

THE FAIRNESS CENTER
David R. Osborne
PA Attorney ID#: 318024
Justin T. Miller
PA Attorney ID#: 325444
500 North Third Street, Floor 2
Harrisburg, PA 17101
Tel: 844-293-1001
Fax: 717-307-3424
david@fairnesscenter.org
justin@fairnesscenter.org

**IN THE COURT OF COMMON PLEAS OF
LANCASTER COUNTY, PENNSYLVANIA**

JANE LADLEY and CHRISTOPHER
MEIER,

Plaintiffs,

v.

PENNSYLVANIA STATE EDUCATION
ASSOCIATION,

Defendant.

No. CI-14-08552

Judge Leonard G. Brown, III

NOTICE OF APPEAL

Pursuant to Pennsylvania Rule of Appellate Procedure 902, notice is hereby given that Jane Ladley and Christopher Meier, plaintiffs above named, hereby appeal to the Superior Court of Pennsylvania from the order entered in this matter on the 29th day of October, 2018. This order has been reduced to

judgment and entered in the docket as evidenced by the attached copy of the docket entry. There is no verbatim record of the proceedings.

Respectfully submitted,

THE FAIRNESS CENTER

Dated: November 28, 2018

A handwritten signature in black ink, appearing to read "David R. Osborne", is written over a solid horizontal line.

David R. Osborne

PA Attorney ID#: 318024

Justin T. Miller

PA Attorney ID#: 325444

500 North Third Street, Floor 2

Harrisburg, PA 17101

Tel: 844-293-1001

Fax: 717-307-3424

david@fairnesscenter.org

justin@fairnesscenter.org

Counsel for Plaintiffs

PROTHONOTARY OF LANCASTER COUNTY

Katherine Wood-Jacobs
Prothonotary

George Alspach
Solicitor



JANE LADLEY (et al.)
vs.
PENNSYLVANIA STATE EDUCATION ASSOCIATION

Case Number
CI-14-08552

PROTHONOTARY DOCKET ENTRIES

- 09/18/2014 COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF FILED BY NATHAN R. BOHLANDER, ESQ.

COMPLAINT (2) WITH RECEIPT TO ATTORNEY AT COUNTER ON 9-18-2014
- 09/18/2014 CAPTION ENTRY IS:
JANE LADLEY AND CHRISTOPHER MEIER VS PENNSYLVANIA STATE EDUCATION ASSOCIATION
- 09/29/2014 PROOF OF SERVICE

SERVED ON 9/19/14 BY AMERICAN EXPEDITING COMPANY TO: PENNSYLVANIA OFFICE OF THE ATTORNEY GENERAL.

FILED BY NATHAN R. BOHLANDER, ESQ
- 10/09/2014 PROOF OF SERVICE: PROOF OF SERVICE FILED. FILED BY NATHAN R BOHLANDER, ESQ.
- 10/09/2014 BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS FILED ON BEHALF OF DEFENDANT PSEA, CERTIFICATE OF SERVICE OF THE SAME.

FILED BY THOMAS W. SCOTT, ESQ
- 10/09/2014 PRELIMINARY OBJECTIONS FILED ON BEHALF OF DEFENDANT PSEA, CERTIFICATE OF SERVICE OF THE SAME.

FILED BY THOMAS W. SCOTT, ESQ
- 10/29/2014 PLAINTIFFS' RESPONSE TO DEFENDANT'S PRELIMINARY OBJECTIONS, CERTIFICATE OF SERVICE OF THE SAME.

FILED BY NATHAN BOHLANDER, ESQ
- 10/29/2014 PLAINTIFFS' BRIEF IN SUPPORT OF RESPONSE TO PRELIMINARY OBJECTIONS, CERTIFICATE OF SERVICE OF THE SAME.

FILED BY NATHAN R. BOHLANDER, ESQ
- 11/05/2014 REPLY BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS FILED ON BEHALF OF DEFENDANT PSEA, CERTIFICATE OF SERVICE OF THE SAME.

FILED BY THOMAS W. SCOTT, ESQ AND RICHARD H. KATSIFIS, ESQ
- 11/06/2014 PRAECIPE FILED TO ASSIGN DEFENDANT'S PRELIMINARY OBJECTIONS AND PLAINTIFFS' RESPONSE TO DEFENDANT'S PRELIMINARY OBJECTIONS FOR DISPOSITION, PURSUANT TO LOCAL RULE 1028(C)(A)(6). FILED BY NATHAN R. BOHLANDER, ESQ. CERTIFICATE OF SERVICE OF SAME. (ASSIGNED TO JUDGE CULLEN - DECEMBER 1, 2014)
- 11/18/2014 PRAECIPE-ENTER APPEARANCE - ON BEHALF ON PLAINTIFF JANE LADLEY AND CHRISTOPHER MEIER, FILED BY DAVID R. OSBORNE, ESQ, CERTIFICATE OF SERVICE OF THE SAME.
- 12/02/2014 FILE RECEIVED BY JUDGE CULLEN.

