

**General Docket**  
**United States Court of Appeals for District of Columbia Circuit**

<b>Court of Appeals Docket #:</b> 18-7004 <b>Nature of Suit:</b> 3440 Other Civil Rights DL, et al v. DC, et al <b>Appeal From:</b> United States District Court for the District of Columbia <b>Fee Status:</b> Fee Paid	<b>Docketed:</b> 01/17/2018 <b>Termed:</b> 05/21/2019
<b>Case Type Information:</b> 1) Civil Private 2) Private 3)	
<b>Originating Court Information:</b> <b>District:</b> 0090-1 : <a href="#">1:05-cv-01437-RCL</a> <span style="float: right;"><b>Lead:</b> <a href="#">1:05-cv-01437-RCL</a></span> <b>Court Reporter:</b> Lisa Foradori, Court Reporter <b>Court Reporter:</b> Annetee Montalvo, Court Reporter <b>Court Reporter:</b> Wendy Ricard <b>Court Reporter:</b> Theresa Sorensen <b>Court Reporter:</b> William Zaremba, Court Reporter <b>Trial Judge:</b> Royce C. Lamberth, U.S. Senior District Judge <b>Date Filed:</b> 07/21/2005 <b>Date Order/Judgment:</b> 12/15/2017 <span style="float: right;"><b>Date NOA Filed:</b> 01/10/2018</span>	
<b>Prior Cases:</b> None	
<b>Current Cases:</b> None	
<b>Panel Assignment:</b> <b>Panel:</b> MBG DST DBS <b>Date of Hearing:</b> 03/19/2019 <b>Date of Decision:</b> 05/21/2019 <b>Date Completed:</b> 05/21/2019	

DL	Plaintiff - Appellant	<p>Todd Gluckman, Attorney          Direct: 202-204-8482          Email: <a href="mailto:tgluckman@tpmlaw.com">tgluckman@tpmlaw.com</a>          [COR LD NTC Retained]          Terris, Pravlik &amp; Millian, LLP          Firm: 202-682-2100          1816 12th Street, NW          Suite 303          Washington, DC 20009-4422</p> <p>Cyrus Mehri          Direct: 202-822-5100          Email: <a href="mailto:cmehri@findjustice.com">cmehri@findjustice.com</a>          Fax: 202-822-4997          [COR LD NTC Retained]          Mehri &amp; Skalet, PLLC          Firm: 202-822-5100          1250 Connecticut Avenue, NW          Suite 300          Washington, DC 20036</p> <p>Carolyn Smith Pravlik, Attorney          Direct: 202-204-8475          Email: <a href="mailto:cpravlik@tpmlaw.com">cpravlik@tpmlaw.com</a>          Fax: 202-289-6795          [COR LD NTC Retained]          Terris, Pravlik &amp; Millian, LLP          Firm: 202-682-2100          1816 12th Street, NW          Suite 303          Washington, DC 20009-4422</p> <p>Margaret A. Kohn</p>
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v.

District of Columbia, A Municipal Corporation  
Defendant - Appellee

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Defendant - Appellee

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**Terminated:** 01/19/2018

Defendant - Appellee

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Plaintiffs - Appellants

v.

District of Columbia, A Municipal Corporation; Antwan Wilson, Chancellor; Hanseul Kang, District of Columbia State Superintendent of Education,

Defendants - Appellees

-----  
Public Citizen, Inc.,














Amicus Curiae for Appellant

United States of America,

Amicus Curiae for Appellee

Howard University School of Law Civil Rights Clinic; National Health Law Program; Washington Lawyers Committee for Civil Rights and Urban Affairs,

