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January 29, 2021

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Via Electronic Filing

RE: Application of Aqua Pennsylvania Wastewater, Inc. Pursuant to Sections 1102, 1329, and 507 of the Public Utility Code for Approval of its Acquisition of the Wastewater system Assets of the Delaware County Regional Water Quality Control Authority
Docket No. A-2019-3015173

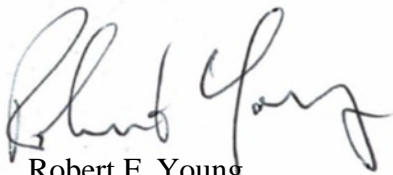
Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is the County of Delaware, Pennsylvania's Petition for Official and Judicial Notice of Facts, in the above-referenced proceeding.

As shown by the attached Certificate of Service and per the Commission's March 20, 2020, Emergency Order, all parties to this proceeding are being duly served via email only due to the current COVID-19 pandemic. Upon lifting of the aforementioned Emergency Order, we can provide parties with a hard copy of this pleading upon request.

Sincerely,

McNEES WALLACE & NURICK LLC

By 
Robert F. Young

Counsel to County of Delaware, Pennsylvania

RFY/ams

Enclosure

c: Certificate of Service (via email only)
The Honorable Angela T. Jones and F. Joseph Brady (via email only)
Pamela McNeal, Legal Assistant to ALJ (via email only)

www.McNeesLaw.com

HARRISBURG, PA • LANCASTER, PA • SCRANTON, PA • STATE COLLEGE, PA • YORK, PA • COLUMBUS, OH • FREDERICK, MD • WASHINGTON, DC

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

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Certificate of Service

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Robert F. Young

Counsel to the County of Delaware,
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Dated this 29th day of January, 2021, in Harrisburg, Pennsylvania

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|---|---|---------------------------|
| Application of Aqua Pennsylvania | : | |
| Wastewater, Inc. pursuant to Sections 507, | : | |
| 1102 and 1329 of the Public Utility Code | : | Docket No. A-2019-3015173 |
| for, inter alia, approval of the acquisition of | : | |
| the wastewater system assets of the | : | |
| Delaware County Regional Water Quality | : | |
| Control Authority | : | |

PETITION FOR OFFICIAL AND JUDICIAL NOTICE OF FACTS

BEFORE THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Now comes the County of Delaware, Pennsylvania (the County), by and through counsel, pursuant to Section 5.41 and 5.408 of the Commissions Regulations, 52 Pa.Code §§ 5.41, 5.408, who files this Petition for Official and Judicial Notice of Facts. In support thereof, the County avers as follows:

1. On or about December 28, 2020 Counsel for Aqua Pennsylvania Wastewater Inc., applicant in the above captioned matter, via email, submitted correspondence (“Aqua Correspondence”) to Presiding Administrative Law Judges (“ALJs”) Angela Jones and Joseph F. Brady regarding an Order issued by the Court of Common Pleas of Delaware County (Dozor, J.) dated December 28, 2020 at Docket No. CV-20-003185 (the Common Pleas Order) and enclosing a copy thereof.

2. The Aqua Correspondence requested that the ALJs take official notice of the Common Pleas Order.

3. The County and other parties to this proceeding submitted responsive letters to the ALJs indicating their non-objection to the taking of official notice by the ALJs of the Common Pleas Order.

4. On January 7, 2021 the County filed Post Trial Motions in the Court of Common Pleas. The Delaware County Regional Water Quality Control Authority, Aqua, and the other intervenors filed Answers thereto.

5. On January 21, 2021 the County filed a Notice of Appeal of the Common Pleas Order. A true and correct copy of the Notice of Appeal is attached to this Petition as Attachment A.

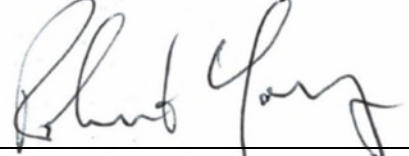
6. On January 27, 2021 the Court of Common Pleas of Delaware County (Dozor, J.) issued two orders. One Order dismissed the County's post-trial motions as moot in light of the appeal. The other Order directed the County to file a Rule 1925(b) statement.

7. Rule 1736(b) of the Rules of Appellate Procedure states: (b) *Supersedeas automatic*.—Unless otherwise ordered pursuant to this chapter the taking of an appeal by any party specified in Subdivision (a) of this rule shall operate as a *supersedeas* in favor of such party, which *supersedeas* shall continue through any proceedings in the United States Supreme Court.”

WHEREFORE, Delaware County respectfully requests that the Pennsylvania Public Utility Commission grant this Petition for Official And Judicial Notice Of Facts and take official and judicial notice of the Notice of Appeal.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By: 

Adeolu A. Bakare (I.D. No. 208541)

Robert F. Young (I.D. No. 55816)

Kenneth R. Stark (I.D. No. 312945)

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Counsel to the County of Delaware,
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Dated: January 29, 2021

Attachment A

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COUNTY OF DELAWARE,
PENNSYLVANIA,

v.

DELAWARE COUNTY REGIONAL
WATER QUALITY CONTROL
AUTHORITY, and DELCORA RATE
STABILIZATION FUND TRUST
AGREEMENT b/t THE DELAWARE
COUNTY REGIONAL WATER
QUALITY CONTROL AUTHORITY
as SETTLOR and UNIVEST BANK
AND TRUST CO. as TRUSTEE,
Defendants

V.

NOTICE OF APPEAL

Notice is hereby given that Plaintiff's County of Delaware, Pennsylvania, appellant above named, hereby appeals to the Commonwealth Court of Pennsylvania from the Order of Court entered in this matter on the December 28, 2020. This Order of Court has been entered in the docket, as evidenced by the attached copy of the docket entries.

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Date: 1/21/2021

REQUEST FOR TRANSCRIPT

Pursuant to Pa.R.A.P. 1911(a), a Notice of Appeal having been filed in this matter, the official court reporter has been requested to produce, certify, and file the transcripts for the trial proceedings on October 21 and 22, 2020 and December 1 and 2, 2020, as well as the argument on the Motions in Limine which occurred October 27, 2020. All other relevant transcripts have been transcribed.

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Date: 1/21/2021

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

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Date: 1/21/2021

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL DIVISION**

County of Delaware, Pennsylvania
Plaintiff

v.

Delaware County Regional Water Quality
Control Authority, and Delcora Rate
Stabilization Fund Trust Agreement b/t
The Delaware County Regional Water
Quality Control Authority as Settlor and
Univest Bank and Trust Co. as Trustee
Defendants

Darby Creek Joint Authority, Southern
Delaware County Authority, and Aqua
Pennsylvania Wastewater, Inc.
Intervenors

:
:
: NO: CV- 2020-003185
:

Carol Steinour Young, Esquire, Dana Chilson, Esquire, Thomas Markey, Esquire, William F.
Martin, Esquire, Carl Ewald, Esquire,
for the Plaintiff

Nicholas Poduslenko, Esquire, Matthew S. Olesh, Esquire, Thomas S. Wyatt, Esquire,
for Defendant, DELCORA

William Hinchman, Esquire and Monica Platt, Esquire for Univest Bank and Trust

Joel Frank, Esquire, Michael Puppio, Esquire,
for Petitioning Intervenor/Defendant, Aqua Pennsylvania Wastewater

Andrew Reilly, Esquire, Jacquelyn Goffney, Esquire,
for Intervenor/Defendant, Southern Delaware County Authority

William Malone, Esquire,
for Intervenor/Defendant, Darby Creek Joint Authority

ORDER

**

AND NOW, this 28 day of December, 2020, upon consideration of the Amended
Complaint, all replies thereto, all Counterclaims, and Motions for Summary Judgment, as well as
all Exhibits, including Statements of Admission of Parties and hearings on October 21, 27, and
December 1 and 2, 2020, NOW, THEREFORE, it is hereby ORDERED as follows;

1. The fundamental issues of this case are the legality, enforceability and integrity of a contract, that being the Asset Purchase Agreement between Delaware County Regional Water Control Authority (“DELCORA”) and Aqua Pennsylvania Wastewater Inc. (“AQUA”), the enforcement of Delaware County’s (COUNTY) Ordinance 2020-04 and the COUNTY’s actions in opposing and allegedly interfering with DELCORA’s performance of the same contract, and the legality and funding of the Rate Stabilization Fund Trust between DELCORA and AQUA.
2. The enforcement of legally binding contracts is the foundation of our law. A COUNTY’s change of governmental administration, management, or political persuasion, being a party to a legally binding contract, may endeavor to renegotiate or not renew nor extend a contract, but the alleged intentional interference, termination, and obstruction requires critical judicial examination. All the parties professionally, skillfully and civilly presented their juxtapose case.
3. Despite the obvious impasse of the legality and enforceability of the Asset Purchase Agreement, and DELCORA’s understandable reluctance to deliver to the COUNTY a Certificate of Termination, this Court heard credible testimony and viewed Exhibits that confirm that DELCORA has significantly cooperated in providing information and documents at the request of the COUNTY.

