

**U.S. District Court  
Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:20-cv-00677-WSS**

COUNTY OF BUTLER et al v. THOMAS W. WOLF et al Date Filed: 05/07/2020  
Assigned to: Judge William S. Stickman Jury Demand: None  
Case in other court: Third Circuit, 20-02936 Nature of Suit: 440 Civil Rights:  
Cause: 42:1983 Civil Rights Act Other  
Jurisdiction: Federal Question

**Plaintiff**

**COUNTY OF BUTLER**  
*TERMINATED: 09/14/2020*

represented by **Thomas W. King , III**  
Dillon, McCandless, King, Coulter &  
Graham L.L.P.  
128 West Cunningham Street  
Butler, PA 16001  
(724) 283-2200  
Fax: (724) 283-2298  
Email: tking@dmkcg.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
Dillon McCandless King Coulter &  
Graham LLP  
128 West Cunningham Street  
Butler, PA 16001  
724-283-2200  
Fax: 724-283-2298  
Email: jshuber@dmkcg.com  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
Dillon, McCandless, King, Coulter &  
Graham  
128 West Cunningham Street  
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(724) 283-2200  
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*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**

Dillon, McCandless, King, Coulter &  
Graham  
128 West Cunningham Street  
Butler, PA 16001  
(724) 283-2200  
Email: tbreth@dmkcg.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**COUNTY OF FAYETTE**  
*TERMINATED: 09/14/2020*

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**COUNTY OF GREENE**  
*TERMINATED: 09/14/2020*

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**COUNTY OF WASHINGTON**  
*TERMINATED: 09/14/2020*

represented by **Thomas W. King , III**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**NANCY GIFFORD**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**MIKE GIFFORD**

*husband and wife  
doing business as*

**DOUBLE IMAGE STYLING  
SALON**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**PRIMA CAPELLI, INC.**  
*a Pennsylvania Corporation*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**MIKE KELLY**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**MARCI MUSTELLO**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**DARYL METCALFE**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**TIM BONNER**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**STEVEN SCHOEFFEL**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**PAUL F. CRAWFORD**

*trading and doing business as*  
**MARIGOLD FARM**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**CATHY HOSKINS**

*trading and doing business as*  
**CLASSY CUTS HAIR SALON**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**R.W. MCDONALD & SONS, INC.**

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**STARLIGHT DRIVE-IN, INC.**  
*a Pennsylvania Corporation*

represented by **Thomas W. King , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jordan P. Shuber**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ronald T. Elliott**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Thomas E. Breth**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**SKYVIEW DRIVE-IN, LLC**  
*a Pennsylvania Limited Liability  
Company*

represented by **Thomas W. King , III**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jordan P. Shuber**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Ronald T. Elliott**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Thomas E. Breth**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**THOMAS W. WOLF**  
*in his official capacity as Governor of  
the Commonwealth of Pennsylvania*

represented by **Karen Mascio Romano**  
Pennsylvania Office of Attorney  
General  
Strawberry Square  
15th Floor  
Harrisburg, PA 17120  
7177872717  
Fax: 7177724526  
Email:  
kromano@attorneygeneral.gov  
**ATTORNEY TO BE NOTICED**

**Defendant**

**RACHEL LEVINE**  
*MD, in her official capacity as  
Secretary of the Pennsylvania  
Department of Health*

represented by **Karen Mascio Romano**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Amicus**

**EAGLE FORUM EDUCATION &  
LEGAL DEFENSE FUND**

represented by **Lawrence J Joseph**  
Lawrence J. Joseph  
1250 Connecticut Avenue, NW  
Suite 700-1A  
Washington, DC 20036  
202-355-9452  
Fax: 202-318-2254  
Email: ljoseph@larryjoseph.com



*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
05/07/2020	<a href="#"><u>1</u></a>	<b>COMPLAINT</b> against RACHEL LEVINE, THOMAS W. WOLF (Filing fee, including Administrative fee, \$400, receipt number 0315-5599356), filed by R.W. MCDONALD & SONS, INC., MIKE GIFFORD, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, TIM BONNER, COUNTY OF BUTLER, MARCI MUSTELLO, MIKE KELLY, CATHY HOSKINS, COUNTY OF FAYETTE, SKYVIEW DRIVE-IN, LLC, NANCY GIFFORD, DARYL METCALFE, PRIMA CAPELLI, INC., STARLIGHT DRIVE-IN, INC., STEVEN SCHOEFFEL, COUNTY OF GREENE. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Civil Cover Sheet, # <a href="#"><u>4</u></a> Summons, # <a href="#"><u>5</u></a> Summons) (ma) (Entered: 05/07/2020)
05/07/2020	<a href="#"><u>2</u></a>	Summons Issued as to RACHEL LEVINE, THOMAS W. WOLF (Attachments: # <a href="#"><u>1</u></a> Summons) (ma) (Entered: 05/07/2020)
05/08/2020	<a href="#"><u>3</u></a>	NOTICE of Appearance by Ronald T. Elliott on behalf of TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Elliott, Ronald) (Entered: 05/08/2020)
05/08/2020	<a href="#"><u>4</u></a>	NOTICE of Appearance by Jordan P. Shuber on behalf of TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Shuber, Jordan) (Entered: 05/08/2020)
05/08/2020	<a href="#"><u>5</u></a>	NOTICE of Appearance by Thomas E. Breth on behalf of TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Breth, Thomas) (Entered: 05/08/2020)
05/16/2020		FINAL NOTICE: <b><u>In preparation of the Court's conversion to NextGen, our Court's CM/ECF system will be unavailable from 12:00</u></b>

