



Supreme Court of Pennsylvania

Middle District

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December 29, 2017

RE: League of Women Voters of PA et al. v Cmwlth et al
No. 159 MM 2017

Dear Attorney Churchill
Attorney Ford
Attorney Freedman
Attorney Gallagher
Attorney Gersch
Attorney Hall
Attorney Haverstick
Attorney Howell
Attorney Jacobson
Attorney Jones
Attorney Kotula
Attorney Levine
Attorney McGee
Attorney McKenzie
Attorney Mitinger
Attorney Palnick
Attorney Paszamant
Attorney Sheehy
Attorney Snyderman
Attorney Tabas
Attorney Theodore
Attorney Torchinsky
Attorney Warren
Mr. Concannon
Mr. Everhart
Mr. Gates
Mr. Geffen
Mr. Lacey
Mr. Seiberling
Mr. Voss
Mr. Wixted

Enclosed please find the enclosed order granting oral argument in the above-captioned matter.

Accordingly, the expedited briefing schedule is as follows:

- 1) Appellant's Brief and Reproduced Record are due by 3:00 p.m. on Friday, January 5th in the Middle District Prothonotary's Office.
- 2) Appellee's Briefs are due by 3:00 p.m. on Wednesday, January 10th in the Middle District Prothonotary's Office.
- 3) Reply Brief, if desired to file, is due by 3:00 p.m. on Friday, January 12th in the Middle District Prothonotary's Office.

Service on all counsel must be made at time of filing via e-filing/fax/e-mail/personal delivery.

Participant Role	Participant Name	Paperbook Type	Copies	Due Date
Petitioner	League of Women Voters of Pennsylvania, et al	Brief	15	01/05/2018
Petitioner	League of Women Voters of Pennsylvania, et al	Reproduced Record	10	01/05/2018

The moving party's brief is to be submitted with the reproduced record (unless excused or delay authorized in accordance with Pa.R.A.P. 2151(d) and 2154(b)), and a certificate of service. Serve (2) copies (1 copy if proceeding in forma pauperis) on every other party to the proceedings. Pa.R.A.P. 2111(b) provides that copies of the lower court opinions must be appended to the appellant/petitioner's brief. These rules will be strictly enforced and no briefs shall be accepted for filing that do not comply with these requirements.

In order to facilitate the newly instituted electronic records management system, the Office of the Prothonotary requests that all filers leave the original copy of any document submitted for filing (one copy of Reproduced Record, if applicable) unbound. All remaining copies of briefs and reproduced records should be bound in compliance with Pa.R.A.P. 124 (a)(5).

In addition to the paper copies of the items listed above, an electronic copy provided on Compact Discs (CDs) will be accepted and would be appreciated. Acceptable electronic formats, at this time, are PDFs, TIFFs, and Word documents. Said disc should be accompanied by an averment that the material on the CD is a complete and accurate representation of the paper version.

Very truly yours,
Office of the Prothonotary



Supreme Court of Pennsylvania

Checklist of Rule Requirements for Filing an Appellate Brief

Always consult the Pennsylvania Rules of Appellate Procedure prior to any filing. Specific information on the filing of a brief and reproduced record can be found in Chapter 21 of the Pennsylvania Rules of Appellate Procedure.

I. Conformance to Requirements (Pa.R.A.P. 2101)

Any brief or reproduced record submitted for filing must comply in substance and form with the applicable rules of appellate procedure. Nonconformity may be waived by the Court depending on the circumstances of the individual case, or as justice may require. Nevertheless failure to conform to the applicable rules may result in sanctions, including but not limited to dismissal of the appellate action.

II. Contents of Briefs

A. Appellant's Brief (Pa.R.A.P. 2111)

1. Contents

- a. Statement of Jurisdiction (Pa.R.A.P. 2114).
- b. Order or other determination in question (Pa.R.A.P. 2115).
- c. Statement of the Scope and Standard of Review (Pa.R.A.P. 2111).
- d. Statement of the Questions involved (Pa.R.A.P. 2116).
- e. Statement of the Case (Pa.R.A.P. 2117).
- f. Summary of Argument (Pa.R.A.P. 2118).
- g. Argument for Appellant (Pa.R.A.P. 2119).
- h. A short conclusion stating the precise relief sought.
- i. Opinions and pleadings specified in Subdivisions (2) and (3) below.

2. Opinions Below

Attach all opinions from any court or administrative proceeding below which relate to the determination to be reviewed. If an opinion has been reported state that fact and give the appropriate citation (Pa.R.A.P. 2111(b)).

- ###### 3. Length of Brief **Cannot exceed 14,000 words.** Documents of 30 pages or less produced on word processor or typewriter are deemed to comply with the limit. Longer documents require a certification that the statement complies with the limit of 14,000 words. *Pa.R.A.P. 2135 (a)(1) & 2135 (d)*.

