

Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 68 MM 2020

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June 14, 2020

CAPTION

Friends of Danny DeVito, Kathy Gregory, B&J Laundry, LLC, Blueberry Hill Public Golf Course & Lounge, and Caledonia Land Company, Petitioners

v.

Tom Wolf, Governor, and Rachel Levine, Secretary of PA Department of Health, Respondents

CASE INFORMATION

Initiating Document: Application for Extraordinary Relief

Case Status: Decided/Active

Journal Number:

Case Category: Civil

Case Type(s): Other

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney: Scaringi, Marc Anthony

Scaringi Law

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2000 Linglestown Rd Ste 106
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Receive EMail: Yes

Email:

Representing: B & J Laundry, LLC, Petitioner

Pro Se: No

IFP Status:

Representing: Blueberry Hill Public Golf Course & Lounge, Petitioner

Pro Se: No

IFP Status:

Representing: Caledonia Land Company, Petitioner

Pro Se: No

IFP Status:

Representing: Friends of Danny DeVito, Petitioner

Pro Se: No

IFP Status:

Representing: Gregory, Kathy, Petitioner

Pro Se: No

IFP Status:

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COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:
 Representing: Blueberry Hill Public Golf Course & Lounge, Petitioner
 Pro Se: No
 IFP Status:
 Representing: Caledonia Land Company, Petitioner
 Pro Se: No
 IFP Status:
 Representing: Friends of Danny DeVito, Petitioner
 Pro Se: No
 IFP Status:
 Representing: Gregory, Kathy, Petitioner
 Pro Se: No
 IFP Status:

Attorney: Schwab, Gregory George
 Pennsylvania Office of General Counsel
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 Phone No: (717) 787-9354
 Receive Mail: Yes
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 Representing: Levine, Dr. Rachel, Respondent
 Pro Se: No
 IFP Status:
 Representing: Wolf, The Honorable Thomas W., Respondent
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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Pro Se: No

IFP Status:

Representing: Wolf, The Honorable Thomas W., Respondent

Pro Se: No

IFP Status:

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Pro Se: No

IFP Status:

Representing: Wolf, The Honorable Thomas W., Respondent

Pro Se: No

IFP Status:

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Representing: Levine, Dr. Rachel, Respondent

Pro Se: No

IFP Status:

Representing: Wolf, The Honorable Thomas W., Respondent

Pro Se: No

IFP Status:

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COUNSEL INFORMATION

Attorney:	Romano, Karen Mascio	
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Representing:	Levine, Dr. Rachel, Respondent	
Pro Se:	No	
IFP Status:		
Representing:	Wolf, The Honorable Thomas W., Respondent	
Pro Se:	No	
IFP Status:		

Attorney:	Furst, Lydia Maureen	
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Receive Mail:	Yes	
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Pro Se:	No	
IFP Status:		

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	Blue Bell, PA 19422-0765	
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Pro Se:	No	
IFP Status:		
Representing:	Home Builders Association of Chester and Delaware Counties, Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	Kobee, Wendy	
	City of Pittsburgh Law Department	
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Receive Mail:	Yes	
Representing:	City of Pittsburgh, Amicus Curiae	
Pro Se:	No	
IFP Status:		

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COUNSEL INFORMATION

Attorney: Martin, Aaron Diego
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 Pro Se: No
 IFP Status:

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 Receive Mail: Yes
 Representing: City of Pittsburgh, Amicus Curiae
 Pro Se: No
 IFP Status:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
03/24/2020	Extraordinary / Plenary Jurisdiction	70.25	03/24/2020	2020-SUP-M-000388	70.25

AGENCY/TRIAL COURT INFORMATION

Court Below:
 County: Division:
 Date of Agency/Trial Court Order:
 Docket Number:
 Judge(s): OTN:
 Order Type:

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
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Record Remittal:

BRIEFING SCHEDULE

Amicus Curiae
City of Philadelphia
Brief

Due: April 3, 2020

City of Pittsburgh

Respondent
Levine, Dr. Rachel
Brief

Due: April 3, 2020

Wolf, The Honorable Thomas W.

