

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION

COVER SHEET

FILED

Plaintiff(s) Strip District Business Association 2025 SEP 17 PM 1:29 DEPT OF COURT RECORDS CIVIL/FAMILY DIVISION ALLEGHENY COUNTY PA	Verified Complaint in Equity Case Number : GD - 25 - 9665 Type of pleading : Verified Complaint in Equity Code and Classification : _____ Filed on behalf of Strip District : Business Association (Name of the filing party) ☐ Counsel of Record ☒ Individual, If Pro Se Required Information: Name: Daniel Nolan Address: 2005 Penn Ave Pittsburgh, PA 15222 Phone Number: 724 799-5905 Email Address: dan_nolan57@hotmail.com Attorney's State ID : _____ Attorney's Firm ID : _____
Vs Defendant(s) City of Pittsburgh and Department of Mobility and Infrastructure	

A. VERIFIED COMPLAINT IN EQUITY

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA CIVIL DIVISION – EQUITY

Strip District Business Association,

Plaintiff(s),

v.

City of Pittsburgh and Department of Mobility & Infrastructure (“DOMI”);

Defendant(s).

No. _____

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within **twenty (20) days** after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral Service

Allegheny County Bar Association

Koppers Building, 11th Floor

436 Seventh Avenue

Pittsburgh, PA 15219

Telephone: (412) 261-5555

COMPLAINT

Parties, Jurisdiction, Venue

1. Plaintiff(s) are residents, property owners, and businesses located on or immediately adjacent to Penn Avenue between 22nd and 31st Streets, Pittsburgh, PA.
2. Defendant City of Pittsburgh is a Pennsylvania municipal corporation; Defendant Department of Mobility & Infrastructure (“DOMI”) is the City department charged with planning and implementing street projects.
3. Jurisdiction is proper under 42 Pa.C.S. § 931 and Pa.R.C.P. 1501; venue is proper in Allegheny County because all acts occurred here.

Factual Allegations

4. DOMI proposes the “Penn Avenue Rightsizing Project” between 22nd and 31st Streets to: (a) reduce inbound travel lanes from two to one; (b) install a parking-protected bike lane; and (c) reconfigure curb uses, including loading.
5. Plaintiffs rely on Penn Avenue for safe emergency response access, deliveries, customer access, and ingress/egress.
6. On April 11, 2025, the Pittsburgh Fire Fighters IAFF Local No. 1 warned City officials that the design would violate 2018 International Fire Code (IFC) § 503.2.1, which requires fire-apparatus access roads to maintain an unobstructed width of not less than twenty (20) feet and a vertical clearance of thirteen feet six inches (13'6") (Exhibit A).
7. On April 19, 2024, a PennDOT memorandum discussed Parking-Protected Bike Lanes (PPBL) and stated that, under the current interpretation of the Motor Vehicle Code, PPBLs are not legally authorized in the Commonwealth except as pilot projects and may require legislative change (Exhibit B).
8. On May 31, 2024, the Strip District Business Association (SDBA) sent a letter to the Mayor detailing concerns regarding congestion, deliveries, and economic impact; it cited crash data from 2019–2023 showing 74 accidents with no fatalities and none involving cyclists, with 97% causing no or minor injuries, and accidents concentrated in dark conditions at three corners; crashes declined 21% from 2022 to 2023 (Exhibit C).
9. On March 1, 2025, the Pittsburgh History & Landmarks Foundation publicly opposed the project due to threats to the historic commercial corridor (Exhibit D).
10. Plaintiffs have consistently raised safety, access, and economic concerns in good-faith participation, but Defendants intend to proceed.

Counts Count I – Violation of Adopted Fire Safety Standards (IFC § 503.2.1)

11. The City of Pittsburgh has adopted the 2018 International Fire Code (“IFC”) through City of Pittsburgh Code of Ordinances Title Ten, Building Code, Chapter 1004, as amended by Ordinance No. 20 of 2020, thereby making the IFC enforceable within the City. IFC § 503.2.1 requires that fire-apparatus access roads maintain an unobstructed width of not less than twenty (20) feet (exclusive of shoulders) and an unobstructed vertical clearance of not less than thirteen feet six inches (13' 6").
12. The proposed configuration narrows and/or obstructs the effective access width and creates operational impediments to emergency response, in violation of the adopted code.
13. Plaintiffs and the public face increased risk of delayed emergency response and compromised life-safety.

Count II – Unlawful/Ultra Vires Action Under Pennsylvania Traffic Law (PPBL Implementation)

14. As reflected in PennDOT's April 19, 2024 memo, PPBLs are not authorized under current state law except as pilots and may require legislative change.

Count III – Public Nuisance / Threat to Public Safety and Commerce

15. Proceeding with the project as designed will substantially and unreasonably interfere with public rights to safe passage, emergency access, and ordinary business operations, causing irreparable harm to Plaintiffs and the public.