Asset Purchase Agreement

4. This Court finds that the Asset Purchase Agreement between DELCORA and AQUA is a legal and enforceable contract, not in violation of the Municipality Authorities Act, public policy, or any other applicable law. This Court further finds that the Asset Purchase Agreement is authorized by Sections 5607, 5619, and 5622 of the Municipalities Authorities Act, subject to the approval of the Pennsylvania Public Utility Commission.
5. This Order is not intended to provide commentary on the pros and cons, advantages or disadvantages of the DELCORA and AQUA Asset Purchase Agreement, but only to confirm the enforceability of a legally adopted Contract. The whims of politics or changing COUNTY administrations do not waive away legally enforceable binding contracts. The reliance and predictability of valid legal contracts is paramountly important and serves public policy.
6. The COUNTY requests that the COUNTY Ordinance 2020-04 be declared valid and enforceable and requests a Writ of Mandamus to DELCORA to comply with the Ordinance and cooperate with termination. But clearly, by way of enforcing Ordinance 2020-04, the COUNTY directs the termination or as the COUNTY refers to the “winding down” of DELCORA. This Court finds that the COUNTY Ordinance 2020-04 does more than “wind down” DELCORA rather interferes and implodes DELCORA’s ability and contractual obligations to perform contractual obligations to effectuate the sale and further interferes with AQUA’s contractual rights.

7. This Court heard testimony that the COUNTY, despite this litigation beginning May 14, 2020, and the significant merits of DELCORA's and AQUA's defense and counterclaims, are presently investigating, planning, and assuming costs and resources in creating a wastewater utility to replace the function and services of DELCORA. The costs and expenses, and efficiency of creating a COUNTY utility, and the retainment of employees, customer Rate Stabilization, the use and application of DELCORA's assets and funds, and the effect on partnering municipal sewer authorities, as well as any public notice, dialogue or actions to create a new COUNTY authority, are all unknown to this Court and not the subject of these proceedings. (See the testimony of Plaintiff witness Steven A. Goldfield and County Executive Director, Howard Lazarus)
8. The directives, terms, and provisions of the COUNTY's June 3, 2020 Ordinance 2020-04, Exhibit P-1, as demonstrated by the County Solicitor Letter, Exhibit P-2, dated June 4, 2020, and public rhetoric with strong political overtones, evidences the COUNTY's intent and design to thwart, reverse, interfere and extinguish the contractual agreements, and contract previously publicly debated, considered and legally adopted by DELCORA, AQUA and DELAWARE COUNTY. See Exhibits P-1, P-2, D-10, D-11, D-12, D-13 and admitted excerpts of Depositions.
9. The COUNTY's Ordinance of dissolution and termination, evidenced by Ordinance 2020-04 requirements, and the COUNTY Solicitors June 4, 2020 directive, as referred above, that DELCORA immediately provide COUNTY with a Certificate of Termination, and restrictions on expenses, and constraints on the actions and performance required of the Asset Purchase Agreement is a functional equivalent to termination and interference of contractual obligations, as well as essential services and imposes and creates immediate and irreparable harm. Various terms and conditions of Ordinance 2020-04 are a substantial obstacle to DELCORA and AQUA's performance of contract.
10. Contracts, binding agreements, and various legally public actions are not to be extinguished or interfered with merely because of a reorganization of County Council or partisan differences. The integrity and predictability of contracts when legally adopted, shall be relied upon by the parties, represents good public policy, and the COUNTY shall hereby provide full faith and credit to the Asset Purchase Agreement, even as COUNTY administrations may change.
11. AQUA relies upon the representations and warranties (see Article 4 of the Asset Purchase Agreement) provided by DELCORA, as well as relying upon the COUNTY's 2019 consent to the sale transactions.
12. AQUA has a fully binding and enforceable agreement to acquire DELCORA's system, which requires the representations and warranties that can only be made by DELCORA.

13. The COUNTY also asserts that the Asset Purchase Agreement is void ab initio because of the alleged involvement of Robert Willert, Executive Director of DELCORA and Section 5614(e) of the Municipality Authorities Act and as such violates public policy.
14. This Court further finds that the COUNTY's allegation of a conflict of interest is pure speculation, hyperbole, and mere rhetoric, (see Exhibit D-12 and D-13) and not supported by the weight of evidence.
15. Credible testimony and evidence confirms that both DELCORA's Board of Directors and Attorneys' and AQUA representatives dictated, negotiated, drafted, and approved the terms of Asset Purchase Agreement. There is no affirmative evidence whatsoever that Mr. Willert played a material role in the sale. Both deposition and trial testimony confirm he did not undertake to negotiate anything for himself whatsoever. Similar to any existing contract, Mr. Willert's employment contract survives the sale; and he receives no new, supplemental, or additional compensation, benefits, enhancements, or financial gain whatsoever. Nor is there any further modification to his employment contract.
16. This Order does not contest the COUNTY's general authority to terminate DELCORA, but the COUNTY cannot interfere, or restrain, or refuse to comply with the contractual obligations set forth in the Asset Purchase Agreement and amendments thereto.
17. The COUNTY shall be enjoined and restrained from terminating DELCORA prior to the closing of the DELCORA/AQUA Asset Purchase Agreement and enjoined and restrained from interfering in any way with AQUA's existing contractual relationship with DELCORA. DELCORA's and AQUA's requested injunction is necessary to prevent irreparable harm that cannot be adequately compensated in damages.
18. Upon the parties effectuating the sale, as detailed in the Asset Purchase Agreement, and Amendment(s) thereto, all parties to this matter shall cooperate to comply with all sale requirements and conditions, and thereafter cooperate with the efficient winding down and dissolution of DELCORA as Ordinance may require, or as the parties mutually agree, but the winding down shall not interfere or obstruct the terms of the Asset Purchase Agreement, all Amendments thereto, and the funding and Administration of the Rate Stabilization Fund Trust.

Rate Stabilization Fund Trust

19. The amendment to DELCORA's Articles of Incorporation on or about December 18, 2019 empowered DELCORA to create and fund the Rate Stabilization Fund Trust (the "Trust").
20. On or about December 18, 2019, the COUNTY amended DELCORA's Articles to add the following to the "purpose" provision: "In anticipation of the dissolution of the Authority and/or the transfer and sale of all, or substantially all of the Authority's assets, property and projects in exchange for the receipt of a cash payment, the Authority and its Board, in addition to any other authority granted by applicable law, shall have the full

authority, without limitation to: (1) establish a trust or non-profit entity to exist for the benefit of rate payers to distribute to rate payers some or all of the proceeds received from any transfer and sale, in accordance with applicable law and any agreements concerning the transfer and sale of any assets and/or the Authority's dissolution; and (2) execute any necessary agreement to effectuate this purpose prior, during, or after any transfer and sale and/or dissolution."

21. "According to the Amended Articles, assets of a trust or non-profit entity will be distributed to the rate payers, (DELCORA's Customers) for the purpose of "rate stabilization."
22. On or about December 27, 2019, the Trust between DELCORA, as settlor, and Univest Bank and Trust Co., as Trustee, was created. The validity of the Trust is the subject of this litigation. The stated purposes of the Trust are to benefit the beneficiaries, defined as DELCORA's Customers, by providing Rate Stabilization.
23. The Municipality Authorities Act, 53 Pa. C.S. §§ 5601 et seq. (the "MAA"), provides an independent legal basis for DELCORA to create and fund the Trust. DELCORA had the authority to create the Rate Stabilization Fund Trust (the "Trust") and authority to fund it.
24. The Municipality Authorities Act states that "[t]he purpose and intent of this chapter [is] to benefit the people of the Commonwealth by, among other things, increasing their commerce, health, safety, and prosperity." 53 Pa. C.S. § 5607(b)(2).
25. The Municipality Authorities Act states, without limitation, that "[e]very authority may exercise all powers necessary or convenient for the carrying out of the purposes set forth in this section." 53 Pa. C.S. §5607(d).
26. Under the Municipality Authorities Act, DELCORA has the power to "acquire, purchase, hold, lease as lessee and use any franchise, property, real, personal or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of the authority, and to sell, lease as lessor, transfer and dispose of any property or interest therein at any time acquired by it." 53 Pa. C.S. §5607(d)(4).
27. Under the Municipality Authorities Act, DELCORA has the power to "make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business." 53 Pa. C.S. §5607(d)(13). The Trust, by its very name, terms and provisions, is an agreement.
28. Under the Municipality Authorities Act, DELCORA has the power to "pledge, hypothecate or otherwise encumber all or any of the revenues or receipts of the authority as security for all or any of the obligations of the authority." 53 Pa. C.S. §5607(d)(16).
29. Under the Municipality Authorities Act, DELCORA has the power to "do all acts and things necessary or convenient for the promotion of its business and the general welfare

of the authority to carry out powers granted to it by this chapter or other law.” 53 Pa. C.S. §5607(d)(17).