01/12/2015 ORDER (NO FEE) FILED.
AND NOW, THIS 9TH DAY OF JANUARY, 2015, AT THE REQUEST OF COUNSEL, ORAL ARGUMENT ON DEFENDANT'S PRELIMINARY OBJECTIONS IS HEREBY SCHEDULED FOR MONDAY, FEBRUARY 9, 2015, AT 3:30 P.M. IN THE CHAMBERS OF THE UNDERSIGNED. THE OFFICE OF THE ATTORNEY GENERAL OF PENNSYLVANIA IS DIRECTED TO ADVISE THE COURT AND ALL PARTIES ON OR BEFORE FEBRUARY 1, 2015, IF THE ATTORNEY GENERAL WILL BE PARTICIPATING IN THIS MATTER.
BY THE COURT: JAMES P. CULLEN, JUDGE
COPIES WITH 236 NOTICE MAILED TO NATHAN R. BOHLANDER, ESQ., DAVID R. OSBORNE, ESQ., THOMAS W. SCOTT, ESQ., AND THE HONORABLE KATHLEEN G. KANE ON 1/14/15.

06/30/2015 OPINION AND ORDER FILED.
AND NOW, THIS 30TH DAY OF JUNE, 2015, UPON CONSIDERATION OF THE PRELIMINARY OBJECTIONS OF DEFENDANT, PENNSYLVANIA STATE EDUCATION ASSOCIATION, TO THE COMPLAINT OF PLAINTIFFS, JANE LADLEY AND CHRISTOPHER MEIER, IT IS ORDERED THAT:
1. DEFENDANT'S SECOND AND FOURTH PRELIMINARY OBJECTIONS ARE OVERRULED.
2. DEFENDANT'S REMAINING PRELIMINARY OBJECTIONS ARE SUSTAINED.
3. PLAINTIFFS ARE GRANTED TWENTY (20) DAYS FROM THE DATE OF THIS ORDER TO FILE AN AMENDED COMPLAINT CONSISTENT WITH THE PENNSYLVANIA RULES OF CIVIL PROCEDURE.
BY THE COURT: JAMES P. CULLEN, JUDGE
COPIES WITH 236 NOTICE MAILED TO NATHAN R. BOLNADER, ESQ., AND THOMAS W. SCOTT, ESQ., ON 7/1/15.

07/01/2015 WITHDRAW OF APPEARANCE ON BEHALF OF PLAINTIFFS JANE LADLEY AND CHRISTOPHER MEIER, FILED BY NATHAN R. BOHLANDER, ESQ.

07/20/2015 AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF FILED BY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE OF SAME.

07/20/2015 EXHIBITS

08/10/2015 PRELIMINARY OBJECTIONS TO PLAINTIFFS' AMENDED COMPLAINT FILED BY: THOMAS W. SCOTT, ESQ. CERTIFICATE OF SERVICE OF SAME.

08/10/2015 BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS TO PLAINTIFFS' AMENDED COMPLAINT FILED ON BEHALF OF DEFENDANT PSEA FILED BY: THOMAS W. SCOTT, ESQ. CERTIFICATE OF SERVICE OF SAME.

08/31/2015 RESPONSE TO DEFENDANT PSEAS PRELIMINARY OBJECTIONS TO THE AMENDED COMPLAINT

08/31/2015 BRIEF IN SUPPORT OF RESPONSE TO DEFENDANT PSEAS PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT

09/08/2015 REPLY BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS TO PLAINTIFFS' AMENDED COMPLAINT FILED ON BEHALF OF DEFENDANT PSEA, FILED BY THOMAS W. SCOTT, ESQ, CERTIFICATE OF SERVICE OF THE SAME.

10/28/2015 PRAECIPE FILED TO ASSIGN DEFENDANT'S PRELIMINARY OBJECTIONS TO AMENDED COMPLAINT FOR DISPOSITION PURSUANT TO LOCAL RULE 1028(C)(A)(6). FILED BY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE OF SAME. (ASSIGNED TO JUDGE CULLEN - OCTOBER 30, 2015)

11/02/2015 FILE RECEIVED BY JUDGE CULLEN.

11/17/2015 PRAECIPE TO CORRECT THE ADDRESS AND CONTACT INFORMATION FOR DAVID R. OSBORNE, COUNSEL FOR PLAINTIFFS. FILED BNY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE OF SAME.

