



Appellant,

V.

Appellee.

DECEMBER TERM, 2023
No. 0944

LEAD CASE

Appellant,

V.

Appellee.

DECEMBER TERM, 2023
No. 2522

CONSOLIDATED

Appellant,

v.

Appellee.

JANUARY TERM, 2024
No. 2443

CONSOLIDATED

**STIPULATION TO REMAND CONSOLIDATED CASES
TO THE OFFICE OF OPEN RECORDS**

Appellants, the City of Philadelphia Planning Commission, the City of Philadelphia Mayor’s Office, and the City of Philadelphia (collectively “the City”), and Appellee, Faye Anderson, hereby stipulate and agree as follows:


Case ID: 231200944
Control No.: 24110749

1. The City appealed three Right to Know Law final determinations from the Office of Open Records (“OOR”).
2. Those cases are now consolidated before the Philadelphia Court of Common Pleas as *City of Philadelphia Planning Commission v. Anderson*, Lead Case No. 2023-0944.
3. Pursuant to an agreed-upon schedule, the Court on June 17, 2024 issued an order that required a rolling production of documents, followed by an exemption log to be provided by August 30, 2024.
4. After seeking an extension, the City provided the exemption log on September 13, 2024. The exemption log contained 621 Excel Sheet lines of claimed exemptions.
5. The parties have met and conferred twice, once on October 4, 2024 and a second time on October 28, 2024, to determine whether there was any agreement on with regard to the privileges, exemptions, redactions, and objections at issue.
6. The parties have agreed that 184 of the claimed exemptions are exempt because they contain personal email address or phone numbers.
7. Sorting out the personal email address or phone number documents, the number of relevant documents still in dispute is 437.
8. Given the large number and size of documents that must be reviewed and litigated, the parties agree that judicial economy would be best served by remanding the consolidated cases to the OOR for the parties to establish an agreed-upon schedule that would include expanded deadlines for filings.
9. This Court has recently found it appropriate to remand a case to the OOR and the parties submit that the same result is merited here to save time for the parties and

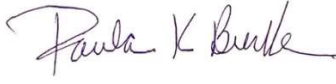
the court and to efficiently resolve issues. *See City of Philadelphia Law Department v. Matthew Haverstick*, December Term 2023, Case ID. 231203248. Remand Order, September 18, 2024.

10. The parties agree that upon remand to the OOR, the OOR will allow for and accommodate the participation of any third parties who may wish to intervene in the proceedings. The parties agree that if the OOR determines that third-party intervenors necessitate additional fact-finding, the OOR may choose to conduct hearings, take additional evidence, or review documents *in camera*.
11. The parties agree that upon remand to the OOR, the OOR will be provided with the exemption log (omitting the redactions personal emails and phone numbers), affidavits regarding any withheld or redacted records, and all documents provided to Requester during the rolling production schedule. The City will provide exempt and/or privileged records to the OOR in order for the OOR to conduct any *in camera* review of records that the Appeals Officer may deem necessary
12. The OOR is directed to review the exemption log, affidavits, documents, withheld and redacted *in camera* as deemed necessary by the Appeals Officer, and the parties arguments and submissions and issue a Final Determination by a deadline mutually agreed upon by the parties, but no later than May 31, 2024.

**CITY OF PHILADELPHIA LAW
DEPARTMENT**

By: 
MARGOT B. SMITH
Deputy City Solicitor – Right to Know
Compliance & Legislation Group
City of Philadelphia Law Department
One Parkway Building, 17th Floor
1515 Arch Street
Philadelphia, PA 19102

**REPORTERS COMMITTEE FOR
FREEDOM OF THE PRESS**

By: 
PAULA KNUDSEN BURKE
Local Legal Initiative Attorney
(Pennsylvania)
4000 Crums Mill Rd., Ste. 101
Harrisburg, PA 17112

ORDER

AND NOW, this _____ day of _____, 2024, it is hereby ORDERED and DECREED that the above stipulation by the parties is hereby APPROVED. It is hereby ORDERED that the consolidated cases shall be remanded to the Office of Open Records to conduct further proceedings as laid out in the parties' stipulation. This Court relinquishes jurisdiction of the instant appeals.

BY THE COURT:

J.