

Civil Docket Report

Case Description

Case ID: 090103642
Case Caption: THE PHILADELPHIA BELT LINE RAILROAD COMPANY VS HSP
Filing Date: Friday , January 30th, 2009
Court: EXPEDITED NON-JURY
Location: City Hall
Jury: NON JURY
Case Type: EQUITY - REAL ESTATE
Status: LISTED FOR SETTLEMENT CONF

Related Cases

No related cases were found.

Case Event Schedule

Event	Date/Time	Room	Location	Judge
PROJECTED SETTLEMENT CONF DATE	08-SEP-2009 09:00 AM	City Hall	CITY HALL COURTROOM 653	MOSS, SANDRA M
PROJECTED PRE-TRIAL CONF. DATE	05-OCT-2009 09:00 AM	City Hall	CITY HALL COURTROOM 653	MOSS, SANDRA M
PROJECTED TRIAL DATE	02-NOV-2009 09:00 AM	City Hall	CITY HALL COURTROOM 653	MOSS, SANDRA M

Case Parties

Seq #	Assoc	Expn Date	Type	Name
1			ATTORNEY FOR PLAINTIFF	TAULANE III, JOHN B
Address:	764 OLD YORK ROAD JENKINTOWN PA 19046 (215)881-6700		Aliases:	<i>none</i>
2	1		PLAINTIFF	PHILADELPHIA BELT LINE

				RAILROAD COMPANY
Address:	P.O. BOX 40028 PHILADELPHIA PA 19106		Aliases:	<i>none</i>
3	5		DEFENDANT	HSP GAMING, L.P.
Address:	900 N MICHIGAN AVENUE SUITE 1900 CHICAGO IL 60611		Aliases:	THE SUGARHOUSE CASINO
4			TEAM LEADER	MOSS, SANDRA M
Address:	392 CITY HALL PHILADELPHIA PA 19107 (215)686-7910		Aliases:	<i>none</i>
5			ATTORNEY FOR DEFENDANT	REIMANN, GLENN W
Address:	THE ATRIUM 5TH FLOOR 1900 MARKET STREET PHILADELPHIA PA 19103 (215)665-2000		Aliases:	<i>none</i>
6	5		ATTORNEY FOR DEFENDANT	JACOBY, F. WARREN
Address:	1900 MARKET STREET, 5TH FLOOR PHILADELPHIA PA 19103		Aliases:	<i>none</i>

Docket Entries

Filing Date/Time	Docket Type	Filing Party	Disposition Amount	Approval/Entry Date
30-JAN-2009	ACTIVE CASE			30-JAN-2009

04:02 PM				04:27 PM
Docket Entry:	E-Filing Number: 0940878			
30-JAN-2009 04:02 PM	COMMENCEMENT OF CIVIL ACTION	TAULANE III, JOHN B		30-JAN-2009 04:27 PM
Docket Entry:	<i>none.</i>			
30-JAN-2009 04:02 PM	COMPLAINT FILED NOTICE GIVEN	TAULANE III, JOHN B		30-JAN-2009 04:27 PM
Docket Entry:	COMPLAINT WITH NOTICE TO DEFEND WITHIN TWENTY (20) DAYS AFTER SERVICE IN ACCORDANCE WITH RULE 1018.1 FILED.			
09-FEB-2009 09:15 AM	WAITING TO LIST CASE MGMT CONF			09-FEB-2009 09:15 AM
Docket Entry:	<i>none.</i>			
17-FEB-2009 10:12 AM	AFFIDAVIT OF SERVICE FILED	TAULANE III, JOHN B		17-FEB-2009 11:05 AM
Docket Entry:	AFFIDAVIT OF SERVICE OF PLAINTIFF'S COMPLAINT UPON HSP GAMING, L.P. BY CERTIFIED MAIL ON 02/02/0009 FILED. (FILED ON BEHALF OF PHILADELPHIA BELT LINE RAILROAD COMPANY)			
19-FEB-2009 04:38 PM	ENTRY OF APPEARANCE FILED	REIMANN, GLENN W		20-FEB-2009 08:52 AM
Docket Entry:	ENTRY OF APPEARANCE OF GLENN W REIMANN AND F. WARREN JACOBY FILED. (FILED ON BEHALF OF HSP GAMING, L.P.)			
06-APR-2009 10:31 AM	LISTED FOR CASE MGMT CONF			06-APR-2009 10:31 AM
Docket Entry:	<i>none.</i>			
08-APR-2009	NOTICE GIVEN			08-APR-2009