Amici Curiae for Appellant

01/17/2018	<input type="checkbox"/>	PRIVATE CIVIL CASE docketed. [18-7004] [Entered: 01/17/2018 02:42 PM]
01/17/2018	<input type="checkbox"/> 	NOTICE OF APPEAL [1713285] seeking review of a decision by the U.S. District Court in 1:05-cv-01437-RCL filed by Leah Bland, DL, Frederick Davy, Monica Davy, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young. Appeal assigned USCA Case Number: 18-7004. [18-7004] [Entered: 01/17/2018 02:43 PM]
01/17/2018	<input type="checkbox"/> 	CLERK'S ORDER [1713287] filed directing party to file initial submissions: APPELLANT docketing statement due 02/16/2018. APPELLANT certificate as to parties due 02/16/2018. APPELLANT statement of issues due 02/16/2018. APPELLANT underlying decision due 02/16/2018. APPELLANT deferred appendix statement due 02/16/2018. APPELLANT notice of appearance due 02/16/2018. APPELLANT transcript status report due 02/16/2018. APPELLANT procedural motions due 02/16/2018. APPELLANT dispositive motions due 03/05/2018. Directing party to file initial submissions: APPELLEE certificate as to parties due 02/16/2018. APPELLEE entry of appearance due 02/16/2018. APPELLEE procedural motions due 02/16/2018. APPELLEE dispositive motions due 03/05/2018 [18-7004] [Entered: 01/17/2018 02:47 PM]
02/15/2018	<input type="checkbox"/> 	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1718213] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 02/15/2018 ] [18-7004] (Gluckman, Todd) [Entered: 02/15/2018 03:54 PM]
02/15/2018	<input type="checkbox"/> 	DOCKETING STATEMENT [1718214] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 02/15/2018 ] [18-7004] (Gluckman, Todd) [Entered: 02/15/2018 03:57 PM]
02/15/2018	<input type="checkbox"/> 	ENTRY OF APPEARANCE [1718216] filed by Todd A. Gluckman and co-counsel Carolyn Smith Pravlik and Cyrus Mehri on behalf of Appellants Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young. [18-7004] (Gluckman, Todd) [Entered: 02/15/2018 04:01 PM]
02/15/2018	<input type="checkbox"/> 	STATEMENT OF INTENT REGARDING APPENDIX DEFERRAL [1718219] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 02/15/2018 ] Intent: AppxNotDeferred [18-7004] (Gluckman, Todd) [Entered: 02/15/2018 04:03 PM]
02/15/2018	<input type="checkbox"/> 	STATEMENT OF ISSUES [1718221] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 02/15/2018 ] [18-7004] (Gluckman, Todd) [Entered: 02/15/2018 04:05 PM]
02/15/2018	<input type="checkbox"/> 	TRANSCRIPT STATUS REPORT [1718223] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 02/15/2018 ]. Status of Transcripts: Final - No transcripts are needed for the appeal. [18-7004] (Gluckman, Todd) [Entered: 02/15/2018 04:09 PM]
02/15/2018	<input type="checkbox"/> 	UNDERLYING DECISION IN CASE [1718225] submitted by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [18-7004] (Gluckman, Todd) [Entered: 02/15/2018 04:11 PM]
02/16/2018	<input type="checkbox"/> 	ENTRY OF APPEARANCE [1718376] filed by Lucy E. Pittman and co-counsel Stacy L. Anderson and Loren L. AliKhan on behalf of Appellees DC, Hanseul Kang and Antwan Wilson. [18-7004] (Pittman, Lucy) [Entered: 02/16/2018 01:50 PM]
02/16/2018	<input type="checkbox"/> 	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES [1718378] filed by DC, Hanseul Kang and Antwan Wilson [Service Date: 02/16/2018 ] [18-7004] (Pittman, Lucy) [Entered: 02/16/2018 01:54 PM]
03/02/2018	<input type="checkbox"/> 	<b>CONSENT</b> NOTICE [1720438] of intention to participate as amicus curiae [Disclosure Listing: Attached] filed by Public Citizen, Inc., Howard University School of Law Civil Rights Clinic, National Health Law Program, and Washington Lawyers Committee for Civil Rights and Urban Affairs [Service Date: 03/02/2018 ] [18-7004]--[Edited 03/08/2018 by LMF] (Kirkpatrick, Michael) [Entered: 03/02/2018 03:46 PM]
04/11/2018	<input type="checkbox"/> 	CLERK'S ORDER [1726258] filed setting briefing schedule: APPELLANT Brief due 05/21/2018. APPENDIX due 05/21/2018. AMICUS FOR APPELLANT Brief due 05/29/2018. APPELLEE Brief due on 06/28/2018. APPELLANT Reply Brief due 07/12/2018 [18-7004] [Entered: 04/11/2018 05:07 PM]
05/21/2018		APPELLANT BRIEF [1732050] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford,