		<p><b><u>p.m. (Noon) on Friday, May 22, 2020, until 11:59 pm. Monday, May 25, 2020. Please plan accordingly.</u></b> Complete information, including a checklist of actions regarding the WDPA NexGen CM/ECF implementation, can be found <a href="#">here</a>. Preparing for NextGen is a two-step process. The first step is to upgrade any legacy PACER accounts. The second step is to link that upgraded PACER account with your WDPA CM/ECF account after the Court goes live with NextGen. To link your account, you will need your current e-filing credentials from our Court. <b>If your CM/ECF login contains any special characters (anything other than a letter or number), you will need to change it as logins with those characters will be unable to link to PACER accounts. No later than Thursday, May 21, 2020,</b> you should log into both PACER and the current version of CM/ECF to review and record your current e-filing credentials for both, as you will need to know them in order to e-file after May 23, 2020. Please consult the Court's <a href="#">administrative order</a> for additional information on deadlines and alternative filing options during this period. (Administrator, ) (ADI) (Entered: 05/16/2020)</p>
05/19/2020	<a href="#">6</a>	NOTICE of Appearance by Karen Mascio Romano on behalf of RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 05/19/2020)
05/19/2020	<a href="#">7</a>	WAIVER OF SERVICE Returned Executed by RACHEL LEVINE, THOMAS W. WOLF. RACHEL LEVINE waiver sent on 5/7/20; answer due on 7/7/20. THOMAS W. WOLF waiver sent on 5/7/20, answer due on 7/7/20. (Romano, Karen) Modified text on 5/21/2020. (ma) (Entered: 05/19/2020)
05/19/2020	<a href="#">8</a>	Disclosure Statement identifying None as corporate parent or other affiliate, by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (King, Thomas) (Entered: 05/19/2020)
05/20/2020		Update Answer Deadline: Answer due from RACHEL LEVINE on 7/7/2020; THOMAS W. WOLF on 7/7/2020 (ma) (Entered: 05/20/2020)
05/20/2020	<a href="#">9</a>	MOTION for Declaratory Judgment ( <i>Speedy Hearing Pursuant to Rule 57</i> ) by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Proposed Order) (King, Thomas) (Entered: 05/20/2020)

05/20/2020	<a href="#"><u>10</u></a>	BRIEF in Support re <a href="#"><u>9</u></a> Motion for Declaratory Judgment, ( <i>Speedy Hearing Pursuant to Rule 57</i> ) filed by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (King, Thomas) (Entered: 05/20/2020)
05/21/2020	<a href="#"><u>11</u></a>	SCHEDULING ORDER. Response to <a href="#"><u>9</u></a> Motion for Declaratory Judgment due by 5/26/2020. Telephonic Oral Argument set for 5/27/2020 at 3:00 PM before Judge William S. Stickman. Page limitations and call parameters outlined herein. Signed by Judge William S. Stickman on 05/21/20. (eca) (Entered: 05/21/2020)
05/26/2020	<a href="#"><u>12</u></a>	RESPONSE to Motion re <a href="#"><u>9</u></a> MOTION for Declaratory Judgment ( <i>Speedy Hearing Pursuant to Rule 57</i> ) filed by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 05/26/2020)
05/26/2020	<a href="#"><u>13</u></a>	BRIEF in Opposition re <a href="#"><u>9</u></a> Motion for Declaratory Judgment, filed by RACHEL LEVINE, THOMAS W. WOLF. (Attachments: # <a href="#"><u>1</u></a> Appendix Unpublished Opinions) (Romano, Karen) (Entered: 05/26/2020)
05/27/2020	<a href="#"><u>14</u></a>	Minute Entry for proceedings held before Judge William S. Stickman: Telephonic Oral Argument held on 5/27/2020. (Court Reporter: Deborah Betzler) (eca) (Entered: 05/28/2020)
05/28/2020	<a href="#"><u>15</u></a>	MEMORANDUM OPINION and ORDER GRANTING IN PART AND DENYING IN PART <a href="#"><u>9</u></a> Motion for a Speedy Hearing of Declaratory Judgment Action Pursuant to Rule 57. The Court holds that expedited proceedings to examine the claims at Counts II, IV and V are warranted. The Court denies the motion as to Counts I and III. Status Report due by 6/1/2020 at 5:00 PM. Telephonic Status Conference set for 6/2/2020 at 9:30 AM before Judge William S. Stickman. Signed by Judge William S. Stickman on 05/28/20. (eca) (Entered: 05/28/2020)
06/01/2020	<a href="#"><u>16</u></a>	STATUS REPORT by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Breth, Thomas) (Entered: 06/01/2020)
06/02/2020	<a href="#"><u>17</u></a>	Minute Entry for proceedings held before Judge William S. Stickman: Telephonic Status Conference held on 6/2/2020. (Court Reporter: Deborah Betzler) (eca) (Entered: 06/02/2020)
06/02/2020	<a href="#"><u>18</u></a>	CASE MANAGEMENT ORDER. Answer due 06/05/20; Exchange of initial disclosures by 06/05/20; Initial disclosures by 06/12/20; Joint