12:01 AM				12:01 AM
Docket Entry:	<i>none.</i>			
27-APR-2009 11:40 AM	ANSWER TO COMPLAINT FILED	REIMANN, GLENN W		27-APR-2009 01:10 PM
Docket Entry:	ANSWER WITH NEW MATTER AND COUNTERCLAIM TO PLAINTIFF'S COMPLAINT FILED. (FILED ON BEHALF OF HSP GAMING, L.P.)			
27-APR-2009 02:12 PM	CASE MGMT CONFERENCE COMPLETED	SULLIVAN, JOAN		27-APR-2009 02:12 PM
Docket Entry:	<i>none.</i>			
27-APR-2009 02:12 PM	CASE MANAGEMENT ORDER ISSUED			27-APR-2009 02:12 PM
	<p>CASE MANAGEMENT ORDER NON-JURY EXPEDITED TRACK - It is Ordered that: The case management and time standards adopted for non-jury expedited track cases shall apply and are incorporated. All Discovery shall be completed not later than 06-JUL-2009. All Pre trial Motions (other than Motions in Limine) shall be filed not later than 03-AUG-2009. A Settlement Conference may be scheduled at any time after 08-SEP-2009. Fifteen Days prior to that date all parties shall serve on all opposing counsel or pro se parties and file a Settlement Memorandum containing the following: a. The plaintiff(s) shall provide a concise statement of the theory of the case. The defendant(s) and additional defendant(s) shall provide a concise statement as to the nature of the defense. b. A statement by the plaintiff(s) itemizing all damages sought by categories and amount; c. Defendant(s) and additional defendant(s) shall identify all applicable insurance carriers, together with corresponding limits of liability. A Pre trial Conference may be scheduled at any time after 05-OCT-2009. All parties shall file and also serve all opposing counsel or pro se parties the following documents by the due dates indicated: 1. Development of Joint Statement of Uncontested and Contested Facts. (a) Plaintiff's Proposed Findings of Fact, Conclusions of Law and Legal Issues for Trial. By 08-SEP-2009, Plaintiff shall provide the Court with a narrative statement listing all facts proposed to be proved by him or her at trial in support of his or her claim(s) as to liability and damages. Additionally, plaintiff shall provide the Court with all relevant conclusions of law based upon his or her proposed findings of fact and any and all legal issues presented thereto. (b) Defendant's Response and Proposed Facts. By 05-OCT-2009, Defendant shall provide the Court a statement: (1) indicating the extent to which defendant contests</p>			

**Docket
Entry:**

and does not contest the plaintiff's proposed facts: (2) listing all additional facts proposed to be proved by defendant at trial in opposition to, or in special defense of, the plaintiff's claim(s) as to liability and damages; (3) listing all facts proposed to be proved by defendant at trial in support of any counterclaim(s), and/or third-party claim(s) if such claims exist; (4) listing any and all conclusions of law which arise from all contested and uncontested facts as proposed by the plaintiff; and, (5) listing for the Court all legal issues presented based upon proposed facts and conclusions of law. (c) Statement of Uncontested Facts. By 08-SEP-2009, the parties shall submit a joint statement of uncontested facts. This statement is separate and distinct from any other submitted. As such, agreement or disagreement, which terms are defined below, with any proposed fact by a defendant does not obviate the requirements of this paragraph. 2. Identification of Witnesses and Exhibits. (a) Plaintiff's Witnesses. By 08-SEP-2009, plaintiff shall provide the Court with a list of all possible witnesses, including a brief narrative of each respective witness's expected testimony. (b) Plaintiff's Exhibits. By 08-SEP-2009, plaintiff shall provide the Court with a list of all possible exhibits which he or she may use during the course of trial. (c) Defendant's Witnesses. By 05-OCT-2009, defendant shall provide the Court with a list of all possible witnesses, including a brief narrative of each respective witness's expected testimony. (d) Defendant's Exhibits. By 05-OCT-2009, defendant shall provide the Court with a list of all possible exhibits which he or she may use during the course of the trial. 3. Definitions. (a) Narration of Proposed Facts. In stating facts proposed to be proved, counsel shall do so in simple, declarative, self contained, consecutively numbered sentences. In a case with multiple parties, if a fact is to offered against fewer than all parties, counsel shall indicate the parties against which the fact will (or will not) be offered. (The facts to be set forth include not only ultimate facts, but also all subsidiary and supporting facts except those offered solely for impeachment purposes.) (b) Agreement and Disagreement. Defense counsel shall indicate that he or she does not contest a proposed fact if at trial they will not controvert or dispute that fact. In indicating disagreement with a proposed fact, defense counsel shall so set forth those disagreement(s) as explained above. (c) Objections. Objections to the admissibility of a proposed fact (either as irrelevant or on other grounds) may not be used to avoid indicating whether or not the party contests the truth of that fact. (Counsel shall, however, indicate any objections, both to the facts which they contest and those which they do not contest.) (d) Individual Positions. To the extent feasible, counsel with similar interests are expected to coordinate their efforts and express a joint position with respect to the facts they propose to prove and to the facts other parties propose to prove. Subject to the time limits above, each party may, however, list additional proposed facts to cover positions unique to it. 4. Annotations. For each proposed fact, the parties shall, at the time of proposing to prove the fact, list the witnesses (including expert witnesses), documents, and (with line-by-line references) any depositions and answers to interrogatories or requests for admissions that they will offer to prove that fact. In his or her response, defense counsel shall, if he or she objects to any such proposed fact or proposed proof, state precisely the grounds of