Count IV – Failure to Provide Required Notice and Hearing / Violation of Procedural Due Process

16. Plaintiffs incorporate by reference the preceding paragraphs as if set forth fully herein.
17. The City of Pittsburgh and its Department of Mobility & Infrastructure ("DOMI") are agencies subject to the Pennsylvania Sunshine Act, 65 Pa.C.S. §§ 701 et seq., including but not limited to §§ 704 (Open Meetings), 709 (Public Notice), and 710.1 (Public Participation), as well as the City of Pittsburgh Code of Ordinances, including Title Four, Article I, Chapter 503 (Public Streets) and Title Five, Traffic Code (e.g., Chapter 431 – Traffic Control). These provisions require advertised public notice, open meetings, and a meaningful opportunity for public comment before permanent changes to traffic patterns or the public right-of-way are approved.
18. Defendants failed to provide adequate advance notice to, and failed to solicit or consider feedback from, numerous directly impacted stakeholders, including Plaintiffs.
19. As a result, Plaintiffs were deprived of a meaningful opportunity to be heard before government action affecting their property rights and access.
20. Such failures render the project void or voidable and warrant injunctive relief to prevent irreparable harm.
21. In addition to these procedural defects, Defendants made materially false and misleading representations to Plaintiffs and other stakeholders in public meetings concerning the Penn Avenue Rightsizing Project.
22. Specifically, at an open meeting with Plaintiffs, Defendants stated that they would "make further consideration with the affected parties to discuss meaningful modifications" to the plan. No further meeting was held, and Defendants have maintained the original design without the promised consultation.
23. Defendants further represented at the same meeting that "there would be no funding issues with the State on the future signals project," despite internal documents obtained by Plaintiffs indicating uncertainty and potential funding gaps.
24. These knowingly misleading statements deprived Plaintiffs of a meaningful opportunity to participate, induced reliance on the false premise that further dialogue would occur, and

constitute additional violations of the Sunshine Act and the City Code provisions requiring truthful disclosure and meaningful public participation.

Relief Requested

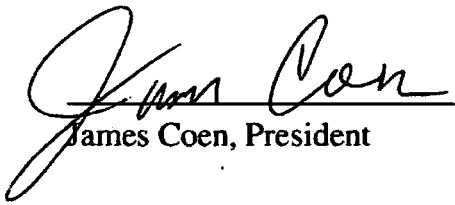
25. Plaintiffs seek equitable relief as set forth in the accompanying Petition for Injunctive Relief.

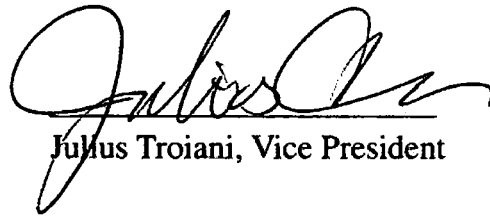
WHEREFORE

26. Plaintiffs respectfully request judgment in equity and such further relief as the Court deems just.

VERIFICATION

27. We, James Coen and Jules Troiani, verify that the facts set forth in this Complaint are true and correct to the best of our knowledge, information, and belief. I understand this verification is made subject to 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.


James Coen, President


Julius Troiani, Vice President

B. PETITION FOR INJUNCTION

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION – EQUITY

[Same Caption and Docket No. as Complaint]

Petitioners, by counsel/pro se, aver:

Incorporation & Standard

1. Petitioners incorporate by reference paragraphs 1–24 of the Verified Complaint.
2. This Petition is brought pursuant to Pa.R.C.P. 1531 and related equity rules.

Grounds for Injunctive Relief

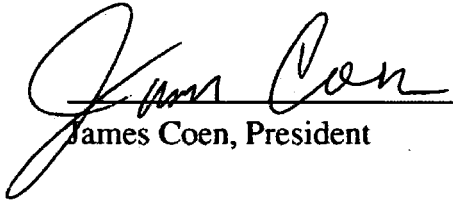
3. **Clear Right to Relief / Likelihood of Success:** Defendants must comply with adopted safety codes (IFC § 503.2.1) and state traffic law; the record (IAFF letter; PennDOT memo) demonstrates non-compliance and/or ultra vires action.
4. **Irreparable Harm:** Absent injunctive relief, lane removal and curb reconfiguration will (a) impede fire, police, and EMS response; (b) permanently alter circulation patterns; and (c) cause loss of goodwill and customer access not compensable by money damages.
5. **Balance of Equities:** Preservation of a code-compliant design imposes minimal hardship on Defendants compared to the life-safety and economic harms to Petitioners and the public.
6. **Public Interest:** Life-safety, emergency response capability, and lawful roadway design are paramount public interests that favor injunctive relief.

