEARING TACHED HERETO AS AN AT A BALLOT DUE TO A VOCA ON THE OUTER] ENVIOLANCE ON THE CONSTITUTION OF THE CONSTITUTION OF THE CONSTITUTION OF THE PETITION OF THE CONSTITUTION OF THE FREE EXERCISE OF THE CONSTITUTION OF THE SPECIAL ELECTION OF	IN THE NATURE 3157 FROM TO COUNT TERS' MAIL-IN BECAUSE THE DR INCORRECT, IONERS AND DERLYING THEIR G GRANTED AND A BOARD OF S' AND THE SIXTY REVERSED: A. DE ON THE G HELD ON EXHIBIT; AND B. DTER'S FAILURE TO SECTIONS ION OF THE T "ELECTIONS ITARY, SHALL AT DF THE RIGHT OF ALL CAUSE O VOTERS' DATE- TION TO BE O IN THE RESULTS
26-SEP-2024 03:43 PM	NOTICE GIVEN UNDER RULE 236		
	NOTICE GIVEN ON 26-SEP-2024 O	E ORDER ENTERED/236 N	
	ENTERED ON 26-SEP-2024.	ONDER ENTEREDIZOUT	NOTICE GIVEN
	ENTERED ON 26-SEP-2024.	CRUMLISH III, JAMES	NOTICE GIVEN

Docket Entry:	28-24095328		
27-SEP-2024 11:50 AM	OTHER EVENT CANCELLED	CRUMLISH III, JAMES	
	ENTRY OF APPEARANCE OF MICH (FILED ON BEHALF OF PHILADELP		
Documents:	24.09.27 - EOA_Pfautz.pdf		
27-SEP-2024 10:36 AM	ENTRY OF APPEARANCE-CO COUNSEL	PFAUTZ, MICHAEL W	
Docket Entry:	28-24095328 REASSIGNED TO JUD	GE CRUMLISH, JAMES O	N 27-SEP-24
27-SEP-2024 10:02 AM	MOTION ASSIGNMENT UPDATED		
	66-24094566 PETITION TO INTERVE AM IN COURTROOM 636 CITY HALI		10/10/24 AT 11:00
26-SEP-2024 03:54 PM	MOTION HEARING SCHEDULED		
	NOTICE GIVEN ON 26-SEP-2024 OF ENTERED ON 26-SEP-2024.	ORDER ENTERED/236 N	IOTICE GIVEN
26-SEP-2024 03:43 PM	NOTICE GIVEN UNDER RULE 236		
	66-24094566 AND NOW, THIS 26TH FOR LEAVE TO INTERVENE BY THE THE REPUBLICAN PARTY OF PENN ABOVE ACTION FOLLOWING THE OPETITIONERS' STATUTORY APPEAR PHILADELPHIA BOARD OF ELECTIONS OF AN ORDER GRANTING THE APPEAR DECISION, IT IS HEREBY ORDERED SHALL FILE A RESPONSE TO THE ANY, WITHIN TEN (10) DAYS OF THE AND ALL INTERESTED PARTIES OF THE UNDERSIGNED ON OCTOBER CITY HALL TO SHOW CAUSE WHY SHOULD NOT BE GRANTED. BY THE	E REPUBLICAN NATIONAL ISYLVANIA HAVING BEEN COURT HAVING COMPLET LEROM A DECISION OF FONS AND FOLLOWING THE PETITIONERS AND PETITION FOR LEAVE TO E DATE OF THIS RULE TO RINTERVENORS SHALL AT 11:00 A.M. IN THE PETITION FOR LEAVE TO	COMMITTEE AND FILED IN THE FED A HEARING ON RESPONDENT HE BOARD'S DRESPONDENT INTERVENE, IF SHOW CAUSE COURTROOM 636 FE TO INTERVENE