01/05/2016 PRAECIPE-ENTER APPEARANCE, ON BEHALF OF PLAINTIFF'S, JANE LADLEY AND CHRISTOPHER MEIER, FILED BY KARIN M. SWEIGART, ESQ, CERTIFICATE OF SERVICE OF THE SAME.

03/30/2016 NOTICE OF SUPPLEMENTAL AUTHORITY AND REQUEST FOR ADMINISTRATIVE CONFERENCE. FILED BY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE OF SAME. (SENT TO JUDGE CULLEN - MARCH 31, 2016)

04/05/2016 ORDER (NO FEE) FILED.
AND NOW, THIS 5TH DAY OF APRIL, 2016, AT THE REQUEST OF COUNSEL, AN ADMINISTRATIVE CONFERENCE IS HEREBY SCHEDULED FOR FRIDAY, APRIL 15, 2016, AT 11:00 A.M. IN THE CHAMBERS OF THE UNDERSIGNED.
BY THE COURT: JAMES P. CULLEN, JUDGE
COPIES WITH 236 NOTICE MAILED TO DAVID R. OSBORNE, ESQ., AND THOMAS W. SCOTT, ESQ., ON 4/6/16.

04/12/2016 NOTICE OF SUPPLEMENTAL AUTHORITY, FILED BY THOMAS W. SCOTT, ESQ, CERTIFICATE OF SERVICE OF THE SAME

04/20/2016 OPINION AND ORDER FILED.
AND NOW, THIS 20TH DAY OF APRIL, 2016, UPON CONSIDERATION OF THE PRELIMINARY OBJECTIONS OF DEFENDANT, PENNSYLVANIA STATE EDUCATION ASSOCIATION, TO THE AMENDED COMPLAINT OF PLAINTIFFS, JANE LADLEY AND CHRISTOPHER MEIER, IT IS ORDERED THAT:
1. THE FIRST PRELIMINARY OBJECTION IS OVERRULED.
2. THE SECOND PRELIMINARY OBJECTION IS SUSTAINED.
3. THE THIRD PRELIMINARY OBJECTION IS OVERRULED IN PART AND SUSTAINED IN PART.
4. THE FOURTH PRELIMINARY OBJECTION IS SUSTAINED.
BY THE COURT: JAMES P. CULLEN, JUDGE
COPIES WITH 236 NOTICE MAILED TO DAVID R. OSBORNE, ESQ., AND THOMAS W. SCOTT, ESQ., ON 4/21/16.

05/02/2016 MOTION FOR PARTIAL RECONSIDERATION FILED BY DAVID OSBORNE ESQ.CERTIFICATE OF SERVICE ATTACHED

05/02/2016 BRIEF IN SUPPORT OF MOTION FOR RECONSIDERATION FILED BY DAVID OSBORNE ESQ.CERTIFICATE OF SERVICE ATTACHED

05/13/2016 DEFENDANT PSEA'S RESPONSE TO PLAINTIFFS' MOTION FOR A PROTECTIVE ORDER, FILED BY JOSEPH F. CANAMUCIO, ESQ, CERTIFICATE OF SERVICE OF THE SAME

05/13/2016 MOTION FOR A PROTECTIVE ORDER FILED BY DAVID R. OSBORNE, ESQ. WITH CERTIFICATE OF SERVICE OF SAME.

05/13/2016 ORDER (NO FEE) FILED.
AND NOW, THIS 12TH DAY OF MAY, 2016, UPON CONSIDERATION OF PLAINTIFF'S MOTION FOR PARTIAL RECONSIDERATION, IT IS ORDERED THAT THE MOTION IS DENIED.
BY THE COURT: JAMES P. CULLEN, JUDGE
COPIES WITH 236 NOTICE MAILED TO DAVID R. OSBORNE, ESQ. (1) AND THOMAS W. SCOTT, ESQ. (1) ON 5/13/16.