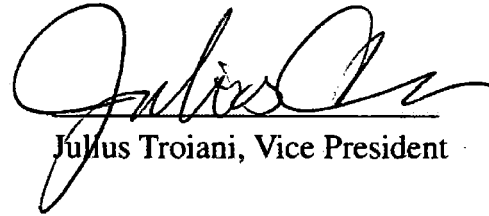
Requested Relief

7. Plaintiffs seek **permanent injunctive and equitable relief** to protect public safety, emergency access, and the lawful use of Penn Avenue.
8. Specifically, Plaintiffs request that this Court:
 - a. Enter a permanent injunction prohibiting Defendants from commencing or continuing the “Penn Avenue Rightsizing Project” between 22nd and 31st Streets—including lane reductions, curb reconfigurations, and installation of parking-protected bike lanes—unless and until Defendants demonstrate full compliance with the 2018 International Fire Code § 503.2.1, applicable provisions of the Pennsylvania Motor Vehicle Code, and all other governing statutes and regulations;
 - b. Order Defendants to provide lawful public notice, hearings, and meaningful stakeholder participation before implementing any permanent reconfiguration of the public right-of-way affecting Plaintiffs;
 - c. Award Plaintiffs their costs of suit and reasonable attorneys’ fees as permitted by law or equity; and
 - d. Grant such other and further relief as this Court deems just and proper.

VERIFICATION

11. We, James Coen and Jules Troiani, verify that the facts set forth in this Petition are true and correct to the best of our knowledge, information, and belief, subject to 18 Pa.C.S. § 4904.


James Coen, President


Jules Troiani, Vice President

C. PROPOSED ORDER

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION – EQUITY**

[Same Caption]

No. _____

ORDER

AND NOW, this ____ day of _____, 2025, upon consideration of Plaintiffs’ **Petition for Injunction**, it is ORDERED that:

1. Defendants City of Pittsburgh and Department of Mobility & Infrastructure (“DOMI”) are **hereby permanently enjoined** from commencing or continuing the “Penn Avenue Rightsizing Project” between 22nd and 31st Streets, including lane reductions and curb reconfigurations, unless and until they demonstrate compliance with IFC § 503.2.1 and applicable Pennsylvania law.
2. Pursuant to Pa.R.C.P. 1531(b), Plaintiffs shall post security in the amount of \$_____ [or, Bond is waived for good cause shown].

BY THE COURT:

J.

Exhibits (reference in both filings)

- **Exhibit A:** IAFF Local No. 1 letter (Apr. 11, 2025).
- **Exhibit B:** PennDOT memo re PPBL legality (Apr. 19, 2024).
- **Exhibit C:** SDBA letter and crash-data summary (May 31, 2024).
- **Exhibit D:** PHLF newsletter (Mar. 1, 2025).
- **Exhibit E:** Crash-data printouts (2019–2023) supporting ¶18.
- **Exhibit F:** Concerns from Stakeholders on Penn Avenue Official Letter to Mayor Ed Gainey
- **Exhibit G:** Concerns from Stakeholders on Penn Avenue Official Letter to Councilman Bobby Wilson

Exhibit “A”



Pittsburgh Fire Fighters IAFF Local No. 1

120 Flowers Avenue, Pittsburgh, PA 15207 | info@pittsburghfirefighters.org

April 11, 2025

Honorable Bobby Wilson
1st District Council Member
City of Pittsburgh
414 Grant Street
Pittsburgh, PA 15219

Dear Councilman Wilson,

On behalf of the Pittsburgh Fire Fighters IAFF Local No.1, I am once again writing to bring to your urgent attention significant concerns regarding the Penn Avenue Project in the Strip District. As I have previously stated, the proposed design plans to narrow the roadway from two inbound lanes to a single inbound lane. This substantial reduction in available roadway will severely limit access for emergency vehicles responding to incidents along this critical corridor and will create serious operational challenges during emergency situations.

New information has also come to light that elevates this concern from an operational hazard to a matter of legal noncompliance. Specifically, the proposed design would violate the 2018 International Fire Code (IFC), which has been adopted by the City of Pittsburgh. Section 503.2.1 of the IFC states:

"Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm)."

If the Penn Avenue Project proceeds as currently designed, it will directly violate this critical code requirement. The City cannot proceed with a project that knowingly disregards the very fire safety codes we are sworn to uphold. Doing so would not only place the public, first responders, and business community at greater risk, but could also expose the City to significant liability.

I respectfully request that you immediately intervene to ensure the Department of Mobility and Infrastructure (DOMI) is not permitted to proceed with this project in direct violation of IFC Section 503.2.1. At a minimum, this project must be placed on hold until it can be redesigned in full compliance with all applicable safety codes.

Thank you for your attention to this urgent matter and for your continued commitment to public safety. I am available to discuss this further at your convenience.

