

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: :
NOMINATION PETITIONS :
(OR PAPERS) OF : No. *

PER CURIAM

SCHEDULING and
CASE MANAGEMENT ORDER

NOW, _____, upon consideration of the petition to set aside nomination petitions (or papers):

1. IT IS HEREBY ORDERED:

A. Hearing on the petition to set aside nomination petitions (or papers) is scheduled for _____, in Courtroom Number ____, _____, Pennsylvania.

Objector is directed to secure the services of a court stenographer for the hearing. Failure of Objector to secure the services of a court stenographer may result in the dismissal of this matter.

B. If signature lines are challenged, Objector shall secure, by request or subpoena, the presence of a Statewide Uniform Registry of Electors (SURE) system operator at the hearing.

C. A pre-trial conference may be scheduled at any time after _____.

D. No later than 5:00 p.m., _____, Objector shall personally serve upon Candidate: 1) a copy of this order; 2) a copy of the petition to set aside nomination petitions (or papers) if the petition to set aside has not previously been served; and 3) if signature line challenges are at issue, one digital media device (CD or USB Flash Drive) containing the objections in spreadsheet format and a key to the abbreviations used in the spreadsheet.

Personal service of these items upon Candidate shall be made 1) by handing a copy to Candidate; or 2) by handing a copy at Candidate's residence to an adult member of the family with whom Candidate resides, but if no adult member of the family is found, then to an adult person in charge of such residence; or 3) by handing a copy at Candidate's office or usual place of business to the person for the time being in charge thereof or to Candidate's agent; or 4) by handing a copy at Candidate's campaign office to a person in charge thereof. Objector shall file a proof of service with the Prothonotary promptly thereafter.

E. Objector shall personally or by registered mail serve a copy of this order on the Secretary of the Commonwealth and promptly thereafter file a proof of service with the Prothonotary.

F. At the hearing, Objector shall offer proof of timely service of the petition to set aside on the Secretary of the Commonwealth.

G. All counsel are under a continuing obligation and are hereby ordered to serve a copy of this order upon all unrepresented parties, if any, and upon all counsel entering an appearance subsequent to the entry of this order.

2. It is FURTHER ORDERED:

A. Objector shall file a list of all witnesses to be called at the hearing and the curriculum vitae and expert report for each expert witness. Any witness not identified shall be precluded from testifying except for good cause shown.

B. Candidate shall file a list of all witnesses to be called at the hearing and the curriculum vitae and expert report for each expert witness. Any witness not identified shall be precluded from testifying except for good cause shown.

3. If signature line challenges are at issue, it is FURTHER ORDERED:

A. Objector shall immediately arrange to meet with Candidate or Candidate's representative and, if appropriate, with a SURE system operator, to review before the hearing each and every challenged signature line.

B. Objector and Candidate shall file a stipulation of the parties that identifies:

- (a) the total number of completed signature lines submitted;
- (b) the total number of uncontested signature lines submitted;
- (c) the total number of signature lines challenged;
- (d) each and every signature line to which there is an objection, identified by page number and line number, and the basis for the objection;
- (e) each and every signature line to be stricken as invalid or for which an objection is to be withdrawn, identified by page number and line number, if the parties can reach such a stipulation.

C. Candidate shall file a list of all signature lines, identified by page number and line number, that are facially defective and that Candidate intends to rehabilitate. Candidate shall also state the manner in which Candidate intends to rehabilitate the signature lines.

4. Objector and Candidate may each file a memorandum of law in support of their respective positions by the time and date specified in paragraph 5 of this order. No further memoranda will be permitted unless ordered by the Court.

5. Unless otherwise ordered, all filings required or permitted by paragraphs 2, 3 and 4 of this order shall be filed no later than 12:00 o'clock noon on _____ with the Prothonotary at the Pennsylvania Judicial Center, Suite 2100, 601 Commonwealth Avenue, P.O. Box 69185, Harrisburg, PA 17106-9185. Parties may file via PACFile (the Pennsylvania appellate court electronic filing system) but may NOT file by facsimile or e-mail without express prior permission from the Court.

6. Failure to comply with any provision of this order may preclude the noncompliant party from entering any evidence, and may result in the imposition of monetary sanctions.