05/13/2016 PRAECIPE-ENTER APPEARANCE, ON BEHALF OF DEFENDANT, PENNSYLVANIA STATE EDUCATION ASSOCIATION, FILED BY JOSEPH F. CANAMUCIO, ESQ, CERTIFICATE OF SERVICE OF THE SAME

05/19/2016 ORDER (NO FEE) FILED.
AND NOW, THIS 18TH DAY OF MAY, 2016, UPON CONSIDERATION OF PLAINTIFFS' MOTION FOR PROTECTIVE ORDER, AND DEFENDANT'S RESPONSE, AND FOLLOWING A CONFERENCE WITH COUNSEL, AND WITH THE AGREEMENT OF THE PARTIES, THE COURT DIRECTS THAT DEFENDANT MAY INQUIRE:
1. WHETHER OR NOT EITHER PLAINTIFF HAS CONTRIBUTED TO ANY NON-RELIGIOUS CHARITY IN THE PAST FIVE YEARS.
2. WHETHER OR NOT EITHER PLAINTIFF HAS CONTRIBUTED TO ANY OF THE CHARITIES HE OR SHE HAS DESIGNATED IN THE LITIGATION IN THE PAST FIVE YEARS.
3. WHETHER OR NOT EITHER PLAINTIFF HAS CONTRIBUTED TO ANY OF THE ORGANIZATIONS ON THE LIST OF CHARITIES PREVIOUSLY AGREED TO BY DEFENDANT IN THE PAST FIVE YEARS.
SINCE THIS DISPUTE HAS BEEN RESOLVED BY AGREEMENT OF THE PARTIES, PLAINTIFFS' MOTION FOR PROTECTIVE ORDER IS DISMISSED AS MOOT.
BY THE COURT: JAMES P. CULLEN, JUDGE
COPIES WITH 236 NOTICE MAILED TO DAVID R. OSBORNE, ESQ. (1) AND THOMAS W. SCOTT, ESQ. (1) ON 5/23/16.

05/20/2016 DEFENDANT PSEA'S ANSWER WITH NEW MATTER TO PLAINTIFFS' AMENDED COMPLAINT, FILED BY THOMAS W. SCOTT, ESQ, CERTIFICATE OF SERVICE OF THE SAME

06/09/2016 PLAINTIFFS ANSWER TO PENNSYLVANIA STATE EDUCATION ASSOCIATION'S NEW MATTER DAVID R OSBORNE FILED BY DAVID R OSBORNE ESQ CERTIFICATE OF SERVICE ATTACHED

06/21/2016 MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R OSBORNE ESQ. CERTIFICATE OF SERVICE ATTACHED.

06/21/2016 BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R OSBORNE ESQ. CERTIFICATE OF SERVICE ATTACHED

07/21/2016 ANSWER OF DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND DEFENDANT'S CROSS MOTION FOR SUMMARY JUDGMENT, FILED BY JOSEPH F. CANAMUCIO, ESQ, CERTIFICATE OF SERVICE OF THE SAME

07/21/2016 BRIEF OF THE PENNSYLVANIA STATE EDUCATION ASSOCIATION IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND IN SUPPORT OF ITS CROSS MOTION FOR SUMMARY JUDGMENT, FILED BY JOSEPH F. CANAMUCIO, ESQ, CERTIFICATE OF SERVICE OF THE SAME

08/02/2016 OMNIBUS MOTION FOR WITHDRAWAL OF PLAINTIFFS MOTION FOR SUMMARY JUDGMENT, TO STRIKE DEFENDANTS CROSS-MOTION FOR SUMMARY JUDGMENT, AND FOR LEAVE TO AMEND THE AMENDED COMPLAINT FILED BY DAVID R. OSBORNE ESQ. CERTIFICATE OF SERVICE ATTACHED.

08/02/2016 MOTION FOR PRELIMINARY INJUNCTION filed by David R. Osborne ESQ. CERTIFICATE OF SERVICE ATTACHED.

08/08/2016 PRAECIPE TO WITHDRAW MOTION FOR PRELIMINARY INJUNCTION

08/24/2016 ANSWER TO DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATION'S CROSS-MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R OSBORNE ESQ. CERTIFICATE OF SERVICE ATTACHED.

08/24/2016 BRIEF IN OPPOSITION TO DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATION'S CROSS-MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R OSBORNE ESQ. CERTIFICATE OF SERVICE ATTACHED.

10/17/2016 PRAECIPE FOR ASSIGNMENT FILED BY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE OF SAME. (ASSIGNED TO JUDGE CULLEN - OCTOBER 25, 2016)

10/26/2016 FILE RECEIVED BY JUDGE CULLEN.

12/16/2016 ORDER AND NOW THIS 16TH DAY OF DECEMBER 2016, A CONFERENCE IN THE ABOVE MATTER IS HEREBY SCHEDULED FOR WEDNESDAY JANUARY 11, 2017 AT 2:30 P.M. IN THE CHAMBERS OF THE UNDERSIGNED.
BY THE COURT: JAMES P. CULLEN, JUDGE
CC: DAVID R. OSBORNE, ESQ. (10)
THOMAS W. SCOTT, ESQ. (1)
236 NOTICE SENT 12/19/2016

01/20/2017 LETTER TO JUDGE CULLEN. FILED BY DAVID R. OSBORNE , ESQ. - CONFLICT WITH CASE - REASSIGN.