		Status Report on discovery due 06/16/20; Declaratory Judgment Hearing set for 07/17/20 at 9:30 AM before Judge William S. Stickman; Joint Status Report on the hearing due 07/09/20; Declarations/Affidavits due by 07/09/20; Pre-hearing briefs by 07/09/20. Signed by Judge William S. Stickman on 06/02/20. (eca) (Entered: 06/02/2020)
06/05/2020	<a href="#"><u>19</u></a>	ANSWER to <a href="#"><u>1</u></a> Complaint,, <i>with Affirmative Defenses</i> by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 06/05/2020)
07/09/2020	<a href="#"><u>20</u></a>	AFFIDAVIT by COUNTY OF BUTLER Affiant: Leslie Osche. (Attachments: # <a href="#"><u>1</u></a> Exhibit) (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>21</u></a>	AFFIDAVIT by COUNTY OF WASHINGTON Affiant: Diana Irey Vaughan. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>22</u></a>	AFFIDAVIT by COUNTY OF GREENE Affiant: Mike Belding. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>23</u></a>	AFFIDAVIT by COUNTY OF FAYETTE Affiant: David Lohr. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>24</u></a>	AFFIDAVIT by DARYL METCALFE Affiant: Daryl Metcalfe. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>25</u></a>	AFFIDAVIT by MARCI MUSTELLO Affiant: Marci Mustello. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>26</u></a>	AFFIDAVIT by TIM BONNER Affiant: Timothy R. Bonner. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>27</u></a>	AFFIDAVIT by MIKE KELLY Affiant: George M. "Mike" Kelly. (Attachments: # <a href="#"><u>1</u></a> Exhibit) (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>28</u></a>	AFFIDAVIT by SKYVIEW DRIVE-IN, LLC Affiant: Charles and Elizabeth Walker. (Attachments: # <a href="#"><u>1</u></a> Exhibit) (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>29</u></a>	AFFIDAVIT by STARLIGHT DRIVE-IN, INC. Affiant: John Manson and Beth Chiesa. (Attachments: # <a href="#"><u>1</u></a> Exhibit, # <a href="#"><u>2</u></a> Exhibit, # <a href="#"><u>3</u></a> Exhibit) (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>30</u></a>	AFFIDAVIT by R.W. MCDONALD & SONS, INC. Affiant: Lee McDonald. (Attachments: # <a href="#"><u>1</u></a> Exhibit) (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>31</u></a>	AFFIDAVIT by MIKE GIFFORD, NANCY GIFFORD Affiant: Nancy and Michael Gifford. (Attachments: # <a href="#"><u>1</u></a> Exhibit) (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>32</u></a>	AFFIDAVIT by PRIMA CAPELLI, INC. Affiant: Chris Young and Jody Beroncello-Young. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>33</u></a>	AFFIDAVIT by CATHY HOSKINS Affiant: Cathy Hoskins. (King, Thomas) (Entered: 07/09/2020)

07/09/2020	<a href="#"><u>34</u></a>	AFFIDAVIT by STEVEN SCHOEFFEL Affiant: Steve Schoeffel. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>36</u></a>	BRIEF in Support of <a href="#"><u>1</u></a> Complaint, filed by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>37</u></a>	DECLARATION of Sarah Boateng by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>38</u></a>	DECLARATION of Neil Weaver by RACHEL LEVINE, THOMAS W. WOLF. (Attachments: # <a href="#"><u>1</u></a> Exhibit, # <a href="#"><u>2</u></a> Exhibit, # <a href="#"><u>3</u></a> Exhibit) (Romano, Karen) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>39</u></a>	DECLARATION of Sam Robinson by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>40</u></a>	BRIEF in Opposition to <a href="#"><u>1</u></a> Complaint, for Declaratory Judgment filed by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>41</u></a>	STATUS REPORT by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (King, Thomas) (Entered: 07/09/2020)
07/09/2020	<a href="#"><u>42</u></a>	Exhibit List <i>Stipulated Joint</i> by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Exhibit 2, # <a href="#"><u>3</u></a> Exhibit 3, # <a href="#"><u>4</u></a> Exhibit 4a, # <a href="#"><u>5</u></a> Exhibit 4b, # <a href="#"><u>6</u></a> Exhibit 4c, # <a href="#"><u>7</u></a> Exhibit 4d, # <a href="#"><u>8</u></a> Exhibit 4e, # <a href="#"><u>9</u></a> Exhibit 4f, # <a href="#"><u>10</u></a> Exhibit 4g, # <a href="#"><u>11</u></a> Exhibit 4h, # <a href="#"><u>12</u></a> Exhibit 4i, # <a href="#"><u>13</u></a> Exhibit 4j, # <a href="#"><u>14</u></a> Exhibit 5, # <a href="#"><u>15</u></a> Exhibit 6, # <a href="#"><u>16</u></a> Exhibit 7, # <a href="#"><u>17</u></a> Exhibit 8, # <a href="#"><u>18</u></a> Exhibit 9, # <a href="#"><u>19</u></a> Exhibit 10, # <a href="#"><u>20</u></a> Exhibit 11, # <a href="#"><u>21</u></a> Exhibit 12, # <a href="#"><u>22</u></a> Exhibit 13, # <a href="#"><u>23</u></a> Exhibit 14, # <a href="#"><u>24</u></a> Exhibit 15, # <a href="#"><u>25</u></a> Exhibit 16, # <a href="#"><u>26</u></a> Exhibit 17, # <a href="#"><u>27</u></a> Exhibit 18, # <a href="#"><u>28</u></a> Exhibit 19, # <a href="#"><u>29</u></a> Exhibit 20, # <a href="#"><u>30</u></a> Exhibit 21, # <a href="#"><u>31</u></a> Exhibit 31a,