4. Pleadings

If the matter falls under Pa.R.A.P. 2151(c) (relating to original hearing cases) and no reproduced record is required, any pleadings relevant to the case or from which a question for review arises shall be appended to the brief (Pa.R.A.P. 2111(c)).

B. Appellee's Brief (Pa.R.A.P. 2112)

1. Contents

- a. Summary of Argument (Pa.R.A.P. 2118).
- b. Argument for Appellee (Pa.R.A.P. 2119).

2. Matters included only if challenged

- a. Counter-Statement of the Questions involved.
 - b. Counter-Statement of the Case.
 3. Length of brief **Cannot exceed 14,000 words**. Documents of 30 pages or less produced on word processor or typewriter are deemed to comply with the limit. Longer documents require a certification that the statement complies with the limit of 14,000 words. Pa.R.A.P. 2135 (a)(1) & 2135 (d).
- C. Reply Brief (Pa.R.A.P. 2113)
1. Appellant may file a reply brief in response to issues found in the appellee's brief that were not raised in appellant's initial brief, and limited to those issues. An Appellee may file a similarly limited brief in the case of a cross-appeal. See Pa.R.A.P. 2136 for detailed information regarding briefs in cases involving cross-appeals.
 2. A reply brief may be filed as a response to a draft or plan pursuant to Pa.R.A.P. 134.
 3. No other briefs may be filed without leave of Court.
 4. Length of reply brief **Cannot exceed 7,000 words**. Documents of 15 pages or less produced on word processor or typewriter are deemed to comply with the limit. Longer documents require a certification that the statement complies with the limit of 7,000 words. Pa.R.A.P. 2135 (a)(1) & 2135 (d).

III. Reproduced Records

- A. Where not required (Pa.R.A.P. 2151)
1. Certain individual cases or classes of cases.
 2. In forma pauperis status.
 3. If the record is already before the Court in an original hearing case.
 4. By application, if the cost is disproportionate or for other sufficient reason .
- B. Contents (Pa.R.A.P. 2152; Pa.R.A.P. 2153)
1. All relevant docket entries, orders, opinions and related matter.
 2. Relevant portions of pleadings, charge or findings.
 3. Any additional portion of the record directed to the Court's attention.
 4. Omit all immaterial formal matter.
 5. Note - omitted material is not precluded from reliance or review.
- C. Designation of Contents (Pa.R.A.P. 2154)
1. Appellant shall file a designation of contents of the record he/she plans to reproduce and a brief statement of issues to be presented no later than 30 days prior to the due date of the appellant's brief and serve it upon all parties unless appellant deems it necessary to proceed under the large record provision of Pa.R.A.P. 2154(b). Irrelevant material should be avoided.
 2. If desired, Appellee may file and serve a counter designation of the record within 10 days of service of appellant's designation.
 3. Costs of reproduction will be allocated according to Pa.R.A.P. 2155.
 4. In exceptional circumstances, appellee may file a Supplemental reproduced record (Pa.R.A.P. 2156).

A limited checklist is provided for purposes of convenience. Please note that not all circumstances are covered by this checklist, and all filings are governed by the appropriate rules of court.

- Appropriate Cover (Pa.R.A.P. 2172)
 - A light colored material that will permit writing (no plastic) (Pa.R.A.P. 2172(d))
 - Name of court (a)(1)
 - Docket number (a)(2)
 - Proper caption of the case (a)(3): Full and complete.
 - Title of document with designation of the order appealed (a)(4) and (a)(5)
 - Name(s) of counsel (a)(6)
 - Properly bound (Pa.R.A.P. 124(a)(5))

- Table of Contents and properly numbered pages (Pa.R.A.P. 2173; Pa.R.A.P. 2174)

- Table of Citations (Pa.R.A.P. 2174; Pa.R.A.P. 2111)

- Substantive content as described in Section II above

- Meets page limits and physical characteristics (Pa.R.A.P. 124; Pa.R.A.P. 2135)

- Principal Briefs **Cannot exceed 14,000 words.**

- Reply Briefs **Cannot exceed 7,000 words.**

- Paper size 8½ inches by 11 inches

- Printed matter 6½ inches by 9 inches

- Original Signature in ink on one designated copy

- Proof of Service (Pa.R.A.P. 121; Pa.R.A.P. 122)

- Reproduced record (Pa.R.A.P. 2152-2156; Section III above)

- Correct number of copies (Pa.R.A.P. 2187)
 - 15 copies to be filed with Court
 - 10 copies of the reproduced record to be filed with Court
 - 2 copies to be served on opposing party

- Exception in forma pauperis:
 - 15 copies to be filed with Court
 - 1 copy to be served on opposing party

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