-  78 pg, 667.05 KB HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 05/21/2018 ] Length of Brief: 12,988 words. [18-7004] (Gluckman, Todd) [Entered: 05/21/2018 08:06 PM]
- 05/21/2018  2294 pg, 96.05 MB **JOINT** APPENDIX [1732051] filed by Tammika Young, Bryan Young, XY, Ronald Wisor, TL, TF, Kerianne Piester, Angelique Moore, Arlette Mankemi, Timothy Lantry, JB, HW, Tameka Ford, FD, DL, Monica Davy, Frederick Davy and Leah Bland. [Volumes: 4] [Service Date: 05/21/2018 ] [18-7004] (Gluckman, Todd) [Entered: 05/21/2018 08:18 PM]
- 05/23/2018  1 pg, 51.81 KB LETTER [1732330] sent to counsel concerning the use of uncommon acronyms and abbreviations in briefs. [18-7004] [Entered: 05/23/2018 10:15 AM]
- 05/25/2018  2 pg, 82.44 KB LETTER [1732864] informing the Clerk that plaintiffs-appellants are filing a corrected brief pursuant to the Clerk's letter dated May 23, 2018 filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 05/25/2018 ] [18-7004] (Gluckman, Todd) [Entered: 05/25/2018 01:53 PM]
- 05/25/2018  78 pg, 513.72 KB **CORRECTED** APPELLANT BRIEF [1732865] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 05/25/2018 ] Length of Brief: 12,998 words. [18-7004] (Gluckman, Todd) [Entered: 05/25/2018 01:57 PM]
- 05/29/2018  32 pg, 451.15 KB AMICUS FOR APPELLANT BRIEF [1733133] filed by Howard University School of Law Civil Rights Clinic, National Health Law Program, Public Citizen, Inc. and Washington Lawyers Committee for Civil Rights and Urban Affairs Council of Parent Attorneys and Advocates, Inc., Animal Legal Defense Fund, Judge David L. Bazelon Center for Mental Health Law, Defenders of Wildlife, Legal Aid Society of the District of Columbia, National Womens Law Center, AARP, AARP Foundation, EPIC [Service Date: 05/29/2018 ] Length of Brief: 3,656 Words. [18-7004] (Kirkpatrick, Michael) [Entered: 05/29/2018 04:56 PM]
- 06/14/2018  3 pg, 12.92 KB **JOINT** UNOPPOSED MOTION [1735925] to extend time to file brief to 07/13/2018 filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young, Tammika Young and DC, Hanseul Kang and Antwan Wilson [Service Date: 06/14/2018 ] Length Certification: 125 Words. [18-7004] (Pittman, Lucy) [Entered: 06/14/2018 02:25 PM]
- 06/19/2018  1 pg, 38.77 KB CLERK'S ORDER [1736803] filed granting the joint motion to modify the briefing schedule [[1735925-2](#)], The following revised briefing schedule will now apply: APPELLEE Brief due on 07/13/2018. APPELLANT Reply Brief due 08/13/2018 [18-7004] [Entered: 06/19/2018 05:41 PM]
- 07/13/2018  61 pg, 859.23 KB APPELLEE BRIEF [1740678] filed by DC, Hanseul Kang and Antwan Wilson [Service Date: 07/13/2018 ] Length of Brief: 10,681 words. [18-7004] (Pittman, Lucy) [Entered: 07/13/2018 11:08 PM]
- 07/18/2018  2 pg, 16.33 KB **CONSENT** LETTER [1741116] advising of arguing counsel's availability for oral argument filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 07/18/2018 ] [18-7004] (Gluckman, Todd) [Entered: 07/18/2018 10:09 AM]
- 07/20/2018  41 pg, 195.05 KB AMICUS FOR APPELLEE BRIEF [1741754] filed by USA [Service Date: 07/20/2018 ] Length of Brief: 6,470 Words. [18-7004] (Foster, Sydney) [Entered: 07/20/2018 02:44 PM]
- 07/27/2018  7 pg, 125.37 KB MOTION [1742899] to extend time to file brief to 08/22/2018, to exceed brief filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young (Service Date: 07/27/2018 by CM/ECF NDA) Length Certification: 838 Words. [18-7004] (Gluckman, Todd) [Entered: 07/27/2018 02:42 PM]
- 07/30/2018  1 pg, 37.71 KB CLERK'S ORDER [1743051] filed suspending Clerk order regarding briefing schedule [[1736803-2](#)] [18-7004] [Entered: 07/30/2018 01:24 PM]
- 08/10/2018  1 pg, 38.74 KB PER CURIAM ORDER [1744960] granting appellants' motion to extend time and exceed the word limit for their reply brief [[1742899-2](#)]. Appellants' reply brief is now due on August 22, 2018 and may not exceed 9,000 words. Before Judges: Henderson, Srinivasan and Katsas. [18-7004] [Entered: 08/10/2018 11:04 AM]
- 08/22/2018  52 pg, 378.09 KB APPELLANT REPLY BRIEF [1746961] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 08/22/2018 ] Length of Brief: 8,992 Words. [18-7004] (Gluckman, Todd) [Entered: 08/22/2018 09:54 PM]
- 09/25/2018  2 pg, 56.14 KB NOTICE [1752568] to withdraw attorney Sydney A. Foster who represented USA in 18-7004 filed by USA [Service Date: 09/25/2018 ] [18-7004] (Foster, Sydney) [Entered: 09/25/2018 03:03 PM]

