

Commonwealth Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 1440 CD 2017**Page 1 of 5****March 21, 2018****CAPTION**

The Faithful Laurentians, By Their
Trustees Ad Litem, Carolyn Devine
and Venise Whitaker,
Appellants

v.

City of Philadelphia, Zoning Board of
Adjustments

v.

Linden Lane Capital Partners

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Active

Case Processing Status: March 21, 2018 Awaiting Appellee Paperbooks

Journal Number:

Case Category: Civil Case Type(s): Zoning/Land Use

CONSOLIDATED CASES**RELATED CASES****COUNSEL INFORMATION****Appellant Whitaker, Venise**

Pro Se: No

IFP Status:

Attorney: Schirmer, Henry Louis
Law Firm: Law Offices of Henry L. Schirmer Jr., Esq.
Address: 1805 Ridge Rd
Sellersville, PA 18960
Phone No: (215) 530-8247 Fax No:

Appellant The Faithful Laurentians

Pro Se: No

IFP Status:

Attorney: Schirmer, Henry Louis
Law Firm: Law Offices of Henry L. Schirmer Jr., Esq.
Address: 1805 Ridge Rd
Sellersville, PA 18960
Phone No: (215) 530-8247 Fax No:

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COUNSEL INFORMATION

Appellant Devine, Carolyn

Pro Se: No

IFP Status:

Attorney: Schirmer, Henry Louis
 Law Firm: Law Offices of Henry L. Schirmer Jr., Esq.
 Address: 1805 Ridge Rd
 Sellersville, PA 18960
 Phone No: (215) 530-8247 Fax No:

Appellee City of Philadelphia

Pro Se: No

IFP Status:

Attorney: Reuter, Leonard F.
 Address: Philadelphia Law Department
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 Philadelphia, PA 19102
 Phone No: (215) 683-5064 Fax No:

Attorney: Diffily, Kelly Susan
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 1515 Arch St
 Philadelphia, PA 19102-1595
 Phone No: (215) 683-5010 Fax No:

Appellee 1600 Berks, LLC

Pro Se: No

IFP Status:

Attorney: Paszamant, Brian S.
 Law Firm: Blank Rome LLP
 Address: 1 Logan Sq 130 N 18th St
 Philadelphia, PA 19103
 Phone No: (215) 569-5791 Fax No:

Attorney: Mattioni, Michael J.
 Law Firm: Mattioni, Ltd.
 Address: Mattioni Ltd
 100 N Independence Mall W Ste 5A NW
 Philadelphia, PA 19106-2199
 Phone No: (215) 629-1600 Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
09/29/2017	Notice of Appeal	85.50	10/16/2017	2017-CMW-H-002243	85.50

AGENCY/TRIAL COURT INFORMATION

Court Below:	Philadelphia County Court of Common Pleas	Division:	Philadelphia County Civil Division
County:	Philadelphia	Judicial District:	01
Order Appealed From:	August 29, 2017	Notice of Appeal Filed:	September 29, 2017
Documents Received:	October 16, 2017		
Order Type:	Order		

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OTN(s):

Lower Ct Docket No(s): Case No. 161200058

December Term 2016 No. 00058

Lower Ct Judge(s): Anders, Daniel J.
Judge

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Trial Court Record	November 30, 2017	
Trial Court Opinion	November 30, 2017	
Testimony	January 17, 2018	

Date of Remand of Record:

BRIEFING SCHEDULE

Appellant	Appellee
The Faithful Laurentians	1600 Berks, LLC
Amended Brief	Brief
Due: March 20, 2018	Due: April 23, 2018
Filed: March 20, 2018	Filed:
Brief	City of Philadelphia
Due: January 26, 2018	Due: April 23, 2018
Filed: January 29, 2018	Filed:
Reproduced Record	Zoning Board of Adjustment
Due: January 26, 2018	Due: April 23, 2018
Due: March 20, 2018	Filed:
Filed: March 20, 2018	