30. The Municipality Authorities Act thus allows DELCORA to create the Trust and allows DELCORA to convey proceeds of the DELCORA/AQUA sale into the Trust.
31. The Trust is consistent with 53 Pa. C.S. §5612 because (a) it was authorized by DELCORA’s Articles, as amended, and (b) the money to be placed in the Trust is derived from DELCORA’s fulfillment of its mission and purpose, and will be used to provide a service for the benefit of the customers of DELCORA’s system, who DELCORA served in accordance with its mission, in the form of distributions to offset rate increases.
32. The Trust does not violate the Uniform Trust Act because DELCORA had the capacity to create the Trust when it was created.
33. This Court opines, subject to the Pennsylvania Public Utility Commission’s authority to review, the Rate Stabilization Fund Trust, and operating memorandums thereto or any reasonable legal Rate Stabilization methodology benefits and serves the Wastewater customers both residential and commercial, as opposed to any successor to DELCORA absorbing the assets and funds.
34. SUMMARY JUDGEMENT REGARDING THE VALIDITY AND ENFORCEMENT OF THE ASSET PURCHASE AGREEMENT AND ANY AMENDMENT THERETO AND COUNTY ORDINANCE 2020-04:
 - a. Judgment is hereby ENTERED, and Motions are GRANTED in favor of DELCORA’s Motion for Summary Judgment on Count V of the COUNTY’s Amended Complaint and Counts II and III of DELCORA’s counterclaim, and any responses thereto. Count V of the COUNTY’s Amended Complaint seeking injunctive and mandamus relief regarding DELCORA to comply with the COUNTY’s Ordinance is hereby DISMISSED;
 - b. Judgment is hereby ENTERED, and Motions are GRANTED in favor of Intervenor AQUA Pennsylvania Wastewater Inc., and against the COUNTY, on Count 1 of its Counterclaim for Declaratory Relief, and Count V of the Plaintiff COUNTY of Delaware’s Amended Complaint, and all responses thereto. Count V of the COUNTY’s Amended Complaint seeking injunctive and mandamus relief requiring DELCORA to comply with the COUNTY’s Ordinance is hereby DISMISSED;
 - c. The Court hereby issues a DECLARATORY JUDGMENT that the Asset Purchase Agreement dated September 17, 2019 (as amended on February 24, 2020) between AQUA and DELCORA is a valid, binding, and enforceable contract between AQUA and DELCORA authorized by Sections 5607, 5619, and 5622 of the Municipalities Authorities Act, subject to approval of the transaction by the Pennsylvania Public Utility Commission, and that any

termination of DELCORA by the COUNTY cannot occur prior to the closing on the Asset Purchase Agreement;

- d. The COUNTY of Delaware is hereby permanently enjoined and restrained from terminating or contractually interfering with the Asset Purchase Agreement, any amendment thereto, and the COUNTY is further enjoined and restrained from terminating the Delaware County Regional Water Control Authority prior to closing on the Asset Purchase Agreement between DELCORA and AQUA Pennsylvania Wastewater Inc;
- e. The injunctive relief is reasonably suited to abate the offending activity, as the Court does not intend to challenge the COUNTY's authority to wind down and terminate DELCORA. DELCORA and AQUA only seek to preserve the Asset Purchase Agreement by requiring that closing occur prior to termination of DELCORA.
- f. Judgment is hereby ENTERED in favor of Darby Creek Joint Authority's Counterclaim (Count I) to the COUNTY's Amended Complaint, hereby entering a Declaratory Judgment that the Service Agreement, Exhibit DC-1, between DELCORA and DCJA and the Assignment Consent, Exhibit DC-2, are valid and enforceable contracts. The further request of Darby Creek Joint Authority to enjoin the COUNTY from dissolving DELCORA is DENIED as moot in light of this Order;
- g. Judgment is further ENTERED in favor of the Southern Delaware County Authority confirming the legality and enforceability of the Asset Purchase Agreement and Rate Stabilization Fund Trust for all the reasons set forth herein.

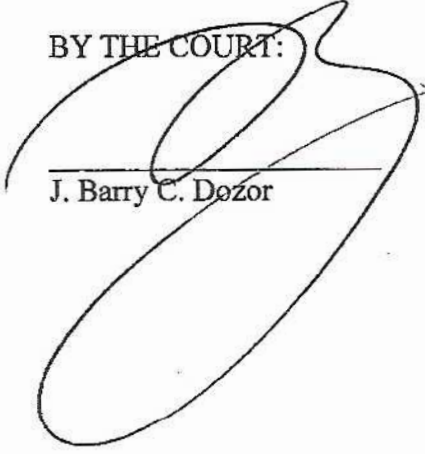
35. SUMMARY JUDGMENT REGARDING ALL COUNTS RELATING TO THE
DELCORA RATE STABILIZATION FUND TRUST:

- a. Judgment is hereby ENTERED in favor of Defendant, Delaware County Regional Water Quality Control Authority (DELCORA), and against Plaintiff, the COUNTY of Delaware, Pennsylvania, (COUNTY), on all Counts I, II, III, and IV of the COUNTY's Amended Complaint and Count I of DELCORA's Counterclaim;
- b. It is hereby DECLARED that the DELCORA Rate Stabilization Fund Trust does not violate (i) DELCORA's Articles of Incorporation, (ii) the Municipality Authorities Act, (iii) the Uniform Trust Act, (iv) public policy, or (v) any other applicable law;
- c. It is hereby DECLARED that upon the completion of the transaction between DELCORA and AQUA Pennsylvania Wastewater, Inc., (AQUA), sale proceeds shall be deposited into the Trust pursuant to the terms of that transaction as set

forth in the Asset Purchase Agreement between DELCORA and AQUA and all related agreements, including the Rate Stabilization Fund Trust, and any enabling Trust agreements, and the COUNTY is hereby ENJOINED from preventing same in any way.

36. The Counterclaims of Tortious Interference with existing Contractual Relationships for compensatory and Punitive Damages and Attorney fees filed by AQUA Pennsylvania Wastewater Inc and Darby Creek Joint Authority have both been withdrawn subsequent to the December 1, 2020 hearing.
37. This Order is not intending to interfere with the authority and jurisdiction of the Pennsylvania Utility Commission at Docket No. A-2019-3015173 (PUC Application).
38. In consideration of this Order, the Stipulated Injunction Order of September 9, 2020 is now moot and hereby VACATED.
39. This Court reserves jurisdiction, upon Petition and hearing, if necessary, to enforce the terms and conditions of this Order.

BY THE COURT:



J. Barry C. Dozor

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

Case Parties

Plaintiff

Attorney

County of Delaware,
Pennsylvania

Carol Steinnour Young

100 Pine Street
P.O. Box 1166
Harrisburg PA 17108-
1166

Dana Chilson

100 Pine Street
Harrisburg PA 17101

Thomas Markey

100 Pine Street
Harrisburg PA 17101

BOYNTON JR, ALAN R

100 PINE STREET
PO BOX 1166
HARRISBURG PA 17108-
1166

HULL, KANDICE K

100 PINE ST
PO BOX 1166
HARRISBURG PA 17108

Trisha L Lantz

21 W. Third Street
Media PA 19063

Robert F Young

CERTIFIED A TRUE AND CORRECT

COPY FROM THE RECORD

THIS 20th DAY OF January, 2021

MARY J. WALK, ESQUIRE, DIRECTOR

OFFICE OF JUDICIAL SUPPORT



DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

Case Parties

100 Pine Street
Harrisburg PA 17108-
1166

CHWASTYK, DEVIN J

100 Pine Street
Harrisburg PA 17101

Defendant

Attorney

Delaware County
Regional Water Quality
Control Authority
100 East Fifth Street
Chester PA 17042

Matthew Olesh

1515 Market Street,
Suite 3400
Obermayer, Centre
Square West
Philadelphia PA 19102

PODUSLENKO,
NICHOLAS

ONE PENN CENTER
19TH FLOOR
1617 JFK BOULEVARD
PHILADELPHIA PA
19103-1895

LANIQUE A ROBERTS

CENTER SQUARE WEST
1500 MARKET STREET
STE 3400
PHILADELPHIA PA
19102

DELAWARE COUNTY COURT OF COMMON PLEAS**Civil Docket Report**

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

Case Parties

Intervener

Attorney

Darby Creek Joint
Authority

MALONE, WILLIAM E

21 WEST THIRD STREET
MEDIA PA 19063-0000

Ashley N. Blackburn

21 W Third Street
Media PA 19063

Defendant

Attorney

Univest Bank and Trust
Co.14 North Main Street
Souderton PA 18964HINCHMAN , WILLIAM
RKLEHR HARRISON ET AL
.....
1835 MARKET STREET
STE 1400
PHILADELPHIA PA
19103-2968PLATT, MONICA
CLARKE
1835 MARKET STREET
STE 1400
PHILADELPHIA PA
19103

