

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

May 22, 2018

CCO-080

No. 18-1816

JACOB CORMAN, in his official capacity as Majority Leader of the Pennsylvania Senate; MICHAEL FOLMER, in his official capacity as Chairman of the Pennsylvania Senate State Government Committee; LOU BARLETTA; RYAN COSTELLO; MIKE KELLY; TOM MARINO; SCOTT PERRY; KEITH ROTHFUS; LLOYD SMUCKER; GLENN THOMPSON; JEFFREY CUTLER

v.

SECRETARY COMMONWEALTH OF PENNSYLVANIA;
COMMISSIONER BUREAU OF COMMISSIONS,
ELECTIONS & LEGISLATION

CARMEN FEBO SAN MIGUEL; JAMES SOLOMON; JOHN GREINER;
JOHN CAPOWSKI; GRETCHEN BRANDT; THOMAS RENTSCHLER;
MARY ELIZABETH LAWN; LISA ISAACS; DON LANCASTER; JORDI COMAS;
ROBERT SMITH; WILLIAM MARX; RICHARD MANTELL;
PRISCILLA MCNULTY; THOMAS ULRICH; ROBERT MCKINSTRY;
MARK LICHTY; LORRAINE PETROSKY

(Intervenors in District Court)

Jeffrey Cutler,
Appellant

(M.D. Pa. No. 1-18-cv-00443)

Present: CHAGARES, GREENAWAY and FUENTES, Circuit Judges

1. Emergency Motion filed by Appellant Jeffrey Cutler to Reconsider Denial of Injunction Pending Appeal and Motion to Dismiss Defendant's Claims for Failure to Respond to Appellant, which requests En Banc consideration, will be submitted to the panel pursuant to I.O.P. 10.3.3..
2. Response filed by Appellee Carmen Febo San Miguel to Motion to Reconsider Order.

3. Response filed by Appellees Commissioner Bureau of Commissions Elections & Legislation and Secretary Commonwealth of Pennsylvania to Motion to Reconsider Order.
4. Reply to Response by Appellant Jeffrey Cutler to the Emergency Motion to Reconsider the 05/09/2018 Order.

Respectfully,
Clerk/JK

ORDER

The foregoing motion is hereby denied.

By the Court,

s/Michael A. Chagares
Circuit Judge

Dated: June 1, 2018
JK/cc: All Counsel of Record
Jeffrey Cutler