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 29, 2017	Notice of Appeal Filed The Faithful Laurentians Devine, Carolyn Whitaker, Venise		Appellant Appellant Appellant	
October 20, 2017	Notice of Docketing Appeal Exited Commonwealth Court Filing Office			10/20/2017
November 30, 2017	Trial Court Record Received Philadelphia County Civil Division			
November 30, 2017	Trial Court Opinion Received Philadelphia County Civil Division			
November 30, 2017	Briefing Schedule Issued Commonwealth Court Filing Office			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 12, 2017	Order Filed Cohn Jubelirer, Renee			12/13/2017
	Document Name: it appearing that the Appellant has failed to file and serve a docketing statement as required by Comment: Section 501 of the Commonwealth Court Internal Operating Procedures, 210 Pa. Code § 69.501, the Appellant is hereby ordered to file and serve a complete docketing statement with all attachments and a certificate of service in accordance with the instructions on the docketing statement form within 14 days of entry of this order or the above captioned matter will be dismissed as of course.			
December 27, 2017	Docketing Statement Filed Schirmer, Henry Louis Schirmer, Henry Louis Schirmer, Henry Louis	The Faithful Laurentians Devine, Carolyn Whitaker, Venise	Appellant Appellant Appellant	
January 12, 2018	Dormant Order for Failure to File Appellant Brief Issued Leavitt, Mary Hannah			01/12/2018
	Document Name: It appearing that appellants' brief and reproduced record were due January 9, 2018, and that to date Comment: the same have not been filed, appellants' brief (4 copies) and reproduced record (4 copies) shall be filed and served within 14 days of the exit date of this Order or the above notice of appeal shall be dismissed as of course.			
January 16, 2018	Entry of Appearance Diffily, Kelly Susan	City of Philadelphia	Appellee	
January 17, 2018	Transcripts of Testimony Court Reporters, Digital Recording, and Interpreters Administration - First Judicial District of Pennsylvania			
January 29, 2018	Appellant's Brief and Reproduced Record Combined Filed The Faithful Laurentians		Appellant	
January 31, 2018	Application for Extension of Time to File Brief - First Request Diffily, Kelly Susan	City of Philadelphia	Appellee	
February 1, 2018	Order Granting Application for Extension of Time to File Appellee Brief Krimmel, Michael			02/02/2018
	Document Name: Upon consideration of appellee City of Philadelphia's request for ext. of time to file briefs, and Comment: it appearing that said request is not opposed, said request is granted and appellee City of Philadelphia's brief (4 copies) shall be filed on or before April 4, 2018.			
March 5, 2018	Entry of Appearance Mattioni, Michael J.	Linden Lane Captial Partners LLC	Appellee	
March 5, 2018	Application for Relief Mattioni, Michael J. Mattioni, Michael J. Paszamant, Brian S. Paszamant, Brian S.	Linden Lane Captial Partners LLC 1600 Berks, LLC Linden Lane Captial Partners LLC 1600 Berks, LLC	Appellee Appellee Appellee Appellee	
	Document Name: PRAECIPE Substitution of Party			
March 6, 2018	Application for Extension of Time to File Brief - First Request Mattioni, Michael J.	1600 Berks, LLC	Appellee	

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 6, 2018	Appellant's Brief Not Accepted - Directed to File Amended Brief Per Curiam			03/06/2018
	Document Name: it appears that appellants have filed a combined brief and reproduced record that does not comply Comment: with the Pennsylvania Rules of Appellate Procedure because:			
	a. the reproduced record lacks a table of contents as required by Pa.R.A.P. 2174;			
	b. the brief and reproduced record, combined, exceed the page limits. Pa.R.A.P. 2171(b); and			
	c. the pages in reproduced record are not properly numbered. Pa.R.A.P. 2173.			
	THEREFORE, it is hereby ordered:			
	1. Appellants' combined brief and reproduced record is not accepted.			
	2. Appellants shall file an amended combined brief and reproduced record (4 copies) that conforms to the requirements of Chapters I and 21 of the Pennsylvania Rules of Appellate Procedure on or before March 20, 2018, or this case will be dismissed as of course.			
	3. Appellees's brief shall be due, if at all, 30 days after service of appellants' amended combined brief and reproduced record.			
March 12, 2018	Send Back for Correction Commonwealth Court Filing Office			
	Document Name: DEFECT: The Substitution of Party may not be done by Praecipe, must be file Application for Relief.			
March 20, 2018	Amended Brief of Appellant Filed The Faithful Laurentians		Appellant	
March 20, 2018	Appellant's Reproduced Record Filed Schirmer, Henry Louis	The Faithful Laurentians	Appellant	
	Schirmer, Henry Louis	Devine, Carolyn	Appellant	
	Schirmer, Henry Louis	Whitaker, Venise	Appellant	
	Document Name: Amended Reproduced Record			