their objections and, if they will contest the accuracy of the proposed fact, similarly list the witnesses, documents, depositions, interrogatories, or admissions that they will offer to controvert that fact. Except for good cause shown, a party will be precluded at trial from offering any evidence on any fact not so disclosed and from making any objection not so disclosed. 5. Effect. Preclusion of other Facts. Except for good cause shown, parties shall be precluded at trial from offering proof of any fact not disclosed in their listing of proposed facts (except purely for impeachment purposes). 6. Sanctions. Unjustified refusal to admit a proposed fact or to limit the extent of disagreement with a proposed fact shall be subject to sanctions. Excessive listing of proposed facts (or of the evidence to be submitted in support of or denial of such facts) which imposes obvious burdens on opposing parties shall also be subject to sanctions. 7. Length of Trial. Each counsel shall provide an estimate of the anticipated length of trial. It is expected that the case will be ready for Trial 02-NOV-2009, which is the earliest trial date pursuant to Pa.R.C.P. 212.1, and counsel should anticipate trial to begin expeditiously thereafter. All counsel are under a continuing obligation and are hereby Ordered to serve a copy of this Order upon all unrepresented parties and upon all counsel entering an appearance subsequent to the entry of this Order. ...BY THE COURT: SANDRA MOSS, J. 27-APR-2009

27-APR-2009 02:12 PM	LISTED FOR SETTLEMENT CONF			27-APR-2009 02:12 PM
Docket Entry:	<i>none.</i>			
27-APR-2009 02:12 PM	LISTED FOR PRE- TRIAL CONF			27-APR-2009 02:12 PM
Docket Entry:	<i>none.</i>			
27-APR-2009 02:12 PM	LISTED FOR TRIAL			27-APR-2009 02:12 PM
Docket Entry:	<i>none.</i>			
29-JUN-2009 03:42 PM	MOT-FOR EXTRAORDINARY RELIEF	JACOBY, F. WARREN		29-JUN-2009 03:55 PM
Docket Entry:	19-09063119 MOT-FOR EXTRAORDINARY RELIEF MOTION SUBMITTED UNOPPOSED (FILED ON BEHALF OF HSP GAMING, L.P.)			

30-JUN-2009 09:53 AM	MOTION ASSIGNED			30-JUN-2009 09:53 AM
Docket Entry:	19-09063119 MOT-FOR EXTRAORDINARY RELIEF ASSIGNED TO JUDGE: MOSS, SANDRA M. ON DATE: JUNE 30, 2009			
08-JUL-2009 02:41 PM	ORDER ENTERED/236 NOTICE GIVEN	MOSS, SANDRA M		08-JUL-2009 02:41 PM
Docket Entry:	19-09063119 AND NOW, THIS 1ST DAY OF JULY, 2009 MOTION DENIED. REASONS ARE NOT EXTRAORDINARY...BY THE COURT: JUDGE SANDRA M. MOSS			