

**[J-113A-2019 and J-113B-2019] [OFJC: Mundy, J.]  
IN THE SUPREME COURT OF PENNSYLVANIA  
EASTERN DISTRICT**

IN RE: NOMINATION PAPERS OF : No. 31 EAP 2019  
SHERRIE COHEN AS CANDIDATE FOR :  
THE OFFICE OF PHILADELPHIA CITY : Appeal from the Order of  
COUNCIL-AT-LARGE : Commonwealth Court entered on  
: September 5, 2019 at No. 1157 CD  
: 2019 affirming the Order entered on  
APPEAL OF: SHERRIE COHEN : August 16, 2019 in the Court of  
: Common Pleas, Philadelphia  
: County, Civil Division at No. 701  
: August Term 2019  
:  
: SUBMITTED: September 30, 2019

IN RE: NOMINATION PAPERS OF : No. 32 EAP 2019  
SHERRIE COHEN AS CANDIDATE FOR :  
THE OFFICE OF PHILADELPHIA CITY : Appeal from the Order of  
COUNCIL-AT-LARGE : Commonwealth Court entered on  
: September 5, 2019 at No. 1158 CD  
: 2019 affirming the Order entered on  
APPEAL OF: SHERRIE COHEN : August 16, 2019 in the Court of  
: Common Pleas, Philadelphia  
: County, Civil Division at No. 703  
: August Term 2019  
:  
: SUBMITTED: September 30, 2019

**CONCURRING OPINION**

**JUSTICE DONOHUE**

**FILED: February 19, 2020**

I joined the position of the Lead Opinion placing Appellant Sherrie Cohen on the general election ballot as a candidate for Philadelphia City Council-at-Large when the matter was presented to us on an expedited basis. I joined the Lead Opinion's position because I saw no principled reason not to apply this Court's prior decision in *Packrall v. Quail*, 192 A.2d 704 (Pa. 1963), to the circumstances presented in the present case.

Having reviewed Justice Wecht's thoughtful and well-reasoned Dissenting Opinion, however, I find it to be highly persuasive and, in my view, should be the prevailing interpretation of Section 976(e) of the Election Code, 25 P.S. § 2936(e), in future cases.

Justice Todd joins this concurring opinion.