

**CAPTION**

In Re: Canvassing Observation

Appeal of: City of Philadelphia Board of Elections

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Active

Journal Number:

Case Category: Election

Case Type(s): Election

CONSOLIDATED CASES**RELATED CASES****COUNSEL INFORMATION**

Attorney: McGrath, Sean James
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 Pro Se: No
 IFP Status:

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 Pro Se: No
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 IFP Status:



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 IFP Status:

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 IFP Status:



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 Pro Se: No
 IFP Status:

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 Pro Se: Yes
 IFP Status:

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 Pro Se: No
 IFP Status:

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 30 EAP 2020

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November 10, 2020

SUPREME COURT INFORMATION

Appeal From:

Probable Jurisdiction Noted: Docketed Date: November 9, 2020
 Allocatur/Miscellaneous Granted: November 9, 2020 Allocatur/Miscellaneous Docket No.: 425 EAL 2020
 Allocatur/Miscellaneous Grant Order: AND NOW, this 9th day of November, 2020, the Petition for Allowance of Appeal is GRANTED on the following issues:

1. Whether, as a matter of statutory construction pursuant to Pennsylvania law, the Commonwealth Court erred in reversing the trial court, which concluded that Petitioner City of Philadelphia Board of Elections' regulations regarding observer and representative access complied with applicable Election Code requirements.
2. Whether the issue raised in Petitioner's petition for allowance of appeal is moot.
3. If the issue raised in Petitioner's petition for allowance of appeal is moot, does there remain a substantial question that is capable of repetition yet likely to evade review, and, thus, fall within an exception to the mootness doctrine.

This grant order should not be viewed as a stay on the ongoing processing and counting of ballots.

The Prothonotary is directed to set an expedited briefing schedule for the parties.

Chief Justice Saylor and Justice Mundy note their dissent.

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Commonwealth Docket Number: 1094 CD 2020
 Date of Order: November 5, 2020 Rearg/Recon Disp Date:
 Rearg/Recon Disposition:

Judge(s):
 Intermediate Appellate Court Action: Reversed/Remanded
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Philadelphia County Court of Common Pleas
 County: Philadelphia Division: Philadelphia County Civil Division
 Date of Agency/Trial Court Order: November 3, 2020
 Docket Number: November Term, 2020 No. 7003
 Judge(s): Tsai, Stella M. OTN:
 Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Commonwealth Court Record Electronically Transmitt	November 09, 2020	

Record Remittal:



BRIEFING SCHEDULE

Appellant

**Philadelphia County Board of Elections
Brief**

Due: November 11, 2020 Filed:

Reproduced Record

Due: November 11, 2020 Filed:

Appellee

**Donald J. Trump for President, Inc.
Brief**

Due: November 13, 2020 Filed:

**Pennsylvania Democratic Party
Brief**

Due: November 13, 2020 Filed:

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 9, 2020	Allocatur Granted		Per Curiam

Comments:

AND NOW, this 9th day of November, 2020, the Petition for Allowance of Appeal is GRANTED on the following issues:

- Whether, as a matter of statutory construction pursuant to Pennsylvania law, the Commonwealth Court erred in reversing the trial court, which concluded that Petitioner City of Philadelphia Board of Elections' regulations regarding observer and representative access complied with applicable Election Code requirements.
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Chief Justice Saylor and Justice Mundy note their dissent.

November 9, 2020 Commonwealth Court Record Electronically Transmitted

Commonwealth Court of
Pennsylvania

CROSS COURT ACTIONS

Docket Number: 1094 CD 2020
Docket Number: 425 EAL 2020