Filed: April 3, 2020

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BRIEFING SCHEDULE

Amicus Curiae**City of Pittsburgh****Brief**

Due: April 3, 2020

Filed: April 6, 2020

Respondent**Wolf, The Honorable Thomas W.****Brief**

Due: April 3, 2020

Filed: April 3, 2020

**HOME BUILDERS ASSOCIATION OF
BUCKS/MONTGOMERY COUNTIES INC.****Brief**

Due: April 13, 2020

Filed: April 13, 2020

**Home Builders Association of Chester and Delaware
Counties****Brief**

Due: April 13, 2020

Filed: April 13, 2020

Pennsylvania Association of Realtors**Brief**

Due: April 3, 2020

Filed: April 3, 2020

Petitioner**B & J Laundry, LLC****Brief**

Due: March 31, 2020

Filed: March 31, 2020

Reproduced Record

Due: March 31, 2020

Filed: March 31, 2020

Blueberry Hill Public Golf Course & Lounge**Brief**

Due: March 31, 2020

Filed: March 31, 2020

Reproduced Record

Due: March 31, 2020

Filed: March 31, 2020

Caledonia Land Company**Brief**

Due: March 31, 2020

Filed: March 31, 2020

Reproduced Record

Due: March 31, 2020

Filed: March 31, 2020

Friends of Danny DeVito**Brief**

Due: March 31, 2020

Filed: March 31, 2020

Reproduced Record

Due: March 31, 2020

Filed: March 31, 2020

Gregory, Kathy

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BRIEFING SCHEDULE

Petitioner

Gregory, Kathy

Brief

Due: March 31, 2020

Filed: March 31, 2020

Reproduced Record

Due: March 31, 2020

Filed: March 31, 2020

DISPOSITION INFORMATION

Related Journal No:		Judgment Date:	
Category:	Decided	Disposition Author:	Donohue, Christine
Disposition:	Denied	Disposition Date:	April 13, 2020
Dispositional Filing:	Majority Opinion	Author:	Donohue, Christine
Filed Date:	April 13, 2020		
Dispositional Filing:	Concurring/Dissenting Opinion	Author:	Saylor, Thomas G.
Filed Date:	April 13, 2020		

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 24, 2020	Emergency Application for Extraordinary Relief		
		Petitioner	Friends of Danny DeVito
		Petitioner	Gregory, Kathy
		Petitioner	B & J Laundry, LLC
		Petitioner	Blueberry Hill Public Golf Course & Lounge
		Petitioner	Caledonia Land Company
March 24, 2020	Certificate of Service Filed		
	Friends of Danny DeVito	Petitioner	Caffrey, Brian C.
	Gregory, Kathy	Petitioner	Caffrey, Brian C.
	B & J Laundry, LLC	Petitioner	Caffrey, Brian C.
	Blueberry Hill Public Golf Course & Lounge	Petitioner	Caffrey, Brian C.
	Caledonia Land Company	Petitioner	Caffrey, Brian C.
March 24, 2020	Praecipe for Appearance		
	Wolf, The Honorable Thomas W.	Respondent	Delone, John Bartley
	Levine, Dr. Rachel	Respondent	Delone, John Bartley

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 24, 2020	Praecepte for Appearance		
	Wolf, The Honorable Thomas W.	Respondent	Romano, Karen Mascio
	Levine, Dr. Rachel	Respondent	Romano, Karen Mascio
March 26, 2020	Application for Relief		
		Petitioner	Friends of Danny DeVito
		Petitioner	Gregory, Kathy
		Petitioner	B & J Laundry, LLC
		Petitioner	Blueberry Hill Public Golf Course & Lounge
		Petitioner	Caledonia Land Company
March 26, 2020	Answer to the Emergency Application for Extraordinary Relief		
		Respondent	Wolf, The Honorable Thomas W.
		Respondent	Levine, Dr. Rachel
March 26, 2020	Supplemental Application for Relief		
		Petitioner	Friends of Danny DeVito
		Petitioner	Gregory, Kathy
		Petitioner	B & J Laundry, LLC
		Petitioner	Blueberry Hill Public Golf Course & Lounge
		Petitioner	Caledonia Land Company
March 27, 2020	Answer to Application for Relief		
		Respondent	Wolf, The Honorable Thomas W.
		Respondent	Levine, Dr. Rachel
March 27, 2020	Order Granting Application for Relief		Per Curiam
Comments: AND NOW, this 27th day of March 2020, upon review and consideration of the ancillary "Motion for Relief" filed by Petitioners, it is hereby GRANTED with respect to its request for briefing only. The Petitioners shall file their brief on or before Tuesday, March 31, 2020 at 12:00 p.m. The Respondents shall file their brief on or before Friday, April 3, 2020 at 12:00 p.m. The parties are to brief the issue of the propriety of this Court's exercise of either King's bench or extraordinary jurisdiction, as well as the merits of the issues raised in the Emergency Application.			
The Petitioners' "Supplemental Application for Relief" is DENIED AS MOOT.			
Justice Todd dissents, as she would deny the applications.			
March 27, 2020	Order Exited		Office of the Prothonotary
March 31, 2020	Petitioner's Brief		
	Friends of Danny DeVito	Petitioner	Caffrey, Brian C.
	Gregory, Kathy	Petitioner	Caffrey, Brian C.
	B & J Laundry, LLC	Petitioner	Caffrey, Brian C.
	Blueberry Hill Public Golf Course & Lounge	Petitioner	Caffrey, Brian C.
	Caledonia Land Company	Petitioner	Caffrey, Brian C.