Intervener

Attorney

Southern Delaware
County Authority

ANDREW J REILLY

115 N. JACKSON
STREET
MEDIA PA 19063-0000

DELAWARE COUNTY COURT OF COMMON PLEAS**Civil Docket Report**

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

Case Parties

GOFFNEY, JACQUELYN

115 NORTH JACKSON
STREET
MEDIA PA 19063-0000

Intervener

Attorney

Aqua Pennsylvania
Wastewater Inc

PUPPIO JR, MICHAEL V

19 WEST THIRD STREET
MEDIA PA 19063-0000IMPERATRICE III,
ROCCO P3405 WEST CHESTER
PIKE
NEWTOWN SQUARE PA
19073-0000

FRANK, JOEL L

24 EAST MARKET
STREET
PO BOX 565
WEST CHESTER PA
19381-0565

CUNNINGHAM, JOHN J

24 EAST MARKET
STREET
P O BOX 565
WEST CHESTER PA
19380-0565

WITHERS, SCOT R

24 E MARKET ST
BOX 565
WEST CHESTER PA

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| |
|---------------------|
| Case Parties |
|---------------------|

19381-0565

Intervener

Attorney

Southwest Delaware
County Municipal
Authority
1 Gambler Lane
Aston PA 19014

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|---|---------------------|--|---|
| 1 | 05-14-2020 11:58 AM | Financials - Receipt | Receipt #000362408 for \$297.25 paid for by Carol Steinour Young |
| 2 | 05-14-2020 11:58 AM | Commenced by - Complaint | Complaint (e-filed) |
| 3 | 05-29-2020 03:47 PM | Financials - Receipt | Receipt #000363356 for \$10.00 paid for by Carol Steinour Young |
| 4 | 05-29-2020 03:47 PM | Praecipe - Praecipe to Reinstate | Praecipe to Reinstate |
| 5 | 06-01-2020 08:40 AM | Preliminary Injunction - Preliminary Injunction | Petition of Defendant Delaware County Regional Water Control Authority for a Preliminary Injunction |
| 6 | 06-01-2020 11:08 AM | Praecipe - Praecipe for Appearance (First Filing by Defendant) | Praecipe for Appearance of Matthew Olesh, Esquire for DCRWQCA |
| 7 | 06-01-2020 11:11 AM | Financials - Receipt | Receipt #000363396 for \$50.00 paid for by Matthew Olesh |
| 8 | 06-01-2020 11:39 AM | Financials - Receipt | Receipt #000363405 for \$100.00 paid for by Matthew Olesh |

DELAWARE COUNTY COURT OF COMMON PLEAS**Civil Docket Report**

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|----|---------------------|-------------------------------------|---|
| 9 | 06-01-2020 02:25 PM | Miscellaneous - Entry of Appearance | Entry of Appearance - Nicholas Poduslenko and Lanique Roberts, on behalf of Defendant, Delaware County Regional Water Quality Control Authority (e-filed) |
| 10 | 06-01-2020 03:58 PM | Petition - Petition to Intervene | Petition to Intervene |
| 11 | 06-01-2020 03:58 PM | Miscellaneous - Entry of Appearance | Entry of Appearance |
| 12 | 06-01-2020 03:58 PM | Miscellaneous - Amendment | Amendment |
| 13 | 06-03-2020 10:25 AM | Praecipe - Praecipe | Praecipe to Amend/ Correct |
| 14 | 06-04-2020 11:52 AM | Order - Order | Order - Scheduling Order and Interim, Temporary Stay of Activity 236 Notice of Order Sent on 06/04/2020 (J. Door) |
| 15 | 06-04-2020 11:55 AM | Order - Order | Order - Notice of Procedures for In-Person Proceeding 236 Notice of Order Sent on 06/04/2020 (J. Dozor) |
| 16 | 06-04-2020 12:10 PM | Order - Order | Order - Rule to Show Cause 236 Notice of Order Sent on 06/04/2020 (J. Dozor) |
| 17 | 06-05-2020 02:19 PM | Petition - Petition to Intervene | Southern Delaware County Petition to Intervene |
| 18 | 06-09-2020 09:42 AM | Service - Acceptance of Service | Acceptance of Service (e-filed) |
| 19 | 06-09-2020 12:28 PM | Miscellaneous - Entry of Appearance | Entry of Appearance (e-filed) |
| 20 | 06-10-2020 03:20 PM | Financials - Receipt | Receipt #000364272 for \$50.00 paid for by Monica Platt |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|----|---------------------|--|--|
| 21 | 06-10-2020 03:20 PM | Praecipe - Praecipe for Appearance (First Filing by Defendant) | Praecipe for Appearance (First Filing by Defendant) (e-filed) |
| 22 | 06-10-2020 03:22 PM | Miscellaneous - Entry of Appearance | Entry of Appearance - William R. Hinchman, on behalf of Defendant, Univest Bank and Trust Co. (e-filed) |
| 23 | 06-11-2020 09:17 AM | Miscellaneous - Motion Cover Sheet | Cover Sheet/Notice of Hearing Date 06-18-20, @ 9:00 AM, Crtrm 7 |
| 24 | 06-11-2020 02:01 PM | Financials - Receipt | Receipt #000364384 for \$10.00 paid for by Matthew Olesh |
| 25 | 06-11-2020 02:01 PM | Stipulation - Stipulation | Stipulation (e-filed) |
| 26 | 06-12-2020 04:08 PM | Miscellaneous - Entry of Appearance | Entry of Appearance |
| 27 | 06-12-2020 04:08 PM | Certificate - Certificate of Service | Certificate of Service |
| 28 | 06-15-2020 10:26 AM | Complaint - Amended Complaint | Amended (e-filed) |
| 29 | 06-15-2020 02:55 PM | Answer - Answer | Answer |
| 30 | 06-15-2020 02:56 PM | Miscellaneous - Brief | Brief |
| 31 | 06-15-2020 05:16 PM | Memorandum - Memorandum of Law | SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF THE PETITION OF DEFENDANT DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY FOR A PRELIMINARY INJUNCTION e-filed |
| 32 | 06-15-2020 05:44 PM | Petition - Petition to Intervene | Petition for Leave to Intervene of Aqua Pennsylvania WasteWater Inc (e-filed) |

DELAWARE COUNTY COURT OF COMMON PLEAS

Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|----|---------------------|--|---|
| 33 | 06-16-2020 11:36 AM | Miscellaneous - Motion Cover Sheet | Motion Cover Sheet-Hearing Date, 06-18-20, @ 9:00 AM, Crtrm 7 |
| 34 | 06-16-2020 11:54 AM | Motion - Motion | Motion |
| 35 | 06-16-2020 11:54 AM | Miscellaneous - Brief | Brief |
| 36 | 06-17-2020 11:19 AM | Financials - Receipt | Receipt #000364887 for \$50.00 paid for by Andrew J. Reilly |
| 37 | 06-17-2020 11:19 AM | Praecipe - Praecipe for Appearance (First Filing by Defendant) | Praecipe for Appearance of Andrew J. Reilly, Esq. on behalf of Intervener E-Filed |
| 38 | 06-17-2020 01:43 PM | Petition - Petition | Plaintiff, County of Delaware, Pennsylvania's Petition for Preliminary Injunction e-filed |
| 39 | 06-17-2020 01:47 PM | Miscellaneous - Brief | Brief Supporting Petition for Preliminary Injunction e-filed |
| 40 | 06-17-2020 01:53 PM | Answer - Answer/Response to Motion/Petition | ANSWER TO PETITION TO INTERVENE FILED BY DARBY CREEK JOINT AUTHORITY e-filed |
| 41 | 06-17-2020 01:56 PM | Answer - Answer/Response to Motion/Petition | ANSWER TO PETITION TO INTERVENE FILED BY SOUTHERN DELAWARE COUNTY AUTHORITY e-filed |
| 42 | 06-17-2020 03:47 PM | Miscellaneous - Entry of Appearance | Entry of Appearance (e-filed) |
| 43 | 06-18-2020 09:17 AM | Financials - Receipt | Receipt #000364996 for \$10.00 paid for by Carol Steinour Young |
| 44 | 06-18-2020 09:17 AM | Praecipe - Praecipe to Withdraw | PRAECIPE TO WITHDRAW MOTION AND SUPPORTING BRIEF e-filed |