- 01/18/2019   UNOPPOSED MOTION [1769275] to schedule oral argument filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 01/18/2019 ] Length Certification: 2,725 Words. [18-7004] (Gluckman, Todd) [Entered: 01/18/2019 04:51 PM]  
14 pg, 186.18 KB
- 01/18/2019   LETTER [1769277] advising of arguing counsel's availability for oral argument filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, Timothy Lantry, JB, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 01/18/2019 ] [18-7004] (Gluckman, Todd) [Entered: 01/18/2019 04:54 PM]  
2 pg, 81.02 KB
- 01/29/2019   CLERK'S ORDER [1770697] filed that these related cases no longer be scheduled before the same panel; scheduling oral argument in case No. 18-7004 on Tuesday, 03/19/2019. [18-7004, 18-5095] [Entered: 01/29/2019 10:44 AM]  
2 pg, 42.99 KB
- 02/05/2019   UNOPPOSED MOTION [1772056] to allocate oral argument time, to participate as amicus curiae filed by USA [Service Date: 02/05/2019 ] Length Certification: 277 words. [18-7004] (Scarborough, Charles) [Entered: 02/05/2019 03:45 PM]  
4 pg, 119.35 KB
- 02/28/2019   PER CURIAM ORDER [1775408] filed granting the unopposed motion of the United States for leave to participate in oral argument [[1772056-2](#)]. The following times are allotted for oral argument: Appellant - 15 Minutes, Appellee District of Columbia - 10 Minutes, Amicus Curiae United States of America - 5 Minutes; directing party to file Form 72 notice of arguing attorney by 03/12/2019 [18-7004] [Entered: 02/28/2019 03:48 PM]  
1 pg, 41.56 KB
- 03/01/2019  FORM 72 submitted by arguing attorney, Charles W. Scarborough, on behalf of Amicus Curiae for Appellee USA (**For Internal Use Only: Form is restricted to protect counsel's personal contact information**). [18-7004] (Scarborough, Charles) [Entered: 03/01/2019 01:23 PM]
- 03/04/2019  FORM 72 submitted by arguing attorney, Lucy E. Pittman, on behalf of Appellees DC, Hanseul Kang and Antwan Wilson (**For Internal Use Only: Form is restricted to protect counsel's personal contact information**). [18-7004] (Pittman, Lucy) [Entered: 03/04/2019 10:46 AM]
- 03/04/2019  FORM 72 submitted by arguing attorney, Carolyn Smith Pravlik, on behalf of Appellants Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young (**For Internal Use Only: Form is restricted to protect counsel's personal contact information**). [18-7004] (Pravlik, Carolyn) [Entered: 03/04/2019 02:27 PM]
- 03/15/2019   LETTER [1777922] pursuant to FRAP 28j advising of additional authorities filed by DC, Hanseul Kang and Antwan Wilson [Service Date: 03/15/2019 ] [18-7004] (Pittman, Lucy) [Entered: 03/15/2019 03:05 PM]  