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 31, 2020	Petitioner's Reproduced Record Filed	Petitioner Petitioner Petitioner Petitioner Petitioner	Friends of Danny DeVito Gregory, Kathy B & J Laundry, LLC Blueberry Hill Public Golf Course & Lounge Caledonia Land Company
April 2, 2020	Supplemental Application for Relief	Petitioner	Gregory, Kathy
April 2, 2020	Supplemental Application for Relief	Petitioner	Blueberry Hill Public Golf Course & Lounge
April 3, 2020	Amicus Curiae Brief	Amicus Curiae	City of Philadelphia
April 3, 2020	Respondent's Brief	Respondent Respondent	Wolf, The Honorable Thomas W. Levine, Dr. Rachel
April 3, 2020	Amicus Curiae Brief	Amicus Curiae	Pennsylvania Association of Realtors
April 3, 2020	Answer to Supplemental Applications for Relief	Respondent Respondent	Wolf, The Honorable Thomas W. Levine, Dr. Rachel
April 6, 2020	Application for Leave to File Brief Nunc Pro Tunc	Amicus Curiae	City of Pittsburgh
April 6, 2020	Order Granting Application for Leave to File Brief Nunc Pro Tunc		Dreibelbis, Amy
Comments: AND NOW, this 6th day of April, 2020, Amicus Curiae City of Pittsburgh's Application for Leave to File Amicus Curiae Brief, Nunc Pro Tunc, is hereby GRANTED and the Amicus Brief received on April. 6, 2020 is accepted for filing.			
April 6, 2020	Order Exited		Office of the Prothonotary
April 6, 2020	Amicus Curiae Brief	Amicus Curiae	City of Pittsburgh
April 8, 2020	Supplemental Application for Relief	Petitioner	Friends of Danny DeVito
April 10, 2020	Second Supplemental Application for Relief	Petitioner	Blueberry Hill Public Golf Course & Lounge

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 13, 2020	Application for Leave to File Amicus Brief	Amicus Curiae	HOME BUILDERS ASSOCIATION OF BUCKS/MONTGOMERY COUNTIES INC.
		Amicus Curiae	Home Builders Association of Chester and Delaware Counties
April 13, 2020	Praecipe for Appearance		
	Wolf, The Honorable Thomas W.	Respondent	Mullen, Daniel Barrett
	Levine, Dr. Rachel	Respondent	Mullen, Daniel Barrett
April 13, 2020	Order Granting Application for Leave to File Amicus Brief		Dreibelbis, Amy
Comments: AND NOW, this 13th day of April, 2020, Home Builders Association of Bucks and Montgomery Counties, Inc. and Home Builders Association of Chester and Delaware Counties' Application for Leave to File Amicus Curiae Brief is granted and the Amicus Curiae Brief received on April 13, 2020, is accepted for filing.			
April 13, 2020	Order Exited		Office of the Prothonotary
April 13, 2020	Amicus Curiae Brief	Amicus Curiae	HOME BUILDERS ASSOCIATION OF BUCKS/MONTGOMERY COUNTIES INC.
		Amicus Curiae	Home Builders Association of Chester and Delaware Counties
April 13, 2020	King's Bench Jurisdiction Exercised / Emergency Application for Extraordinary Relief Denied		Donohue, Christine
Comments: We grant the request to exercise our King's Bench jurisdiction. For the reasons set forth in this opinion, we conclude that Respondents had the statutory authority to issue the Executive Order and that Petitioners have not established any basis for relief based upon their constitutional challenges. The claim for relief requested in the Application, to vacate or strike the Executive Order, is therefore denied.			
Justices Baer, Todd and Wecht join the opinion.			
Chief Justice Saylor files a concurring and dissenting opinion in which Justices Dougherty and Mundy join.			
April 13, 2020	Judgment Entered		Office of the Prothonotary

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 22, 2020	Application to Stay the Enforcement of Governor Wolf's Executive Order dated March 19, 2020	Petitioner Petitioner Petitioner Petitioner Petitioner	Friends of Danny DeVito Gregory, Kathy B & J Laundry, LLC Blueberry Hill Public Golf Course & Lounge Caledonia Land Company
April 24, 2020	Order Denying Application to Stay the Enforcement of Governor Wolf's Executive Order dated 3-19-20		Per Curiam
Comments: AND NOW, this 24th day of April 2020, upon review and consideration of the "Application to Stay the Enforcement of Governor Wolf's Executive Order Dated March 19, 2020 Pending the Filing and Disposition by the United States Supreme Court of Petitioners' Petition for Writ of Certiorari," said Application is hereby DENIED.			
April 24, 2020	Order Exited		Office of the Prothonotary
April 27, 2020	Petition for Writ of Certiorari		Clerk of the U.S. Supreme Court
May 6, 2020	Application for Stay Denied		Clerk of the U.S. Supreme Court