

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

League of Women Voters of
Pennsylvania, Carmen Febo
San Miguel, James Solomon,
John Greiner, John Capowski,
Gretchen Brandt, Thomas Rentschler,
Mary Elizabeth Lawn, Lisa Isaacs,
Don Lancaster, Jordi Comas,
Robert Smith, William Marx,
Richard Mantell, Priscilla McNulty,
Thomas Ulrich, Robert McKinstry,
Mark Lichty, Lorraine Petrosky,
Petitioners

v.

No. 261 M.D. 2017

The Commonwealth of Pennsylvania;
The Pennsylvania General Assembly;
Thomas W. Wolf, In His Capacity
As Governor of Pennsylvania;
Michael J. Stack III, In His Capacity
As Lieutenant Governor of Pennsylvania;
and President of the Pennsylvania
Senate; Michael C. Turzai, In His
Capacity As Speaker of the
Pennsylvania House of Representatives;
Joseph B. Scarnati III, In His Capacity
As Pennsylvania Senate President
Pro Tempore; Pedro A. Cortes,
In His Capacity As Secretary of the
Commonwealth of Pennsylvania;
Jonathan M. Marks, In His Capacity
As Commissioner of the Bureau of
Commissions, Elections, and
Legislation of the Pennsylvania
Department of State,
Respondents

ORDER

AND NOW, this 13th day of November, 2017, in furtherance of the
Order of the Supreme Court of Pennsylvania entered on November 9, 2017, it is
hereby **ORDERED**:

1. The Application for Leave to Intervene filed August 10, 2017, is **GRANTED**.

2. Paragraph 3 of the Court's October 16, 2017 Order is **RESCINDED**.

3. In response to the brief filed pursuant to paragraph 2 of the Court's October 16, 2017 Order, Petitioners shall file their brief on or before November 17, 2017. The Court will not accept a reply brief.

4. Preliminary objections challenging the standing of Petitioner League of Women Voters of Pennsylvania (LWVP) are **SUSTAINED**, and LWVP is **DISMISSED** as a party petitioner in this action. *Erfer v. Commonwealth*, 794 A.2d 325, 330 (Pa. 2002) (holding that entity not authorized by law to exercise right to vote in Commonwealth lacks standing to file political gerrymandering claims).

5. All remaining preliminary objections are **OVERRULED**. This ruling is based on the presence of disputed issues of fact and the exigency of the matter, which does not allow time for the Court to rule on the merits of these preliminary objections.

6. Answers to the Petition for Review must be filed by November 17, 2017.

7. Answers to New Matter, if any, must be filed by November 22, 2017.

8. Oral argument and, if necessary, hearing on motions in limine and remaining pretrial matters will be held on Monday, December 11, 2017, in Courtroom 3001 of the Pennsylvania Judicial Center, Harrisburg,

Pennsylvania, beginning at 9:30 a.m. Trial will begin the same day following disposition thereof and continue day-to-day until concluded.

9. A pre-trial conference will be held Thursday, November 16, 2017, at 1:00 pm., in the President Judge's Conference Room, Suite 5204 of the Pennsylvania Judicial Center, Harrisburg, Pennsylvania, for the purposes of discussing all scheduling matters not addressed in this Order and any other procedural matters which the parties wish to bring to the Court's attention.

10. No extensions of filing deadlines and/or requests for continuances of scheduled proceedings will be considered and/or granted absent extraordinary circumstances.



P. KEVIN BROBSON, Judge

Certified from the Record

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And Order Exit