		<p># <a href="#">32</a> Exhibit 31b, # <a href="#">33</a> Exhibit 31c, # <a href="#">34</a> Exhibit 31d, # <a href="#">35</a> Exhibit 31e, # <a href="#">36</a> Exhibit 31f, # <a href="#">37</a> Exhibit 31g, # <a href="#">38</a> Exhibit 31h, # <a href="#">39</a> Exhibit 31i, # <a href="#">40</a> Exhibit 31j, # <a href="#">41</a> Exhibit 31k, # <a href="#">42</a> Exhibit 31l, # <a href="#">43</a> Exhibit 31m, # <a href="#">44</a> Exhibit 31n, # <a href="#">45</a> Exhibit 31o, # <a href="#">46</a> Exhibit 31p, # <a href="#">47</a> Exhibit 31q, # <a href="#">48</a> Exhibit 32, # <a href="#">49</a> Exhibit 33, # <a href="#">50</a> Exhibit 34, # <a href="#">51</a> Exhibit 35, # <a href="#">52</a> Exhibit 36, # <a href="#">53</a> Exhibit 37, # <a href="#">54</a> Exhibit 38, # <a href="#">55</a> Exhibit 39, # <a href="#">56</a> Exhibit 40, # <a href="#">57</a> Exhibit 41, # <a href="#">58</a> Exhibit 42, # <a href="#">59</a> Exhibit 43, # <a href="#">60</a> Exhibit 44, # <a href="#">61</a> Exhibit 45, # <a href="#">62</a> Exhibit 46, # <a href="#">63</a> Exhibit 47, # <a href="#">64</a> Exhibit 48, # <a href="#">65</a> Exhibit 49, # <a href="#">66</a> Exhibit 50, # <a href="#">67</a> Exhibit 51, # <a href="#">68</a> Exhibit 52, # <a href="#">69</a> Exhibit 53, # <a href="#">70</a> Exhibit 54, # <a href="#">71</a> Exhibit 55, # <a href="#">72</a> Exhibit 56, # <a href="#">73</a> Exhibit 57, # <a href="#">74</a> Exhibit 58, # <a href="#">75</a> Exhibit 59, # <a href="#">76</a> Exhibit 60, # <a href="#">77</a> Exhibit 61, # <a href="#">78</a> Exhibit 62, # <a href="#">79</a> Exhibit 63, # <a href="#">80</a> Exhibit 64, # <a href="#">81</a> Exhibit 65, # <a href="#">82</a> Exhibit 66, # <a href="#">83</a> Exhibit 67, # <a href="#">84</a> Exhibit 68, # <a href="#">85</a> Exhibit 69, # <a href="#">86</a> Exhibit 70, # <a href="#">87</a> Exhibit 71, # <a href="#">88</a> Exhibit 72, # <a href="#">89</a> Exhibit 73, # <a href="#">90</a> Exhibit 74, # <a href="#">91</a> Exhibit 75, # <a href="#">92</a> Exhibit 76, # <a href="#">93</a> Exhibit 77, # <a href="#">94</a> Exhibit 78, # <a href="#">95</a> Exhibit 79, # <a href="#">96</a> Exhibit 80, # <a href="#">97</a> Exhibit 81, # <a href="#">98</a> Exhibit 82, # <a href="#">99</a> Exhibit 83, # <a href="#">100</a> Exhibit 84, # <a href="#">101</a> Exhibit 85, # <a href="#">102</a> Exhibit 86, # <a href="#">103</a> Exhibit 87, # <a href="#">104</a> Exhibit 88, # <a href="#">105</a> Exhibit 89, # <a href="#">106</a> Exhibit 90, # <a href="#">107</a> Exhibit 91, # <a href="#">108</a> Exhibit 92, # <a href="#">109</a> Exhibit 93, # <a href="#">110</a> Exhibit 94, # <a href="#">111</a> Exhibit 95) (King, Thomas) (Entered: 07/09/2020)</p>
07/13/2020	<a href="#">43</a>	<p>ORDER SCHEDULING TELEPHONIC STATUS CONFERENCE. A Telephonic Status Conference is scheduled for 7/14/2020 at 10:30 AM before Judge William S. Stickman. The parties are directed to use the Court's teleconference line provided via email from the Court's Deputy Clerk. Signed by Judge William S. Stickman on 07/13/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 07/13/2020)</p>
07/14/2020	<a href="#">44</a>	<p>Minute Entry for proceedings held before Judge William S. Stickman: Telephonic Status Conference held on 7/14/2020. (eca) (Entered: 07/14/2020)</p>
07/16/2020	<a href="#">45</a>	<p>ORDER regarding location and Zoom connection for Declaratory Judgment Hearing set for 07/17/2020 at 9:30 a.m. Signed by Judge William S. Stickman on 07/16/2020. (rgm) (Entered: 07/16/2020)</p>
07/16/2020	<a href="#">46</a>	<p>MOTION to Accept Supplemental Affidavits by Plaintiffs Butler County, Fayette County, Greene County and Washington County by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD &amp; SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit A - Butler,</p>