27-SEP-2024 01:10 PM	ORDER ENTERED/236 NOTICE GIVEN	CRUMLISH III, JAMES				
Documents:	ORDER_28.pdf					
Docket Entry:	38-24095238 AND NOW, THIS 27TH DAY OF SEPTEMBER, 2024, THE COURT HAVING HELD A HEARING ON THE PETITIONERS' APPEAL OF THE DECISION OF THE PHILADELPHIA BOARD OF ELECTIONS, AND THE PARTIES HAVING PROVIDED THE COURT WITH A STIPULATED ORDER AT THE HEARING, IT IS HEREBY ORDERED THAT THE CONTENTS OF THE FILED STIPULATION HAVE BEEN INCORPORATED INTO THE COURT'S ORDER OF SEPTEMBER 25, 2024, AND, ACCORDINGLY, ANY FURTHER ACTION ON THE PROPOSED STIPULATION (24095238) WOULD BE DUPLICATIVE AND THEREFORE THE STIPULATED REQUEST TO ENTER THE CONSENT ORDER IS MOOT. BY THE COURT: JUDGE CRUMLISH, III, 9/27/24.					
27-SEP-2024 01:10 PM	NOTICE GIVEN UNDER RULE 236					
II I	NOTICE GIVEN ON 01-OCT-2024 OI ENTERED ON 27-SEP-2024.	F ORDER ENTERED/236 N	OTICE GIVEN			
27-SEP-2024 06:11 PM	MOTION FOR RECONSIDERATION	PFAUTZ, MICHAEL W				
Documents:	Joint Emergency Motion for Reconsideration. Proposed Order Reconsideration.pdf Motion CoverSheet Form	<u>pdf</u>				
Docket Entry:	62-24095662 MOTION FOR RECONORDER DATED 9/26/2024 (FILED OF ELECTIONS, SUSAN T KINNIRY AND	N BEHALF OF PHILADELP				
27-SEP-2024 06:11 PM	CITY CHARGE SUBSEQUENT FILINGS	PFAUTZ, MICHAEL W				
Docket Entry:	none.					
28-SEP-2024 01:35 PM	ORDER ENTERED - FINAL DISPOS	CRUMLISH III, JAMES				
Documents:	ORDRF_29.pdf	,				
Entry:	06-24095206 UPON CONSIDERATIONAL COMMITTEE AND THE RINTERVENE IN THE ABOVE ACTION OF PETITIONERS BAXTER AND KIND BOARD OF ELECTIONS WHEREIN PETITION TO INTERVENE, IT IS OR IS GRANTED AND THE EMERGENCE STILL AND THE S	REPUBLICAN PARTY OF PINS AND THE JOINT EMERONINY AND RESPONDENT THE PARTIES DO NOT OPERED THAT THE PETITION	ENNSYLVANIA TO GENCY MOTION PHILADELPHIA POSE THE ON TO INTERVENE			

7/24, 3.54 PM CIVII DOCKET REPORT		
CLARIFICATION IS MOOT. IT IS FURTHER ORDERED AND DUE CONSIDERATION, THAT INTERVENOR'S MOTION TO DISMISS IS DENIEDBY THE COURT; CRUMLISH, J. 9-27-24		
NOTICE GIVEN UNDER RULE 236		
Docket NOTICE GIVEN ON 28-SEP-2024 OF ORDER ENTERED - FINAL DISPOS Entry: ENTERED ON 28-SEP-2024.		
MOTION ASSIGNED		
Docket 62-24095662 MOTION FOR RECONSIDERATION ASSIGNED TO JUDGE: Entry: EMERGENCY JUDGE, JUDGE . ON DATE: SEPTEMBER 30, 2024		
CORRECTIVE ENTRY	EMERGENCY JUDGE, JUDGE	
Docket Entry: 62-24095662 ***PLEASE NOTE: THIS ENTRY IS BEING MADE TO CLOSE A MOTION RECORD WHICH REMAINED OPEN IN ERROR. SEE JUDICIAL ORDER ENTERED UNDER CONTROL NO. 24095206OJR TXF		
	CLARIFICATION IS MOOT. IT IS FUE CONSIDERATION, THAT INTERVEN THE COURT; CRUMLISH, J. 9-27-24 NOTICE GIVEN UNDER RULE 236 NOTICE GIVEN ON 28-SEP-2024 OF ENTERED ON 28-SEP-2024. MOTION ASSIGNED 62-24095662 MOTION FOR RECONSEMERGENCY JUDGE, JUDGE . ON CORRECTIVE ENTRY 62-24095662 ***PLEASE NOTE: THIS MOTION RECORD WHICH REMAIN	CLARIFICATION IS MOOT. IT IS FURTHER ORDERED AND DUCONSIDERATION, THAT INTERVENOR'S MOTION TO DISMIST THE COURT; CRUMLISH, J. 9-27-24 NOTICE GIVEN UNDER RULE 236 NOTICE GIVEN ON 28-SEP-2024 OF ORDER ENTERED - FINAL ENTERED ON 28-SEP-2024. MOTION ASSIGNED 62-24095662 MOTION FOR RECONSIDERATION ASSIGNED TEMERGENCY JUDGE, JUDGE . ON DATE: SEPTEMBER 30, 20 CORRECTIVE ENTRY EMERGENCY JUDGE, JUDGE 62-24095662 ***PLEASE NOTE: THIS ENTRY IS BEING MADE MOTION RECORD WHICH REMAINED OPEN IN ERROR. SEE

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 ▶ Related Cases
 ▶ Event Schedule
 ▶ Case Parties
 ▶ Docket Entries

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CERTIFICATE OF SERVICE

I, Alison Stohr, hereby certify that on the date set forth below, I served a true and correct copy of the foregoing **Notice of Appeal**, upon the person(s) and in the manner indicated below, in conformance with Pa. R. App. P. 906:

By Email and eService, via the Philadelphia Courts' electronic filing system:

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The Honorable James C. Crumlish, III

Court of Common Pleas of Philadelphia County City Hall, Room 534 1400 John F. Kennedy Boulevard Philadelphia, PA, 19107 *Trial Judge*

By Email (by agreement per Pa. R. App. P. 121):

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Respectfully submitted,

/s/ Alison Stohr

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Date: October 1, 2024