01/25/2017 CASE REASSIGNED TO JUDGE BROWN.

02/06/2017 FILE RECEIVED BY JUDGE BROWN.

03/21/2017 ORDER AND NOW, THIS 16TH DAY OF MARCH 2017, UPON CONSIDERATION OF THE PARTIES' CROSS MOTIONS FOR SUMMARY JUDGMENT, THE COURT HEREBY SCHEDULES ORAL ARGUMENT ON THIS MATTER FOR TUESDAY, APRIL 18, 2017, AT 11:00 AM IN COURTROOM TBA OF THE LANCASTER COUNTY COURTHOUSE.
EACH SIDE SHALL HAVE NO MORE THAN FIFTEEN MINUTES TO PRESENT THEIR ARGUMENT AND SHALL ADDRESS WHETHER MATERIAL ISSUES OF DISPUTED FACT EXIST. NO LATER THAN APRIL 7, 2017, THE PARTIES SHALL FILE A JOINT LIST OF NUMBERED UNDISPUTED FACTS AND IN A SEPARATE SECTION A NUMBERED LIST OF DISPUTED FACTS. THE AGREED UPON AND DISPUTED FACTS SHALL BE STATED WITHOUT HYPERBOLE. COUNSEL FOR PLAINTIFFS SHALL INITIATE THE DISCUSSION WITH COUNSEL FOR DEFENDANT TO BEGIN DEVELOPMENT OF THE JOINT SUBMISSION AND COUNSEL SHALL COOPERATE IN FILING SUCH SUBMISSION.
BY THE COURT: LEONARD G. BROWN, III, JUDGE
COPIES TO: DAVID R. OSBORNE, ESQ. (1)
JOSEPH F. CANAMUCIO, ESQ. (1)
MARLYN DURANT (1)
236 NOTICE SENT 03/21/2017

03/22/2017 MOTION FOR ADMINISTRATIVE CONFERENCE FILED BY DAVID OSBORNE. CERTIFICATE OF SERVICE ATTACHED

03/24/2017 ORDER AND NOW, THIS 24TH DAY OF MARCH 2017, UPON CONSIDERATION OF THE PLAINTIFFS' UNCONTESTED MOTION FOR AN ADMINISTRATIVE CONFERENCE, A CONFERENCE IN THIS MATTER IS HEREBY SCHEDULED IN CHAMBERS A FOR FRIDAY, MARCH 31, 2017, AT 3:00 PM.
BY THE COURT: LEONARD G. BROWN, III, JUDGE
COPIES TO: DAVID R. OSBORNE, ESQ. (1)
THOMAS W. SCOTT, ESQ. (1)
236 NOTICE SENT 03/27/2017

03/31/2017 ORDER AND NOW THIS 31ST DAY OF MARCH 2017, FOLLOWING A CONFERENCE ATTENDED BY COUNSEL FOR BOTH PARTIES THE ORAL ARGUMENT SCHEDULED FOR TUESDAY APRIL 18, 2017 IS HEREBY CANCELLED.
 BY THE COURT: LEONARD G. BROWN, III, JUDGE
 CC: DAVID R. OSBORNE, ESQ. (1)
 THOMAS SCOTT, ESQ. (1)
 MARLYN DURANT (1)
 236 NOTICE SENT 04/03/2017

03/31/2017 EVENT(S) [CIVIL ORAL ARGUMENT] ON [4/18/2017 11:00 AM] CANCELLED: CANCELLED

04/25/2017 SECOND AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF FILED BY DAVID R OSBORNE CERTIFICATE OF SERVICE ATTACHED.

04/25/2017 FILED CONSENT TO AMENDMENT OF THE AMENDED COMPLAINT FILED BY DAVID R OSBORNE AND THOMAS SCOTT CERTIFICATE OF SERVICE ATTACHED

05/17/2017 LETTER TO JUDGE BROWN FILED BY DAVID R OSBORNE.

05/17/2017 ORDER AND NOW, THIS 17TH DAY OF MAY 2017, FOLLOWING A JOINT REQUEST BY THE PARTIES FOR AN EXTENSION, THE DEADLINE FOR DEFENDANT, PENNSYLVANIA STATE EDUCATION ASSOCIATION TO FILE ITS RESPONSIVE PLEADING TO THE AMENDED COMPLAINT IS EXTENDED TO JUNE 7, 2017.
 BY THE COURT: LEONARD G. BROWN, III, JUDGE
 COPIES TO: DAVID R. OSBORNE, ESQ. (1)
 THOMAS SCOTT, ESQ. (1)
 236 NOTICE SENT 05/18/2017

06/07/2017 DEFENDANT PSEA'S ANSWER WITH NEW MATTER TO PLAINTIFFS' SECOND AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF FILED BY THOMAS W SCOTT CERTIFICATE OF SERVICE ATTACHED.