		# <a href="#">2</a> Exhibit B - Fayette, # <a href="#">3</a> Exhibit C - Green, # <a href="#">4</a> Exhibit D - Washington, # <a href="#">5</a> Proposed Order) (King, Thomas) (Entered: 07/16/2020)
07/16/2020	<a href="#">47</a>	Exhibit List <i>Supplemental Joint Stipulation to List of Exhibits</i> by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit 22, # <a href="#">2</a> Exhibit 23, # <a href="#">3</a> Exhibit 24, # <a href="#">4</a> Exhibit 25, # <a href="#">5</a> Exhibit 26, # <a href="#">6</a> Exhibit 27, # <a href="#">7</a> Exhibit 28, # <a href="#">8</a> Exhibit 29, # <a href="#">9</a> Exhibit 30) (King, Thomas) (Entered: 07/16/2020)
07/16/2020	<a href="#">48</a>	Exhibit List <i>Plaintiffs</i> by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit, # <a href="#">6</a> Exhibit, # <a href="#">7</a> Exhibit, # <a href="#">8</a> Exhibit) (King, Thomas) (Entered: 07/16/2020)
07/17/2020	<a href="#">49</a>	Minute Entry for proceedings held before Judge William S. Stickman: Declaratory Judgment Hearing held on 7/17/2020. (Court Reporter: Deborah Betzler) (eca) (Entered: 07/17/2020)
07/17/2020	50	ORDER OF COURT. <a href="#">46</a> Motion to Accept Supplemental Affidavits is GRANTED. Signed by Judge William S. Stickman on 07/17/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 07/17/2020)
07/17/2020	51	SCHEDULING ORDER. The continuation of the Declaratory Judgment Hearing will be held via videoconference 07/22/20 at 9:30 AM. All parties are to participate by Zoom. The link for the videoconference will be sent via email from the Court's Deputy Clerk. Signed by Judge William S. Stickman on 07/17/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 07/20/2020)
07/22/2020	<a href="#">52</a>	Minute Entry for proceedings held before Judge William S. Stickman: Videoconference Declaratory Judgment Hearing held on 7/22/2020. (Court Reporter: Deborah Betzler) (eca) (Entered: 07/23/2020)
07/23/2020	<a href="#">53</a>	MOTION <i>to Place Admissions by Defendants in the Record of the Expedited Hearing in this Matter</i> by TIM BONNER, COUNTY OF

		BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit A) (King, Thomas) (Entered: 07/23/2020)
07/23/2020	<a href="#">54</a>	Exhibit List <i>Plaintiffs' Supplemental List of Exhibits</i> by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit 2a, # <a href="#">2</a> Exhibit 2b, # <a href="#">3</a> Exhibit 2c, # <a href="#">4</a> Exhibit 2d) (King, Thomas) (Entered: 07/23/2020)
07/23/2020	55	ORDER OF COURT. Motion to Place Admissions by Defendants in the Record of the Expedited Hearing in this Matter is GRANTED. Signed by Judge William S. Stickman on 07/23/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 07/23/2020)
08/03/2020	<a href="#">56</a>	BRIEF in Support of <a href="#">1</a> Complaint,, <i>Post Hearing Brief</i> filed by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (King, Thomas) (Entered: 08/03/2020)
08/10/2020	<a href="#">57</a>	MOTION to Supplement the Record by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Proposed Order) (King, Thomas) (Entered: 08/10/2020)
08/11/2020	<a href="#">58</a>	ORDER GRANTING <a href="#">57</a> Motion to Supplement the Record. Signed by Judge William S. Stickman on 08/11/20. (eca) (Entered: 08/11/2020)
08/12/2020	<a href="#">59</a>	MOTION Pursuant to Federal Rule of Evidence 201 "Judicial Notice of Adjudicative Facts" by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF



		WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Proposed Order) (King, Thomas) (Entered: 08/12/2020)
08/14/2020	<a href="#">60</a>	MOTION <i>Second Motion pursuant to Federal Rule of Evidence 201 "Judicial Notice of Adjudicative Facts"</i> by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Proposed Order) (King, Thomas) (Entered: 08/14/2020)
08/17/2020	<a href="#">61</a>	ORDER GRANTING <a href="#">59</a> Motion Requesting Judicial Notice of Adjudicative Facts. Signed by Judge William S. Stickman on 08/17/20. (eca) (Entered: 08/17/2020)
08/17/2020	62	SCHEDULING ORDER. Response or Notice of No Opposition to <a href="#">60</a> Motion Requesting Judicial Notice due by 8/21/2020. Response not to exceed ten pages. Signed by Judge William S. Stickman on 08/17/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 08/17/2020)
08/19/2020	63	ORDER. Telephonic Status Conference set for 8/19/2020 at 01:45 PM before Judge William S. Stickman. Information regarding connecting to the Court's conference line has been emailed to the parties by the Court's Chief Law Clerk. Signed by Judge William S. Stickman on 08/19/2020. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (rgm) (Entered: 08/19/2020)
08/19/2020	<a href="#">64</a>	Supplemental MOTION re <a href="#">60</a> MOTION <i>Second Motion pursuant to Federal Rule of Evidence 201 "Judicial Notice of Adjudicative Facts"</i> filed by R.W. MCDONALD & SONS, INC., TIM BONNER, MIKE KELLY, COUNTY OF FAYETTE, STARLIGHT DRIVE-IN, INC., COUNTY OF WASHINGTON, COUNTY OF GREENE, MIKE GIFFORD, COUNTY OF BUTLER, PAUL F. CRAWFORD, PRIMA CAPELLI, INC., SKYVIEW DRIVE-IN, LLC, MARCI MUSTELLO, DARYL METCALFE, NANCY GIFFORD, CATHY HOSKINS, STEVEN SCHOEFFEL by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD &

		SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Proposed Order) (King, Thomas) (Entered: 08/19/2020)
08/19/2020	<a href="#">65</a>	Minute Entry for proceedings held before Judge William S. Stickman: Telephonic Status Conference held on 8/19/2020. (Court Reporter: Deborah Betzler) (rgm) (Entered: 08/19/2020)
08/19/2020	<a href="#">66</a>	BRIEF in Opposition to <a href="#">1</a> Complaint, <i>Post Hearing Brief</i> filed by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 08/19/2020)
08/20/2020	<a href="#">67</a>	ORDER GRANTING <a href="#">60</a> and <a href="#">64</a> Motions for Judicial Notice. Having carefully reviewed the second motion for judicial notice, and having considered the defendants objections to the same, the Court hereby GRANTS the motion and will accept the document attached thereto as filed. Signed by Judge William S. Stickman on 08/20/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) Modified on 8/20/2020 (eca). (Entered: 08/20/2020)
08/24/2020	<a href="#">68</a>	Third MOTION Pursuant to Federal Rule of Evidence 201 Judicial Notice of Adjudicative Facts by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Exhibit 8, # <a href="#">9</a> Exhibit 9, # <a href="#">10</a> Exhibit 10, # <a href="#">11</a> Exhibit 11, # <a href="#">12</a> Exhibit 12, # <a href="#">13</a> Exhibit 13, # <a href="#">14</a> Proposed Order) (King, Thomas) (Entered: 08/24/2020)
08/24/2020	<a href="#">69</a>	REPLY BRIEF in Support of <a href="#">1</a> Complaint filed by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (King, Thomas) Modified on 8/25/2020 (ma). (Entered: 08/24/2020)
08/25/2020	<a href="#">70</a>	RESPONSE to Motion re <a href="#">68</a> Third MOTION Pursuant to Federal Rule of Evidence 201 Judicial Notice of Adjudicative Facts filed by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 08/25/2020)

08/28/2020	<a href="#"><u>71</u></a>	Fourth MOTION <i>pursuant to Federal Rule of Evidence 201 "Judicial Notice of Adjudicative Facts"</i> by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#"><u>1</u></a> Proposed Order) (King, Thomas) (Entered: 08/28/2020)
08/31/2020	<a href="#"><u>72</u></a>	RESPONSE to Motion re <a href="#"><u>71</u></a> Fourth MOTION <i>pursuant to Federal Rule of Evidence 201 "Judicial Notice of Adjudicative Facts"</i> filed by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 08/31/2020)
09/03/2020	<a href="#"><u>73</u></a>	Fifth MOTION Pursuant to Federal Rule of Evidence 201 Judicial Notice of Adjudicative Facts by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#"><u>1</u></a> Exhibit 1, # <a href="#"><u>2</u></a> Proposed Order) (King, Thomas) (Entered: 09/03/2020)
09/08/2020	<a href="#"><u>74</u></a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings re Hearing held on 07/17/2020 before Judge William S. Stickman IV. Court Reporter Deborah Ann Betzler, Telephone number 412-330-1365. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely, electronically available to the public without redaction after 90 calendar days. For redaction purposes, or otherwise, during this 90 day period a copy of the transcript may be purchased from the court reporter or viewed at the clerk's office public terminal. <b>Any Notice of Intent to Request Redaction and Redaction Request must be separately mailed to the court reporter of said proceedings.</b> Notice of Intent for Redaction of Personal Data Identifiers due by 9/15/2020. Redaction Request due 9/29/2020. Redacted Transcript Deadline set for 10/9/2020. Release of Transcript Restriction set for 12/7/2020. (dab) (Entered: 09/08/2020)
09/08/2020	<a href="#"><u>75</u></a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings re Hearing held on 07/22/2020 before Judge William S. Stickman IV. Court Reporter Deborah Ann Betzler, Telephone number 412-330-1365. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely, electronically available to the public without redaction after 90 calendar days. For redaction purposes, or