DELAWARE COUNTY COURT OF COMMON PLEAS

Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|----|---------------------|---|---|
| 45 | 06-18-2020 03:38 PM | Order - Order Granting Motion/Petition to Intervene | Order Granting Motion/Petition to Intervene 236 Notice of Order Sent on 6-18-2020; Order Signed By Judge Dozor, Order Signed On 6-18-2020 |
| 46 | 06-19-2020 01:06 PM | Order - Order Granting Motion/Petition to Intervene | Order Granting Motion/Petition to Intervene 236 Notice of Order Sent on [[06-19-20]]; [[J. Dozor]] on [[06-18-20]] |
| 47 | 06-25-2020 11:11 AM | Answer - Answer and New Matter | Answer of County of Delaware, Pennsylvania to Petition to Intervene filed by Aqua Pennsylvania Wastewater, Inc. (e-filed) |
| 48 | 06-25-2020 01:55 PM | Miscellaneous - Motion Cover Sheet | Motion Cover Sheet - Hearing Date: 06-30-20 @ 1:30pm |
| 49 | 06-25-2020 02:39 PM | Order - Scheduling Order | Scheduling Order and Order Confirming Stay 236 Notice of Order Sent on [[06-25-20]]; [[J. Dozor]] on [[06-25-20]] |
| 50 | 06-26-2020 03:28 PM | Service - Sheriff's Service Process Receipt and Affidavit of Return | Sheriff's Service Process Receipt and Affidavit of Return Uninvest Bank and Trust Co. SERVED 6-22-2020 \$76.80 Deputized to Montgomery County |
| 51 | 06-29-2020 04:06 PM | Miscellaneous - Entry of Appearance | Entry of Appearance (e-filed) |
| 52 | 06-30-2020 10:06 AM | Answer - Answer | Answer |
| 53 | 06-30-2020 10:13 AM | Answer - Answer | Proposed Intervenor Aqua Pennsylvania Wastewater, Inc.'s Reply to Plaintiff's New Matter (e-filed) |
| 54 | 06-30-2020 11:05 AM | Answer - Amended Answer | Amended Answer |
| 55 | 07-02-2020 01:55 PM | Order - Order/Petition to Intervene | Order GRANTING Petition to Intervene By Aqua; 236 Notice of Order Sent on 7/2/20; (J. Dozor) |

DELAWARE COUNTY COURT OF COMMON PLEAS**Civil Docket Report**

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|----|---------------------|---|---|
| 56 | 07-07-2020 11:37 AM | Answer - Respondent's Response to Petition | Response of Defendant Delaware County Regional Water Quality Control Authority to the County of Delaware's Petition for a Preliminary injunction e-filed |
| 57 | 07-08-2020 03:28 PM | Order - Scheduling Order | Scheduling Order; 236 Notice of Order Sent on [07/08/20; (J. Dozor) |
| 58 | 07-09-2020 10:22 AM | Miscellaneous - Correspondence Filed | Attorney Correspondence Filed (e-filed) |
| 59 | 07-13-2020 09:23 AM | Financials - Receipt | Receipt #000367252 for \$10.00 paid for by WILLIAM R HINCHMAN |
| 60 | 07-13-2020 09:23 AM | Stipulation - Stipulation | Stipulation |
| 61 | 07-13-2020 11:53 AM | Miscellaneous - Transcript of Proceedings | Transcript of Proceedings, 06/30/2020, Courtroom 7, Judge Dozor, 63 pages |
| 62 | 07-22-2020 01:54 PM | Answer - Answer to Amended Complaint | Answer, New Matter and Counterclaim of Intervenor, Aqua Pennsylvania Wastewater, Inc., to Plaintiff's Amended Complaint e-filed |
| 63 | 07-22-2020 02:14 PM | Answer - Answer/Response to Motion/Petition | Response of Intervenor Aqua Pennsylvania Wastewater, Inc. to Plaintiff County of Delaware's Petition for Preliminary Injunction e-filed |
| 64 | 07-22-2020 02:28 PM | Answer - Answer/Response to Motion/Petition | Response of Intervenor Aqua Pennsylvania Wastewater, Inc. to Defendant Delaware County Regional Water Control Authority's Petition for Preliminary Injunction e-filed |
| 65 | 07-22-2020 02:39 PM | Memorandum - Memorandum of Law | Memorandum of Law (e-filed) |
| 66 | 07-22-2020 03:16 PM | Petition - Petition | Intervenor Aqua Pennsylvania Wastewater, Inc.'s Petition for Preliminary Injunction Relief e-filed |

DELAWARE COUNTY COURT OF COMMON PLEAS

Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|----|---------------------|---|---|
| 67 | 07-23-2020 02:00 PM | Answer - Answer and Counterclaim | Answer and Counterclaim to Plaintiff's Amended Complaint {E-FILED} |
| 68 | 07-23-2020 04:15 PM | Financials - Receipt | Receipt #000368563 for \$50.00 paid for by Matthew Olesh |
| 69 | 07-27-2020 01:34 PM | Financials - Receipt | Receipt #000368775 for \$50.00 paid for by Andrew J. Reilly |
| 70 | 07-27-2020 01:34 PM | Answer - Answer and Counterclaim | Answer and Counterclaim |
| 71 | 07-29-2020 03:34 PM | Order - Scheduling Order | Scheduling Order and Order Confirming Interim Stay 236 Notice of Order Sent on 07/29/20 (J. Dozor) |
| 72 | 07-29-2020 03:53 PM | Order - Scheduling Order | AMENDED Scheduling Order & Order Confirming Interim Stay; 236 Notice of Order Sent on 07/29/20; (J. Dozor) |
| 73 | 07-31-2020 02:00 PM | Financials - Receipt | Receipt #000369351 for \$50.00 paid for by MMD Attorney |
| 74 | 07-31-2020 02:00 PM | Answer - Answer and Counterclaim | Answer and Counterclaim |
| 75 | 08-04-2020 02:53 PM | Miscellaneous - Objection to Subpoena | Objection to Subpoena Pursuant to Rule 4009.21 |
| 76 | 08-07-2020 01:04 PM | Motion - Motion for Protective Order | Motion for Entry of a Protective Order e-filed |
| 77 | 08-07-2020 03:13 PM | Certificate - Certificate Prerequisite to Service of Subpoena | Certificate Prerequisite to Service of Subpoena E-filed |
| 78 | 08-11-2020 04:32 PM | Answer - Answer/Response to Motion/Petition | ANSWER OF COUNTY OF DELAWARE, PENNSYLVANIA TO PETITION FOR PRELIMINARY INJUNCTIVE RELIEF FILED BY INTERVENOR AQUA PENNSYLVANIA |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|----|---------------------|--|--|
| | | | WASTEWATER, INC. E filed |
| 79 | 08-11-2020 04:53 PM | Miscellaneous - Brief | PLAINTIFF'S BRIEF IN OPPOSITION TO INTERVENOR AQUA PENNSYLVANIAWASTEWATER, INC.'S PETITION FOR PRELIMINARY INJUNCTIVE RELIEF {E-FILED} |
| 80 | 08-12-2020 08:55 AM | Financials - Receipt | Receipt #000370414 for \$50.00 paid for by Carol Steinour Young |
| 81 | 08-12-2020 08:55 AM | Preliminary Objection - Preliminary Objections | Plaintiff's Preliminary Objections to Counterclaims of Intervenor Aqua Pennsylvania was Tewater, Inc. e-filed |
| 82 | 08-12-2020 08:57 AM | Miscellaneous - Brief | Brief e-filed |
| 83 | 08-12-2020 02:52 PM | Financials - Receipt | Receipt #000370553 for \$50.00 paid for by Carol Steinour Young |
| 84 | 08-12-2020 02:53 PM | Preliminary Objection - Preliminary Objections | PLAINTIFF'S PRELIMINARY OBJECTIONS TO COUNTERCLAIMS OF DEFENDANT DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY e-filed |
| 85 | 08-12-2020 02:54 PM | Miscellaneous - Brief | PLAINTIFF'S BRIEF SUPPORTING PRELIMINARY OBJECTIONS TO COUNTS II AND III OF THE COUNTERCLAIMS OF DEFENDANT DELCORA e-filed |
| 86 | 08-13-2020 02:06 PM | Praeipce - Praeipce to Attach | Praeipce to Attach Motion Cover Sheet E-Filed |
| 87 | 08-13-2020 02:07 PM | Praeipce - Praeipce to Attach | Praeipce to Attach Motion Cover Sheet to Preliminary Objections E-Filed |
| 88 | 08-13-2020 02:07 PM | Praeipce - Praeipce to Attach | Praeipce to Attach Motion Cover Sheet for Motion for Protective Order E-Filed |
| 89 | 08-13-2020 02:11 PM | Praeipce - Praeipce to Attach | Praeipce to Attach Motion Cover Sheet to Plaintiff's Preliminary Objections E-Filed |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|--------------------------------------|---|
| 90 | 08-13-2020 04:23 PM | Order - Scheduling Order | Scheduling Order- Hearing Scheduled for 9-9-2020 @ 9AM, Crtrm 7 236 Notice of Order Sent on [[9-13-2020]]; [[Order Signed By Judge Dozor]] on [[8-13-2020]] |
| 91 | 08-17-2020 01:43 PM | Miscellaneous - Correspondence Filed | Correspondence Filed (e-filed) |
| 92 | 08-18-2020 08:41 AM | Motion - Motion to Compel Discovery | County of Delaware, Pennsylvania's Motion to Overrule Objections and Compel Discovery Responses e-filed |
| 93 | 08-18-2020 08:41 AM | Financials - Receipt | Receipt #000371211 for \$26.00 paid for by Carol Steinour Young |
| 94 | 08-18-2020 08:44 AM | Miscellaneous - Brief | Brief e-filed |
| 95 | 08-18-2020 08:49 AM | Motion - Motion for Protective Order | Plaintiff's Motion for Entry of a Protective Order Regarding Deposition of Elaine Paul Schaefer e-filed |
| 96 | 08-18-2020 08:52 AM | Miscellaneous - Motion Cover Sheet | Motion Cover Sheet e-filed |
| 97 | 08-18-2020 08:52 AM | Certificate - Certificate | Certificate e-filed |
| 98 | 08-18-2020 08:52 AM | Miscellaneous - Brief | Brief e-filed |
| 99 | 08-18-2020 09:36 AM | Certificate - Certificate | Certificate (e-filed) |
| 100 | 08-18-2020 10:51 AM | Certificate - Certificate | Certificate (e-filed) |
| 101 | 08-18-2020 01:14 PM | Order - Order | ORDER & JOINT CLAWBACK AGREEMENT-Related to production of Documents in this matter pursuant to Rule 4009.1 et seq of the Pennsylvania Rules of Civil Procedure; |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|---|
| | | | 236 Notice of Order Sent on 08/18/20; (J. Dozor) |
| 102 | 08-18-2020 04:17 PM | Answer - Plaintiff's Answer to Defendant's New Matter | County of Delaware, Pennsylvania's Answer to New Matter and Counterclaim of Southern Delaware County Authority e-filed |
| 103 | 08-19-2020 04:17 PM | Answer - Answer/Response to Motion/Petition | The Delaware County Regional Water Quality Control Authority's Omnibus Response to Plaintiff's Myraid Discovery Motions e-filed |
| 104 | 08-19-2020 04:18 PM | Miscellaneous - Brief | Brief e-filed |
| 105 | 08-20-2020 12:27 PM | Miscellaneous - Brief | Brief |
| 106 | 08-20-2020 02:31 PM | Financials - Receipt | Receipt #000371758 for \$50.00 paid for by Carol Steinour Young |
| 107 | 08-20-2020 02:31 PM | Preliminary Objection - Preliminary Objections | Plaintiff's Preliminary Objections to Counterclaims of Intervener Darby Creek Joint Authority e-filed |
| 108 | 08-20-2020 02:32 PM | Miscellaneous - Brief | Brief e-filed |
| 109 | 08-24-2020 03:40 PM | Miscellaneous - Entry of Appearance | Entry of Appearance - Ashley N. Blackburn, on behalf of Intervenor, Darby Creek Joint Authority (e-filed) |
| 110 | 08-26-2020 08:43 AM | Order - Order | Order - Order dismissing delcoras objections to certain interrogatories J. Dozor 236 n/s 8-26-2020 |
| 111 | 08-26-2020 08:47 AM | Order - Order Denied | Order Denied- Order denying plaintiffs motion for entry of a protective order for elaine paul Schaefer J. Dozor 236 n/s 8-26-2020 |
| 112 | 08-31-2020 01:40 PM | Order - Protective Order | PLNTFF(S) MOTION FOR ENTRY OF A Protective Order/MOTION IS HELD IN ABEYANCE; 236 Notice of Order Sent on 08/31/20; |