06/27/2017 PLAINTIFFS ANSWER TO PENNSYLVANIA STATE EDUCATION ASSOCIATIONS NEW MATTER FILED BY DAVID R OSBORNE CERTIFICATE OF SERVICE ATTACHED

06/30/2017 PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R. OSBORNE

06/30/2017 PLAINTIFFS BRIEF IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R. OSBORNE

07/31/2017 ANSWER OF DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND DEFENDANT'S CROSS MOTION FOR SUMMARY JUDGMENT; CERTIFICATE OF SERVICE ATTACHED FILED BY PETER J CARFLEY

08/01/2017 BRIEF OF THE PENNSYLVANIA STATE EDUCATION ASSOCIATION IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND IN SUPPORT OF DEFENDANT'S CROSS MOTION FOR SUMMARY JUDGMENT; CERTIFICATE OF SERVICE ATTACHED FILED BY THOMAS W SCOTT

08/07/2017 PLAINTIFFS' BRIEF IN REPLY TO DEFENDANTS' BRIEF OPPOSING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R. OSBORNE

08/30/2017 PLAINTIFFS ANSWER TO DEFENDANTS CROSS-MOTION FOR SUMMARY JUDGMENT FILED BY DAVID OSBORNE. CERTIFICATE OF SERVICE ATTACHED.

08/31/2017 BRIEF IN OPPOSITION TO DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATIONS CROSS-MOTION FOR SUMMARY JUDGMENT FILED BY DAVID R OSBORNE

09/06/2017 REPLY BRIEF OF DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATION IN SUPPORT OF DEFENDANT'S CROSS MOTION FOR SUMMARY JUDGMENT FILED BY THOMAS W SCOTT ESQ. CERTIFICATE OF SERVICE ATTACHED.

09/06/2017 PRAECIPE REQUESTING ORAL ARGUMENT FILED BY THOMAS W SCOTT ESQ. CERTIFICATE OF SERVICE ATTACHED.

09/13/2017 PRAECIPE FOR ASSIGNMENT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT FOR DISPOSITION. FILED BY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE OF SAME. (ASSIGNED TO JUDGE BROWN - SEPTEMBER 22, 2017)

09/28/2017 PRAECIPE FOR WITHDRAWAL OF APPEARANCE FILED BY KARIN M. SWEIGART ESQ. CERTIFICATE OF SERVICE ATTACHED.

10/03/2017 JOINT MOTION TO STAY PROCEEDINGS FILED BY DAVID R OSBORNE ESQ. CERTIFICATE OF SERVICE ATTACHED SENT TO JUDGE BROWN 10/4/17

10/11/2017 PRAECIPE FOR ASSIGNMENT OF THE JOINT MOTION TO STAY PROCEEDINGS, FILED OCTOBER 3, 2017. FILED BY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE OF SAME.

10/11/2017 ORDER STAYING PROCEEDINGS
AND NOW UPON CONSIDERATION OF THE PARTIES' JOINT MOTION TO STAY PROCEEDINGS AND FINDING THAT GOOD CAUSE EXISTS, IT IS ORDERED THAT SAID MOTION IS HEREBY GRANTED:
1. ALL PROCEEDINGS IN THE ABOVE-CAPTIONED MATTER ARE STAYED, PENDING THE UNITED STATES SUPREME COURT'S DISPOSITION OF JANUS V. AFSCME, COUNCIL 31, NO. 16-1466; AND
2. THE PARTIES SHALL FILE A JOINT NOTICE WITH THIS COURT AS TO THE OUTCOME IN JANUS WITHIN TEN (10) DAYS OF ITS DISPOSITION BY THE UNITED STATES SUPREME COURT AND REQUEST THAT THIS COURT SET A STATUS CONFERENCE TO DISCUSS THE FUTURE OF THIS MATTER AND THE IMPACT OF THE JANUS RULING UPON THIS MATTER, IF ANY.
BY THE COURT: LEONARD G. BROWN, III, JUDGE
CC: DAVID R. OSBORNE, ESQ. (1)
THOMAS W. SCOTT, ESQ. (1)
236 NOTICE SENT 10/11/2017

07/05/2018 ORDER:

AND NOW, THIS 5TH DAY OF JULY 2018, A STATUS CONFERENCE HAS BEEN SCHEDULED IN THIS MATTER FOR THE 30TH DAY OF JULY, AT 4:00 P.M. IN CHAMBERS 2 OF THE LANCASTER COUNTY COURTHOUSE. THE PURPOSE OF THE STATUS CONFERENCE IS TO CONSIDER IS TO PROPOSE A CASE MANAGEMENT SCHEDULE, AND ANY SUCH OTHER MATTERS AS MAY AID IN THE DISPOSITION OF THE CASE. COUNSEL SHALL PREPARE IN WRITING A STATUS CONFERENCE MEMORANDUM WHICH INCLUDES THE FOLLOWING:

- I. SPECIAL COMMENTS REGARDING LEGAL ISSUES, EXPERTS, STIPULATIONS, AMENDMENTS OF PLEADINGS, OR OTHER APPROPRIATE MATTERS.
- II. EACH PARTIES' POSITION ON THE IMPACT ON THE PENDING LAWSUIT OF THE SUPREME COURT OF THE UNITED STATES' DECISION IN JANUS V. AFSCMA, COUNCIL 31, _____S.CT.____ (JUNE 27, 2018).
- III. PROPOSED JOINT CASE MANAGEMENT ORDER PREPARED BY PLAINTIFF(S) AFTER CONSULTATION WITH DEFENDANT(S).

AT LEAST TWO (2) BUSINESS DAYS PRIOR TO THE STATUS CONFERENCE, THE ORIGINAL STATUS CONFERENCE MEMORANDUM SHALL BE FILED WITH THE PROTHONOTARY AND A COURTESY COPY SHALL BE SUBMITTED TO CHAMBERS. THE COURTESY COPY MAY BE SUBMITTED TO CHAMBERS BY EMAIL (JUDGE_BROWN_CHAMBERS@CO.LANCASTER.PA.US), OR HAND DELIVERY.

COUNSEL TRYING THE CASE SHALL BE PRESENT FOR THE STATUS CONFERENCE AND SHALL HAVE COMMUNICATED WITH ONE ANOTHER WITH RESPECT TO A PROPOSED JOINT CASE MANAGEMENT ORDER.

BY THE COURT:
LEONARD G. BROWN, III

CC: MARLYN DURANT, COURT ADMIN
JENNIFER L. MULRONEY, COURT ADMIN
DAVID R. OSBORNE, ESQ.
THOMAS W. SCOTT, ESQ.

236 NOTICE SENT 7-11-18

07/06/2018 JOINT NOTICE AND REQUEST FOR STATUS CONFERENCE FILED BY DAVID R. OSBORNE, ESQ. AND THOMAS W. SCOTT, ESQ. CERTIFICATE OF SERVICE OF SAME.

07/06/2018 EVENT(S) [STATUS CONFERENCE] SCHEDULED FOR MONDAY, JULY 30, 2018 4:00 PM IN COURTROOM 2 WITH BROWN, III, LEONARD G (JUDGE)

07/09/2018 PRAECIPE FOR APPEARANCE OF JUSTIN T. MILLER ON BEHALF OF PLAINTIFFS JANE LADLEY AND CHRISTOPHER MEIER FILED. CERTIFICATE OF SERVICE ATTACHED.

07/26/2018 MEMORANDUM PLAINTIFFS STATUS CONFERENCE MEMORANDUM FILED, WITH CERTIFICATE OF SERVICE OF SAME, BY DAVID R. OSBORNE, ESQ.

(BROWN 7/31/18)

07/26/2018 MEMORANDUM DEFENDANT'S STATUS CONFERENCE MEMORANDUM FILED, WITH CERTIFICATE OF SERVICE OF SAME, BY THOMAS W. SCOTT, ESQ.

(BROWN 7/31/18)

07/31/2018 JOINT CASE MANAGEMENT ORDER:

AND NOW, THIS 30TH DAY OF JULY, 2018, UPON CONSIDERATION OF THE PARTIES' STATUS CONFERENCE MEMORANDA, IT IS ORDERED THAT:

1. THE STAY OF PROCEEDINGS ENTERED IN THIS MATTER PENDING THE UNITED STATES SUPREME COURT'S DISPOSITION OF JANUS V. AFSCME, COUNCIL 31, NO. 16-1466, IS LIFTED; AND
2. DEFENDANTS SHALL HAVE DAYS FROM THE DATE OF THIS ORDER TO WITHDRAW THEIR PENDING CROSS MOTION FOR SUMMARY JUDGMENT AND FILE, IN ITS STEAD, A MOTION FOR SUMMARY JUDGMENT, ASKING THIS COURT TO DISMISS THE CASE AS MOOT, TOGETHER WITH AN ACCOMPANYING BRIEF. PLAINTIFFS SHALL HAVE 20 DAYS FROM RECEIPT OF DEFENDANT'S MOTION AND BRIEF TO FILE A RESPONSIVE BRIEF.