		otherwise, during this 90 day period a copy of the transcript may be purchased from the court reporter or viewed at the clerk's office public terminal. <b>Any Notice of Intent to Request Redaction and Redaction Request must be separately mailed to the court reporter of said proceedings.</b> Notice of Intent for Redaction of Personal Data Identifiers due by 9/15/2020. Redaction Request due 9/29/2020. Redacted Transcript Deadline set for 10/9/2020. Release of Transcript Restriction set for 12/7/2020. (dab) (Entered: 09/08/2020)
09/14/2020	76	ORDER denying <a href="#">68</a> Third Motion for Judicial Notice. Signed by Judge William S. Stickman on 9/14/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Stickman, William) (Entered: 09/14/2020)
09/14/2020	77	ORDER denying <a href="#">71</a> Fourth Motion Judicial Notice. Signed by Judge William S. Stickman on 9/14/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Stickman, William) (Entered: 09/14/2020)
09/14/2020	78	ORDER granting <a href="#">73</a> Fifth Motion for Judicial Notice. Signed by Judge William S. Stickman on 9/14/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (Stickman, William) (Entered: 09/14/2020)
09/14/2020	<a href="#">79</a>	OPINION. Signed by Judge William S. Stickman on 09/14/20. (rgm) (Entered: 09/14/2020)
09/14/2020	<a href="#">80</a>	DECLARATORY JUDGMENT ORDER. Judgment is entered in favor of Plaintiffs Mike Kelly, Daryl Metcalfe, Marci Mustello, Tim Bonner, Nancy Gifford and Mike Gifford, d/b/a Double Image, Prima Capelli, Inc., Steven Schoeffel, Paul F. Crawford, t/d/b/a Marigold Farm, Cathy Hoskins, t/d/b/a Classy Cuts Hair Salon, R.W. McDonald & Sons, Inc., Starlight Drive-In, Inc., and, Skyview Drive-In, LLC for the reasons outlined in the Opinion filed by the Court this same day. IT IS FURTHER ORDERED that the County Plaintiffs (Butler, Fayette, Greene, and Washington) are hereby DISMISSED from the case. Signed by Judge William S. Stickman on 09/14/2020. (rgm) (Entered: 09/14/2020)
09/14/2020		COUNTY OF GREENE, COUNTY OF WASHINGTON, COUNTY OF BUTLER and COUNTY OF FAYETTE terminated. Signed by Judge William S. Stickman on 09/14/2020. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (rgm) (Entered: 09/14/2020)
09/14/2020	<a href="#">81</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings re Status Conference held on 08/19/2020 before Judge William S. Stickman IV. Court Reporter Deborah Ann Betzler, Telephone number 412-330-1365. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely, electronically available to

		the public without redaction after 90 calendar days. For redaction purposes, or otherwise, during this 90 day period a copy of the transcript may be purchased from the court reporter or viewed at the clerk's office public terminal. <b>Any Notice of Intent to Request Redaction and Redaction Request must be separately mailed to the court reporter of said proceedings.</b> Notice of Intent for Redaction of Personal Data Identifiers due by 9/21/2020. Redaction Request due 10/5/2020. Redacted Transcript Deadline set for 10/15/2020. Release of Transcript Restriction set for 12/14/2020. (dab) (Entered: 09/14/2020)
09/16/2020	<a href="#"><u>82</u></a>	MOTION for Entry of Judgment under Rule 54(b) , <i>or in the Alternative, Motion to Certify Issues for Appeal</i> by RACHEL LEVINE, THOMAS W. WOLF. (Attachments: # <a href="#"><u>1</u></a> Proposed Order #1, # <a href="#"><u>2</u></a> Proposed Order #2, # <a href="#"><u>3</u></a> Proposed Order #3) (Romano, Karen) (Entered: 09/16/2020)
09/16/2020	<a href="#"><u>83</u></a>	BRIEF in Support re <a href="#"><u>82</u></a> Motion for Entry of Judgment under Rule 54(b), <i>or in the Alternative, Motion to Certify Issues for Appeal</i> filed by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 09/16/2020)
09/16/2020	<a href="#"><u>84</u></a>	MOTION to Stay re <a href="#"><u>80</u></a> Order, by RACHEL LEVINE, THOMAS W. WOLF. (Attachments: # <a href="#"><u>1</u></a> Proposed Order) (Romano, Karen) (Entered: 09/16/2020)
09/16/2020	<a href="#"><u>85</u></a>	BRIEF in Support re <a href="#"><u>84</u></a> Motion to Stay <i>September 14, 2020, Order</i> filed by RACHEL LEVINE, THOMAS W. WOLF. (Romano, Karen) (Entered: 09/16/2020)
09/17/2020	86	ORDER Response/Briefing Schedule re <a href="#"><u>84</u></a> Motion to Stay: Plaintiffs' Response, not to exceed twenty (20) pages, due by 12:00 PM on 09/21/2020. Signed by Judge William S. Stickman on 09/17/2020. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (rgm) (Entered: 09/17/2020)
09/21/2020	<a href="#"><u>87</u></a>	MOTION to File Amicus Brief <i>in support of Plaintiffs' Opposition to Defendants' <a href="#"><u>84</u></a> Motion to Stay</i> by Eagle Forum Education & Legal Defense Fund. (Attachments: # <a href="#"><u>1</u></a> Exhibit Proposed Amicus Memo of Law, # <a href="#"><u>2</u></a> Proposed Order) (Joseph, Lawrence) Modified on 9/22/2020 (ma). Modified on 9/22/2020 (ma). (Entered: 09/21/2020)