DELAWARE COUNTY COURT OF COMMON PLEAS

Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|---|
| | | | (J. DOZOR) |
| 113 | 08-31-2020 03:24 PM | Miscellaneous - Entry of Appearance | Entry of Appearance - Alan R. Boynton, Jr., on behalf of Plaintiff, County of Delaware, Pennsylvania (e-filed) |
| 114 | 08-31-2020 03:45 PM | Answer - Answer to Preliminary Objections | INTERVENOR, AQUA PENNSYLVANIA WASTEWATER, INC.'S RESPONSE TO PLAINTIFF COUNTY OF DELAWARE'S PRELIMINARY OBJECTIONS TO AQUA PENNSYLVANIA WASTEWATER, INC.'S COUNTERCLAIM e-filed |
| 115 | 08-31-2020 03:48 PM | Answer - Answer | ANSWER OF INTERVENOR, AQUA PENNSYLVANIA WASTEWATER, INC., TO THE NEW MATTER OF THE COUNTY OF DELAWARE TO THE PETITION FOR PRELIMINARY INJUNCTIVE RELIEF FILED BY INTERVENOR, AQUA PENNSYLVANIA WASTEWATER, INC. E filed |
| 116 | 08-31-2020 03:50 PM | Memorandum - Memorandum of Law | Memorandum of Law e-filed |
| 117 | 08-31-2020 03:50 PM | Memorandum - Memorandum of Law | Intervenor Aqua Pennsylvania Wastewater, Inc.'s Memorandum of Law in Opposition to Plaintiff County of Delaware's Preliminary Objections to Aqua Pennsylvania Wastewater, Inc.'s Counterclaim e-filed |
| 118 | 09-02-2020 11:02 AM | Answer - Answer to Preliminary Objections | Response of Defendant Delaware County Regional Water Quality Control Authority in Opposition to the County of Delaware's Preliminary Objections e-filed |
| 119 | 09-03-2020 03:42 PM | Financials - Receipt | Receipt #000373867 for \$26.00 paid for by Southern Delaware County Authority |
| 120 | 09-03-2020 03:47 PM | Motion - Emergency Motion | Emergency Motion for Expedited Consideration/ Emergency Petition for Leave to Intervene of the Southwest Delco Municipal Authority |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|--|
| 121 | 09-04-2020 09:43 AM | Answer - Answer to Preliminary Objections | Intervenor, Darby Creek Joint Authority's Response To Plaintiff, County of Delaware's Preliminary Objections to Intervenor, Darby Creek Joint Authority's Counterclaim |
| 122 | 09-04-2020 09:45 AM | Memorandum - Memorandum of Law | Intervenor, Darby Creek Joint Authority's Memorandum of Law in Opposition to Plaintiff, County of Delaware's, Preliminary Objections to Intervenor, Darby Creek Joint Authority's Counterclaim |
| 123 | 09-04-2020 11:51 AM | Miscellaneous - Motion Cover Sheet | Motion Cover Sheet -HEARING ON THE 8TH OF SEPTEMBER, 2020 @1:30P.M. IN CRT. RM. #7; |
| 124 | 09-04-2020 01:29 PM | Miscellaneous - Entry of Appearance | Entry of Appearance of Kandice K. Hull, Esq. on behalf of Plaintiff E-Filed |
| 125 | 09-04-2020 01:33 PM | Motion - Motion | Motion E filed |
| 126 | 09-04-2020 04:10 PM | Miscellaneous - Brief | PLAINTIFF'S BRIEF IN SUPPORT OF MOTION TO AMEND SCHEDULE e-filed |
| 127 | 09-04-2020 04:10 PM | Motion - Motion | PLAINTIFF'S MOTION TO AMEND SCHEDULE e-filed |
| 128 | 09-08-2020 02:58 PM | Notice - Notice | Notice E-Filed |
| 129 | 09-08-2020 03:22 PM | Miscellaneous - Entry of Appearance | Entry of Appearance Trisha L. Lantz is the Attorney for the Plaintiff e-filed |
| 130 | 09-08-2020 04:18 PM | Answer - Answer/Response to Motion/Petition | Intervenor, Aqua Pennsylvania Wasterwater, Inc.'s Response to Plaintiff County of Delaware's Motion to Amend Schedule e-filed |
| 131 | 09-08-2020 04:26 PM | Memorandum - Memorandum of Law | Memorandum of Law (e-filed) |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|--------------------------------------|---|
| 132 | 09-11-2020 09:54 AM | Order - Order | Order-RE: Preliminary Injunctions; 236 Notice of Order Sent on 09/11/2020; (J. DOZOR) |
| 133 | 09-11-2020 01:40 PM | Order - Order Denied | Order Denied Emergency Motion for Expedited Consideration/Emergency Petition for Leave; 236 Notice of Order Sent on 09/11/2020; (J. DOZOR) TWO ORDERS |
| 134 | 09-11-2020 01:52 PM | Order - Scheduling Order | Scheduling Order Resolving Plaintiff(s) Motion to Amend Scheduling Order & Omnibus Motion; 236 Notice of Order Sent on 09/11/2020; (J. Dozor) |
| 135 | 09-18-2020 09:57 AM | Miscellaneous - Mail Returned - USPS | Mail Returned - USPS |
| 136 | 09-21-2020 01:07 PM | Miscellaneous - Entry of Appearance | Entry of Appearance for Plaintiff, County of Delaware PA by Robert Young Esq. E-filed |
| 137 | 09-21-2020 04:00 PM | Miscellaneous - Entry of Appearance | Entry of Appearance of Devin Chwastyk for Plaintiff e-filed |
| 138 | 09-22-2020 02:45 PM | Order - Scheduling Order | Scheduling Order- regarding Counterclaim of Tortious Interference for Compensatory; 236 Notice of Order Sent on 09/22/2020; (J. DOZOR) |
| 139 | 09-23-2020 02:28 PM | Order - Order/Preliminary Objections | Order/Preliminary Objections/ Denied 236 Notice of Order Sent on [[09/23/2020]]; [[J. Dozor]] on [[09/23/2020]] |
| 140 | 09-24-2020 10:42 AM | Miscellaneous - Entry of Appearance | Entry of Appearance - Joel L. Frank, on behalf of Defendant, Aqua Pennsylvania Wastewater, Inc. (e-filed) |
| 141 | 09-24-2020 10:47 AM | Miscellaneous - Entry of Appearance | Entry of Appearance - John J. Cunningham, IV, on behalf of Defendant, Aqua Pennsylvania Wastewater, Inc. (e-filed) |
| 142 | 09-24-2020 10:59 AM | Miscellaneous - Entry of Appearance | Entry of Appearance by Scot R. Withers for Aqua Pennsylvania Wastewater Inc. E-filed |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|--------------------------------------|---|
| 143 | 09-28-2020 09:22 AM | Answer - Answer and New Matter | Answer with New Matter of Defendant Univest Bank and Trust CP., as Trustee, to Plaintiff's Amended Complaint e-filed |
| 144 | 09-29-2020 11:49 AM | Order - Order | Ordered that paragraph 3 of the Court's September 10, 2020 Scheduling Order is AMENDED; 236 Notice of Order Sent on 09/29/2020; (J. DOZOR) |
| 145 | 10-05-2020 03:22 PM | Memorandum - Memorandum of Law | Memorandum of Law (e-filed) |
| 146 | 10-05-2020 03:52 PM | Financials - Receipt | Receipt #000377814 for \$50.00 paid for by Joel Lawrence Frank |
| 147 | 10-05-2020 03:53 PM | Motion - Motion for Summary Judgment | Intervenor Aqua Pennsylvania Wastewater, Inc.'s Motion for Summary Judgment on Count 1 of Its Counterclaim and Count of the County of Delaware's Amended Complaint e-filed |
| 148 | 10-05-2020 04:00 PM | Memorandum - Memorandum of Law | Memorandum of Law (e-filed) |
| 149 | 10-05-2020 04:06 PM | Financials - Receipt | Receipt #000377819 for \$50.00 paid for by Matthew Olesh |
| 150 | 10-05-2020 04:06 PM | Motion - Motion for Summary Judgment | The Delaware County Regional Water Quality Control Authority's Motion for Summary Judgment Regarding Counts Related to the Trust e-filed |
| 151 | 10-05-2020 04:12 PM | Financials - Receipt | Receipt #000377820 for \$50.00 paid for by Matthew Olesh |
| 152 | 10-05-2020 04:12 PM | Motion - Motion for Summary Judgment | The Delaware County Regional Water Quality Control Authority's Motion for Summary Judgment on Count V of the County's Amended Complaint and Counts II and III of Delcora's Counterclaim e-filed |