BY THE COURT:
LEONARD G. BROWN, III

CC: THOMAS W. SCOTT, ESQ

236 NOTICE SENT 8/1/18

08/29/2018 PRAECIPE TO WITHDRAW PENDING CROSS MOTION FOR SUMMARY JUDGMENT FILED BY THOMAS W. SCOTT, ESQ. CERTIFICATE OF SERVICE ATTACHED.

08/29/2018 DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT BASED ON MOOTNESS FILED BY THOMAS W. SCOTT, ESQ. CERTIFICATE OF SERVICE ATTACHED.

08/29/2018 APPENDIXES

08/29/2018 DEFENDANT PENNSYLVANIA STATE EDUCATION'S ASSOCIATION'S BRIEF IN SUPPORT OF SUMMARY JUDGMENT FILED BY THOMAS W. SCOTT, ESQ. CERTIFICATE OF SERVICE ATTACHED.

08/29/2018 EXHIBIT

09/18/2018 ANSWER TO DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATIONS MOTION FOR SUMMARY JUDGMENT BASED ON MOOTNESS FILED BY DAVID R. OSBOURNE, ESQ. CERTIFICATE OF SERVICE ATTACHED.

09/18/2018 BRIEF IN OPPOSITION TO DEFENDANT PENNSYLVANIA STATE EDUCATION ASSOCIATIONS MOTION FOR SUMMARY JUDGMENT BASED ON MOOTNESS FILED BY DAVID R. OSBORNE, ESQ. CERTIFICATE OF SERVICE ATTACHED.

10/22/2018 NOTICE TO THE COURT OF CHANGED CIRCUMSTANCES PURSUANT TO COUNSEL'S OBLIGATIONS UNDER RULE 3.3 OF THE PENNSYLVANIA RULES OF PROFESSIONAL CONDUCT FILED BY VICTOR A. BOLDEN, UNITED STATE DISTRICT JUDGE.

10/29/2018 ORDER:

AND NOW, THIS 29TH DAY OF OCTOBER 2018, UPON REVIEW OF PLAINTIFFS' AND DEFENDANT'S CROSSCLAIMS FOR SUMMARY JUDGMENT AND SUPPORTING BRIEFS, PLAINTIFFS' MOTION IS HEREBY DENIED AND DEFENDANT'S MOTION IS GRANTED. THE ABOVE-CAPTIONED ACTION IS DISMISSED. IF PLAINTIFFS BELIEVE THEY ARE THE "PREVAILING PARTIES" AS DEFINED IN 42 U.S.C. 1988, THEY SHALL FILE A MOTION WITH SUPPORTING DOCUMENTATION BY NOVEMBER 23, 2018. ANY OPPOSITION TO THE MOTION SHALL BE FILED BY DECEMBER 7, 2018, AND ANY REPLY SHALL BE FILED BY DECEMBER 14, 2018. THE PROTHONOTARY IS DIRECTED TO CLOSE THIS CASE.

BY THE COURT:
LEONARD G. BROWN, III

CC: DAVID R. OSBORNE, ESQ.
JUSTIN T. MILLER, ESQ.
JOSEPH F. CANAMUCIO, ESQ.
THOMAS W. SCOTT, ESQ.

236 NOTICE SENT 10/29/18

November 27, 2018

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has on this date been served upon the persons and in the manner indicated below, which service satisfies the requirements of Pa. R. Civ. P. 121 and Pa. R. App. P. 906:

Service by first class mail addressed as follows:

Thomas W. Scott, Esquire
Killian and Gephart, LLP
218 Pine Street
P.O. Box 886
Harrisburg, PA 17108-0886
Counsel for Defendant

Hon. Leonard G. Brown, III
50 North Duke Street
P.O. Box 83480
Lancaster, PA 17608

Mark M. Dalton
Court Administrator
50 North Duke Street
P.O. Box 83480
Lancaster, PA 17608

Lisa Miller
Office of the Official Court Reporter
50 North Duke Street
P.O. Box 83480
Lancaster, PA 17608

Dated: November 28, 2018



David R. Osborne

PA Attorney ID#: 318024

Justin T. Miller

PA Attorney ID#: 325444

500 North Third Street, Floor 2

Harrisburg, PA 17101

Tel: 844-293-1001

Fax: 717-307-3424

david@fairnesscenter.org

justin@fairnesscenter.org

Counsel for Plaintiffs