09/21/2020	<a href="#"><u>88</u></a>	BRIEF in Opposition re <a href="#"><u>84</u></a> Motion to Stay filed by TIM BONNER, COUNTY OF BUTLER, COUNTY OF FAYETTE, COUNTY OF GREENE, COUNTY OF WASHINGTON, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Elliott, Ronald) (Entered: 09/21/2020)
09/22/2020	<a href="#"><u>89</u></a>	ORDER GRANTING <a href="#"><u>87</u></a> Motion to File Amicus Brief. The motion is GRANTED. Signed by Judge William S. Stickman on 09/22/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 09/22/2020)
09/22/2020	<a href="#"><u>90</u></a>	FINAL DECLARATORY JUDGMENT. Final declaratory judgment is entered on Count II, Count IV, and Count V in favor of Plaintiffs Mike Kelly, Daryl Metcalfe, Marci Mustello, Tim Bonner, Nancy Gifford and Mike Gifford, d/b/a Double Image, Prima Capelli, Inc., Steven Schoeffel, Paul F. Crawford, t/d/b/a Marigold Farm, Cathy Hoskins, t/d/b/a Classy Cuts Hair Salon, R.W. McDonald & Sons, Inc., Starlight Drive-In, Inc., and, Skyview Drive-In, LLC, and against Defendants for the reasons outlined in <a href="#"><u>79</u></a> and <a href="#"><u>80</u></a> . Signed by Judge William S. Stickman on 09/22/20. (eca) (Entered: 09/22/2020)
09/22/2020	<a href="#"><u>91</u></a>	MEMORANDUM ORDER DENYING <a href="#"><u>84</u></a> Motion to Stay. Signed by Judge William S. Stickman on 09/22/20. (eca) (Entered: 09/22/2020)
09/22/2020	<a href="#"><u>92</u></a>	NOTICE OF APPEAL as to <a href="#"><u>90</u></a> Judgment by RACHEL LEVINE, THOMAS W. WOLF. Filing fee \$505, receipt number CPAWDC-5933449. Motion for IFP N/A. Certificate of Appealability N/A. Court Reporter(s): N/A. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. The Transcript Purchase Order form will NOT be mailed to the parties. The form is available on the Court's internet site. (Romano, Karen) (Entered: 09/22/2020)
09/23/2020	<a href="#"><u>93</u></a>	USCA Case Number 20-2936 for <a href="#"><u>92</u></a> Notice of Appeal filed by THOMAS W. WOLF, RACHEL LEVINE. USCA Case Manager Laurie (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (lr3) (Entered: 09/23/2020)



09/25/2020	<a href="#">94</a>	MOTION to Strike <a href="#">82</a> Motion to Stay by JEFFREY CUTLER. (Attachments: # <a href="#">1</a> Motion to Strike part 2 of 3, # <a href="#">2</a> Motion to Strike part 3 of 3, # <a href="#">3</a> Envelope) (ma) (Entered: 09/25/2020)
09/28/2020	95	ORDER OF COURT. No motion to intervene having been filed or granted, <a href="#">94</a> Motion to Strike is STRICKEN from the record and the Clerk of Court is directed to remove the document from public view. Signed by Judge William S. Stickman on 09/28/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 09/28/2020)
09/28/2020	<a href="#">96</a>	MOTION for Attorney Fees by TIM BONNER, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (Attachments: # <a href="#">1</a> Proposed Order, # <a href="#">2</a> Exhibit A, # <a href="#">3</a> Exhibit B, # <a href="#">4</a> Exhibit C) (King, Thomas) (Entered: 09/28/2020)
09/28/2020	<a href="#">97</a>	BRIEF in Support re <a href="#">96</a> Motion for Attorney Fees, filed by TIM BONNER, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC.. (King, Thomas) (Entered: 09/28/2020)
09/29/2020	<a href="#">98</a>	DESIGNATION of Record on Appeal by TIM BONNER, PAUL F. CRAWFORD, MIKE GIFFORD, NANCY GIFFORD, CATHY HOSKINS, MIKE KELLY, DARYL METCALFE, MARCI MUSTELLO, PRIMA CAPELLI, INC., R.W. MCDONALD & SONS, INC., STEVEN SCHOEFFEL, SKYVIEW DRIVE-IN, LLC, STARLIGHT DRIVE-IN, INC. re <a href="#">92</a> Notice of Appeal. (King, Thomas) (Entered: 09/29/2020)
09/29/2020	99	SCHEDULING ORDER. Response to <a href="#">96</a> Motion for Attorney Fees due by 10/20/2020. Signed by Judge William S. Stickman on 09/29/20. Text-only entry; no PDF document will issue. This text-only entry constitutes the Order of the Court or Notice on the matter. (eca) (Entered: 09/29/2020)
10/01/2020	<a href="#">100</a>	ORDER of USCA as to <a href="#">92</a> Notice of Appeal, filed by THOMAS W. WOLF, RACHEL LEVINE, The motion by Appellants for stay of the District Court's order pending appeal is GRANTED. (lr3) (Entered: 10/01/2020)

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