DELAWARE COUNTY COURT OF COMMON PLEAS

Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|---|
| 153 | 10-05-2020 04:46 PM | Motion - Motion for Summary Judgment | PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT - THE RATE STABILIZATION TRUST FUND AGREEMENT e-filed |
| 154 | 10-05-2020 04:46 PM | Miscellaneous - Motion Cover Sheet | Motion Cover Sheet e-filed |
| 155 | 10-06-2020 08:38 AM | Motion - Motion in Limine | Motion in Limine of Defendant Delaware County Regional Water Quality Control Authority to Preclude the County of Delaware, Pennsylvania's Testimony/Evidence Related to the Removal of Impediments to Termination Pursuant to the Municipality Authorities Act e-filed |
| 156 | 10-06-2020 08:46 AM | Motion - Motion in Limine | Intervenor Aqua Pennsylvania Wasterwater, Inc.'s Motion in Limine Seeking to Preclude the County of Delaware from Presenting Evidence at Trial e-filed |
| 157 | 10-06-2020 08:57 AM | Motion - Motion in Limine | Motion in Limine of Defendant Delaware County Regional Water Quality Control Authority to Preclude the County of Delaware, Pennsylvania's Proposed Expert Testimony, Testimony/Evidence Related to the Prudence and Benefits of the Transaction, and Testimony/Evidence Regarding Rate Projections/Trust Duration e-filed |
| 158 | 10-06-2020 09:08 AM | Miscellaneous - Brief | PLAINTIFF'S BRIEF IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT - THE RATE STABILIZATION TRUST FUND AGREEMENT e-filed |
| 159 | 10-06-2020 11:28 AM | Praeipce - Praeipce | Praeipce to Attach {E-FILED} |
| 160 | 10-06-2020 04:20 PM | Answer - Plaintiff's Answer to Defendant's New Matter | Plaintiff's Answer to Defendant's New Matter E-Filed |
| 161 | 10-06-2020 04:22 PM | Answer - Answer | ANSWER OF COUNTY OF DELAWARE, PENNSYLVANIA TO INTERVENOR AQUA WASTEWATER PENNSYLVANIA, INC.'S |

DELAWARE COUNTY COURT OF COMMON PLEAS**Civil Docket Report**

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|--|
| | | | NEW MATTER AND COUNTERCLAIM e-filed |
| 162 | 10-06-2020 04:24 PM | Answer - Answer | ANSWER OF COUNTY OF DELAWARE, PENNSYLVANIA TO INTERVENOR DARBY CREEK JOINT AUTHORITY'S NEW MATTER AND COUNTERCLAIM e-filed |
| 163 | 10-08-2020 02:23 PM | Order - Scheduling Order | Scheduling Order 236 Notice of Order Sent on [[10/08/2020]]; [[J. Dozor]] on [[10/08/2020]] |
| 164 | 10-15-2020 02:04 PM | Order - Order | Order-Notice of Procedures For In Person Proceedings 236 Notice of Order Sent on 10-15-2020; Order Signed By Judge Dozor on 10-15-2020 |
| 165 | 10-15-2020 02:17 PM | Answer - Answer/Response to Motion/Petition | PLAINTIFF'S ANSWER TO DEFENDANT DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY'S MOTION FOR SUMMARY JUDGMENT REGARDING COUNTS RELATED TO THE TRUST E filed |
| 166 | 10-15-2020 02:17 PM | Miscellaneous - Brief | Brief E filed |
| 167 | 10-15-2020 04:24 PM | Praecept - Praecept to Attach | Praecept to Attach Motion Cover Sheet E-Filed |
| 168 | 10-15-2020 04:57 PM | Answer - Answer/Response to Motion/Petition | ANSWER OF THE DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY IN OPPOSITION TO THE COUNTY OF DELAWARE'S MOTION FOR SUMMARY JUDGMENT - THE RATE STABILIZATION TRUST FUND AGREEMENT E filed |
| 169 | 10-16-2020 04:09 PM | Memorandum - Memorandum | Memorandum (e-filed) |
| 170 | 10-16-2020 04:34 PM | Answer - Answer/Response to Motion/Petition | Answer/Response to Motion/Petition E filed |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|---|
| 171 | 10-16-2020 04:58 PM | Memorandum - Pre Trial Memorandum | Pre Trial Memorandum E filed |
| 172 | 10-20-2020 10:39 AM | Answer - Answer | The Delaware County Regional Water Quality Control Authority's Response to Plaintiff's New Matter to Counterclaim e-filed |
| 173 | 10-21-2020 02:02 PM | Answer - Answer/Response to Motion/Petition | PLAINTIFF'S ANSWER TO DEFENDANT DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY'S MOTION IN LIMINE TO PRECLUDE THE COUNTY OF DELAWARE, PENNSYLVANIA'S TESTIMONY/EVIDENCE RELATED TO THE REMOVAL OF IMPEDIMENTS TO TERMINATION PURSUANT TO THE MUNICIPALITY AUTHORITIES ACT E filed |
| 174 | 10-21-2020 02:02 PM | Miscellaneous - Brief | Brief E filed |
| 175 | 10-21-2020 02:50 PM | Answer - Answer/Response to Motion/Petition | Plaintiff's Answer to Intervenor Aqua Pennsylvania Wastewater, Inc.'s Motion in Limine Seeking to Preclude the County of Delaware from Presenting Evidence at Trial e-filed |
| 176 | 10-21-2020 02:51 PM | Miscellaneous - Brief | Brief e-filed |
| 177 | 10-21-2020 04:31 PM | Answer - Answer/Response to Motion/Petition | PLAINTIFF'S ANSWER TO DEFENDANT DELAWARE COUNTY REGIONAL WATER QUALITY CONTROL AUTHORITY'S MOTION FOR SUMMARY JUDGMENT ON COUNT V OF THE COUNTY'S AMENDED COMPLAINT AND COUNTS II AND III OF DELCORA'S COUNTERCLAIM E filed |
| 178 | 10-21-2020 04:31 PM | Miscellaneous - Brief | Brief |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|--|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|--|
| 179 | 10-22-2020 09:39 AM | Answer - Answer/Response to Motion/Petition | Plaintiff's Answer to the Motion for Summary Judgment filed by Intervenor Aqua Pennsylvania Wastewater, Inc. e-filed |
| 180 | 10-22-2020 09:40 AM | Miscellaneous - Brief | Brief e-filed |
| 181 | 10-22-2020 09:51 AM | Answer - Answer/Response to Motion/Petition | Plaintiff's Answer to Defendant Delaware County Regional Water Quality Control Authority's Motion in Limine to Preclude the County of Delaware, Pennsylvania's Proposed Expert Testimony, Testimony/Evidence Related to the Prudence and Benefits of the Transaction, and Testimony/Evidence Regarding Rate Projections/Trust Duration e-filed |
| 182 | 10-22-2020 10:09 AM | Miscellaneous - Brief | Brief e-filed |
| 183 | 10-26-2020 10:57 AM | Answer - Answer | ANSWER OF INTERVENOR, AQUA PENNSYLVANIA WASTEWATER, INC., TO THE COUNTY OF DELAWARE'S NEW MATTER TO AQUA PENNSYLVANIA WASTEWATER, INC.'S COUNTERCLAIM E filed |
| 184 | 10-26-2020 02:50 PM | Praecipe - Praecipe | Praecipe to Admit Joint Exhibits E-Filed |
| 185 | 10-28-2020 08:55 AM | Order - Order Granting Motion in Limine | Order Granting In Part and Denying in part Motions in Limine ; 236 Notice of Order Sent on 10/28/2020; (J. Dozor) |
| 186 | 10-30-2020 03:32 PM | Memorandum - Pre Trial Memorandum | Pre-Trial Memorandum of Intervenor Aqua Pennsylvania Wastewater, Inc. e-filed |
| 187 | 11-02-2020 08:56 AM | Memorandum - Pre Trial Memorandum | Memorandum of Issues, Relief Requested, Finding of Facts, and Proposed Facts e-filed |
| 188 | 11-02-2020 09:03 AM | Memorandum - Pre Trial Memorandum | Memorandum of Issues, Relief Requested, Findings of Fact, and Proposed Order e-filed |

