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Attorneys for Respondents



BRIAN T. BAXTER and SUSAN T. KINNIRY,

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

Petitioners,

**SEPTEMBER TERM, 2024** 

v.

No. 02481

PHILADELPHIA BOARD OF ELECTIONS,

**ELECTION MATTER** 

Respondent,

And

REPUBLICAN NATIONAL COMMITTEE and REPUBLICAN PARTY OF PENNSYLVANIA,

Intervenors.

## NOTICE OF APPEAL

Notice is hereby given that Respondent Philadelphia County Board of Elections hereby appeals to the Commonwealth Court of Pennsylvania from the following:

• the September 26, 2024 Order (1) granting the Petition for Review and reversing the decision of the Philadelphia Board of Elections to not count undated and incorrectly dated mail ballots submitted in the September 17, 2024 Special Election; and (2)

directing the Board to count undated and incorrectly dated mail ballots submitted in the

same Special Election; and

the September 27, 2024 Final Disposition Order—docketed on September 28, 2024—that

(1) granted the Petition of the Republican National Committee and Republican Party of

Pennsylvania to Intervene; and (2) declared moot the Emergency Motion for

Reconsideration and Clarification.

The appealed Judgment and Orders were entered in this matter by the Honorable James

C. Crumlish, III, Court of Common Pleas of Philadelphia County, and are attached as Exhibit A.

They have been entered on the docket, attached here as Exhibit B.

Respectfully submitted,

CITY OF PHILADELPHIA LAW DEPARTMENT

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/s/ Alison Stohr

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Date: October 1, 2024

Case ID: 240902481