21 pg, 280.76 KB
- 03/19/2019   ORAL ARGUMENT HELD before Judges Garland, Tatel and Sentelle. [18-7004] [Entered: 03/19/2019 11:33 AM]  
1 pg, 40.37 KB
- 04/04/2019   LETTER [1781118] pursuant to FRAP 28j advising of additional authorities filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 04/04/2019 ] [18-7004] (Gluckman, Todd) [Entered: 04/04/2019 01:43 PM]  
21 pg, 221.26 KB
- 04/09/2019  TRANSCRIPT [1782063] of oral argument [18-7004] [Entered: 04/10/2019 10:31 AM]
- 05/21/2019   PER CURIAM JUDGMENT [1788690] filed that the District Courts fee award appealed from in this cause is hereby vacated and the case is remanded for further proceedings, in accordance with the opinion of the court filed herein this date. Before Judges: Garland, Tatel and Sentelle. [18-7004] [Entered: 05/21/2019 10:42 AM]  
1 pg, 54.68 KB
- 05/21/2019   OPINION [1788691] filed (Pages: 16) for the Court by Judge Tatel, DISSENTING OPINION (Pages: 4) by Judge Sentelle [18-7004] [Entered: 05/21/2019 10:44 AM]  
20 pg, 235.47 KB
- 05/21/2019   CLERK'S ORDER [1788692] filed withholding issuance of the mandate. [18-7004] [Entered: 05/21/2019 10:44 AM]  
1 pg, 39.17 KB
- 06/03/2019   BILL OF COSTS [1790695] filed by Leah Bland, Frederick Davy, Monica Davy, DL, FD, Tameka Ford, HW, JB, Timothy Lantry, Arlette Mankemi, Angelique Moore, Kerianne Piester, TF, TL, Ronald Wisor, XY, Bryan Young and Tammika Young [Service Date: 06/03/2019 ] [18-7004] (Gluckman, Todd) [Entered: 06/03/2019 02:13 PM]  
7 pg, 538.52 KB
- 06/21/2019  FIRST CLASS MAIL RETURNED [1794744] marked "RTS - Unable to forward". Mail containing copy of opinino had been sent to Attorney Ms. Margaret A. Kohn for Appellants DL, Tameka Ford, JB, Leah Bland, FD, Frederick Davy, Monica Davy, TF and Angelique Moore. [18-7004] [Entered: 06/27/2019 10:33 AM]
- 07/08/2019   [AMENDED BY ORDER FILED 7/8/19]--PER CURIAM ORDER [1796137] filed granting appellants' bill of costs [[1790695-2](#)] in the amount of \$3,067.45. [18-7004]--[Edited 07/10/2019 by AY] [Entered: 07/08/2019]  
2 pg, 80.75 KB

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07/08/2019



1 pg, 38.79 KB

MANDATE ISSUED to Clerk, U.S. District Court. [18-7004] [Entered: 07/08/2019 01:57 PM]

07/08/2019



1 pg, 40.61 KB

PER CURIAM ORDER [1796216] filed amending appellants' bill of costs amount [[1790695-2](#)] to be amended as follows: \$3,567.45. [18-7004] [Entered: 07/08/2019 04:28 PM]