DELAWARE COUNTY COURT OF COMMON PLEAS
Civil Docket Report

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|--|--|
| 189 | 11-02-2020 09:06 AM | Memorandum - Pre Trial Memorandum | Memorandum of Issues, Relief Requested, Findings of Facts, and Proposed Order e-filed |
| 190 | 11-02-2020 09:18 AM | Memorandum - Pre Trial Memorandum | PreTrial Memorandum of the Delaware County Regional Water Quality Control Authority in Advance of the Trial of Claims Relating to the Ordinance and Asset Purchase Agreement e-filed |
| 191 | 11-04-2020 09:10 AM | Miscellaneous - Transcript of Proceedings | Transcript of Proceedings, 10/27/2020, Courtroom 8, Judge Dozor, 62 pages |
| 192 | 11-09-2020 03:21 PM | Order - Order/Hearing Date | Order/Notice of Hearing Scheduled for Argument Tuesday, December 1, 2020 & Wednesday, December 2, 2020@9:00a.m. in CRT. RM.. #7; 236 Notice of Order Sent on 11/09/2020; (J. DOZOR) |
| 193 | 11-11-2020 06:09 PM | Memorandum - Memorandum | Memorandum (e-filed) |
| 194 | 11-11-2020 06:15 PM | Miscellaneous - Proposed Findings of Fact and Conclusions of Law | Proposed Findings of Fact and Conclusions of Law (e-filed) |
| 195 | 11-20-2020 02:56 PM | Miscellaneous - Other Miscellaneous | Other Miscellaneous/ Supreme Court docket # 172 MM 2020 |
| 196 | 11-24-2020 12:07 PM | Memorandum - Memorandum of Law | Memorandum of Law |
| 197 | 12-09-2020 03:48 PM | Praeipce - Praeipce to Attach | Praeipce to Attach Deposition Designations |
| 198 | 12-14-2020 02:26 PM | Appeal - Appellate Court Order | Appellate Court Order/ Denied as moot |
| 199 | 12-22-2020 12:08 PM | Praeipce - Praeipce | Praeipce to Substitute Trial Exhibits E-Filed |

DELAWARE COUNTY COURT OF COMMON PLEAS**Civil Docket Report**

| | | | |
|-------------------|--|------------------|---|
| Case # | CV-2020-003185 | Judge | Judge Barry Dozor |
| Case Title | County of Delaware, Pennsylvania v. Delaware County Regional Water Quality Control Authority et al | Case Type | Civil - Miscellaneous - Civil Miscellaneous: Other |

| # | Filed Date | Pleadings Filed, Orders and Decrees | Description |
|-----|---------------------|---|--|
| 200 | 12-28-2020 01:58 PM | Notice - Notice | Notice of Withdrawal |
| 201 | 12-28-2020 02:01 PM | Financials - Receipt | Receipt #000386560 for \$10.00 paid for by MALONE, WILLIAM E |
| 202 | 12-31-2020 10:38 AM | Order - Order | Order-Re: AMENDED COMPLAINT; 236 Notice of Order Sent on 12/31/2020; (J. DOZOR) |
| 203 | 01-11-2021 09:07 AM | Motion - Motion for Post Trial Relief - PA. R.C.P. 227.1 | Plaintiff's Motion Motion for Post Trial Relief e-filed |
| 204 | 01-11-2021 09:08 AM | Miscellaneous - Brief | Brief e-filed |
| 205 | 01-11-2021 01:22 PM | Miscellaneous - Motion Cover Sheet | Cover Sheet-Motion for Post-Trial Relief-ANSWER must be filed & stamped by the Office of Judicial Support by 4:30p.m. on the following date January 27, 2021; (J.Dozor) |
| 206 | 01-11-2021 01:27 PM | Miscellaneous - Motion Cover Sheet | Motion Cover Sheet-Answer & Memorandum must be filed & time stamped by the Office of Judicial Support by 4:30p.m. on the following date January 27, 2021; (J.Dozor) |

**ALL FILINGS ARE LISTED
END OF DOCUMENT**

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon the person and in manner indicated below, which service satisfies the requirements of Pa.R.A.P. 121:

VIA EMAIL AND FIRST CLASS MAIL:

Matthew S. Olesh, Esq.
Nick Poduslenko, Esq.
Lanique Roberts, Esq.
Obermayer Rebmann Maxwell & Hippell LLP
1500 Market Street, Suite 3400
Philadelphia, PA 19102
Counsel for Defendant Delaware County Regional Water Control Authority

Monice Clarke Platt, Esq.
William R. Hinchman, Esq.
Klehr Harrison Harvey Bransburg LLP
1835 Market Street, 14th Floor
Philadelphia, PA 19103
Counsel for Defendant Univest Bank and Trust Co.

William E. Malone, Esq.
Ashley N. Blackburn, Esq.
Trisha L. Lantz, Esq.
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21 West Third Street
Media, PA 19063
Counsel for Intervenor Darby Creek Joint Authority

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Jacquelyn S. Goffney, Esq.
Swartz Campbell LLC
115 North Jackson Street
Media, PA 19063
Counsel for Intervenor Southern Delaware County Authority

Joel L. Frank, Esq.
John J. Cunningham, IV, Esq.
Scot R. Withers, Esq.
Rocco P. Imperatrice, III, Esq.
Lamb McErlane PC
24 East Market Street, Box 565
West Chester, PA 19381-0565

Michael V. Puppio, Jr., Esq.
Raffaele & Puppio
19 West Third Street
Media, PA 19063

Counsel for Intervenor Aqua Pennsylvania Wastewater, Inc.

VIA FIRST CLASS MAIL:

District Court Administrator
Delaware County Court of Common Pleas
201 W. Front Street
Media, PA 19063
Court Administrator

The Honorable Barry C. Dozor
Delaware County Court of Common Pleas
201 W. Front Street
Media, PA 19063
Trial Court Judge

Court Reporter
Electronic Recording Center
201 W. Front Street
Media, PA 19063
Court Reporter

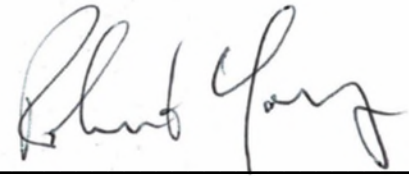
Dated: 1/21/2021


Carl Ewald

VERIFICATION

I, Robert F. Young, counsel to the County of Delaware, Pennsylvania, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief), and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Dated: January 29, 2021

A handwritten signature in black ink, appearing to read "Robert F. Young", is written over a horizontal line.

Robert F. Young