

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Timothy R. Bonner, P. Michael Jones, :
David H. Zimmerman, Barry J. :
Jozwiak, Kathy L. Rapp, David :
Maloney, Barbara Gleim, Robert :
Brooks, Aaron J. Bernstine, Timothy F. :
Twardzik, Dawn W. Keefer, Dan :
Moul, Francis X. Ryan, and Donald :
"Bud" Cook, :

Petitioners :

v. :

No. 364 M.D. 2022

Leigh M. Chapman, in her official :
capacity as Acting Secretary of the :
Commonwealth of Pennsylvania, and :
Commonwealth of Pennsylvania, :
Department of State, :

Respondents :

PER CURIAM

ORDER

NOW, August 18, 2022, upon consideration of Petitioners' Application for Summary Relief and Expedited Briefing, to the extent Petitioners seek an expedited briefing schedule, the Application is **GRANTED** as set forth below.

In light of the Preliminary Objections filed by Respondents and Intervenor-Respondents, Democratic Senatorial Campaign Committee and Congressional Campaign Committee, and Democratic National Committee and Pennsylvania Democratic Party (collectively, preliminary objections), all of which are potential bars to the relief requested in Petitioners' Petition for Review in the Nature of an Action for a Declaratory Judgment, the preliminary objections shall be heard simultaneously with Petitioners' Application for Summary Relief and Respondents'

Cross-Application for Summary Relief (collectively, dispositive motions). Accordingly, the Court establishes the following schedule:

(1) Cross-applications for summary relief by Intervenor-Respondents, **if any**, shall be filed **no later than August 24, 2022**.

(2) Responses to all dispositive motions and any pending preliminary objections, if not previously filed, shall be filed **no later than September 2, 2022**.

(3) The parties shall file a brief (8 copies) in support of their respective dispositive motion **no later than September 9, 2022**. The parties shall file a brief (8 copies) in opposition to the opposing party's/parties' dispositive motion(s) **no later than September 23, 2022**. The parties may file a reply brief (8 copies) **no later than September 30, 2022**. **Any reply brief shall be limited to responding to the arguments raised in the opposing party's/parties' brief and should not be duplicative of arguments previously made.** Pa.R.A.P. 2113(a).

(4) Respondents and Intervenor-Respondents shall each file a brief (8 copies) in support of their respective preliminary objections **no later than September 9, 2022**. Petitioners shall file briefs (8 copies) in opposition to each set of preliminary objections **no later than September 23, 2022**. Respondents and Intervenor-Respondents may file a reply brief (8 copies) **no later than September 30, 2022**. **Any reply brief shall be limited to responding to the arguments raised in the Petitioners' brief and should not be duplicative of arguments previously made.** Pa.R.A.P. 2113(a).

(5) **No extensions will be granted absent extenuating circumstances.**

The Prothonotary is directed to list all preliminary objections and dispositive motions in this matter on the October argument list to be heard before the Court

en banc in Pittsburgh on **October 12, 2022**. Forty (40) minutes shall be set aside for argument. Petitioners will make their arguments first and shall have 20 minutes to present their arguments in support of their respective application for summary relief and in opposition to the opposing parties' application(s) for summary relief and preliminary objections. Respondents and Intervenor-Respondents will share a total of 20 minutes to present their respective arguments. The parties shall advise the Court how they intend to divide their shared time at the commencement of argument.

RETRIEVED FROM DEMOCRACYDOCKET.COM