

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Nos. 17-3752 & 18-1253

Commonwealth of Pennsylvania v. President United States of America
(E.D. Pa. No. 2-17-cv-04540)

ORDER

The Court stayed the above-docketed appeals pending a decision in Appeal No. 17-3679. As the Court's opinion and judgment were issued in that case on April 24, 2018, the stay is hereby lifted.

The above-docketed appeals are hereby consolidated for purposes of briefing, joint appendix, Appellee's brief, and disposition. Appellants are encouraged to consult with one another regarding the contents of their briefs as the Court disfavors repetitive briefs. Appellants may file a consolidated brief or join in or adopt portions by reference. See Fed. R. App. P. 28(i). It is noted that Appellee's brief must be filed and served within thirty (30) days of the date of service of the last Appellant's brief.

The parties are hereby directed to electronically file documents on the Court's docket as follows:

Appellants: All motions and briefs must be filed only in the appeal number assigned to the filer's notice of appeal. If a document is being filed jointly by multiple appellants, the document must be filed only in the appeal numbers assigned to the filing appellants.

Appellees: All case opening forms must be filed in all appeals in which the appellee intends to participate. All motions should be filed only in those cases for which the relief is being requested. The consolidated response brief must be filed in all appeal numbers

The consolidated joint appendix must be filed in all appeal numbers.

The parties are advised that case opening forms for later filed appeals must only be filed in the new appeals and not re-filed in earlier appeals in which the forms were previously filed. It is noted that counsel for Appellee Commonwealth of Pennsylvania has not filed an entry of appearance form in No. 18-1253. If Appellee intends to participate in that appeal, counsel should enter an appearance within seven (7) days of the date of this order.

The parties are further advised that failure to file documents in the appropriate case may result in the issuance of a noncompliance order. If any party is unsure how to file a particular document, they should call the case manager prior to filing the document.

It is noted that the Appellant in No. 17-3752 ordered a copy of the transcript for December 14, 2017 preliminary injunction hearing. The court reporter, however, filed a Part II of the transcript purchase order form on April 16, 2018, indicating that financial arrangements have not been made by Appellant. See Fed. R. App. P. 10(b). Within seven (7) days of the date of this order, counsel for Appellant must advise the Court, in writing, whether financial arrangements have been made with the court reporter and whether counsel has received a copy of the transcript. If arrangements have been made and/or the copy of the transcript has been provided to counsel, the court reporter must, within ten (10) days of the date of this order, file an updated copy of Part 2 of the transcript purchase order form, or a properly executed copy of Part 3 of the form, whichever is appropriate at this time. Once Part 3 of the transcript purchase order form has been filed, the Clerk will issue a consolidated briefing and scheduling order.

For the Court,

s/ Patricia S. Dodszuweit
Clerk

Dated: June 20, 2018
SLC/cc: Nicholas M. Centrella, Esq.
Michael J. Fischer, Esq.
Jaynie, Lilley, Esq.
Eric C. Rassback, Esq.
Mark L. Rienzi, Esq.
Lowell V. Sturgill, Jr., Esq.
Lori H. Windham, Esq.
Matthew M. Collette, Esq.
Karen Schoen, Esq.