Sincerely,

Ralph Sicuro

Ralph Sicuro
President
Pittsburgh Fire Fighters
IAFF Local No.1

Exhibit “B”



Memo

To: Penn Ave Signals - Project Team

From: Michael Maloch

Date: April 19, 2024

Re: PennDOT PPBL - Discussion

April 19, 2024 at 11:00AM, Stephanie Zolnak (PennDOT DTE) and I spoke to discuss how the City's planned incorporation of a Parking Protected Bike Lane along Penn Avenue (between 22nd-31st) would interface with the upcoming CMAQ Penn Ave Signals Project. Due to the funding source the CMAQ project would include PennDOT oversight. Current interpretation of the Motor Vehicle Code indicates that PPBL are not legal in the commonwealth.

DOMI provided Stephanie with a typical section and project limits for the city funded/led PPBL project. Stephanie had a discussion with Doug Tomlinson (Chief, Highway Safety and Traffic Operations, Central Office) to brief him on the subject. Earlier in April the City of Philadelphia approached Central Office/Secretary Carroll to discuss many issues, including PPBL. Secretary Carroll wants the state to legislate a change to code and does not want to deviate from the current procedure, where PPBL are considered pilot projects.

Doug allowed that if bike signals were not included in the Penn Ave Signals Project, then he felt federal funding could be used to replace signals and the PPBL would be considered an existing condition. I asked Stephanie if that meant if the city could place floating concrete islands between the travel lane and the PPBL. She wasn't 100% sure but overall thought that it could be considered a concrete installation located in the middle of the roadway and not necessarily a bike lane implementation.

Overall impression is that PennDOT D11/Central Office want to work with us to support our project and come up with a solution that doesn't put PennDOT in a position to disregard their interpretation of the law, but also allows us to implement and further reinforce a PPBL on our city street. If we receive pushback from D11 during early reviews we will need to talk with Stephanie and ask her to support us. Due to recent statements from Sec Carroll, a verbal discussion with Stephanie is the only way I could receive this information.

Exhibit “C”



STRIP DISTRICT BUSINESS ASSOCIATION

Promote • Protect • Preserve

Mayor Ed Gainey
City of Pittsburgh
Office of the Mayor
414 Grant St # 512,
Pittsburgh, PA 15219

May 31, 2024

Re: Penn Avenue Rightsizing (22nd to 31st Street)

Dear Mayor Gainey,

We, the Strip District Business Association, are writing to you on behalf of the vibrant and diverse business community that is the lifeblood of Penn Avenue. We are deeply concerned about the proposed Penn Avenue Rightsizing project. The adjustments between 22nd and 31st street-removing an inbound travel lane, creating a dedicated bike lane, maintaining parking lanes while adding loading zones could disrupt the economic health and accessibility that are crucial pillars of the Strip District's vitality.

The Strip District is celebrated in Pittsburgh's history, serving as a vibrant hub of commerce, culture, and community since the 19th century. Originally an industrial zone lined with factories, mills, and warehouses, the Strip evolved into a bustling marketplace renowned for its ethnic diversity and entrepreneurial spirit. Over the decades, it has become a home for fresh produce markets, specialty food stores, unique boutiques, and an array of dining options that attract locals and visitors alike. This rich tapestry of historical significance and cultural heritage makes the Strip District a crucial economic engine for Pittsburgh and a cherished landmark that embodies the city's resilience. Family traditions are deeply rooted in the Strip District. Generations established and maintain businesses that contribute to the area's unique charm and economic vitality. These long-

2137 Penn Avenue • Pittsburgh, PA 15222 • contactus@stripdistrictbusinesses.org • Visit stripdistrictbusinesses.org

JAMES COEN
PRESIDENT

JULIUS TROIANI
VICE PRESIDENT

DANIEL NOLAN
SECRETARY/ TREASURER

DAN WHOLEY
MEMBER AT LARGE

ROBB WILSON
MEMBER AT LARGE

GEORG ETTSTALLER
MEMBER AT LARGE



standing enterprises are more than just commercial ventures; they are integral threads in the fabric of the community. Our businesses represent the perseverance and hard work of those who have built their lives here. With this in mind, we would like to express our concerns regarding the proposed changes under the Penn Avenue Rightsizing project.

During the community meeting on May 1, DOMI Assistant Director of Policy & Planning, Angie Martinez said DOMI's mission and the goal of Vision Zero is to end serious injuries and roadway fatalities. She highlighted Penn Avenue's "*high frequency of crashes*" and "*substantial number of fatalities*" as reasons why Penn Avenue is a safety concern for cars, cyclists, and pedestrians. It appears DOMI's analysis is based on outdated and irrelevant data to justify the "*rightsizing*" of Penn Avenue. Based on the Government's crash data dashboard, the accident statistics for Penn Avenue (22nd to 31st Street) over a **five-year period (2019-2023)** indicate that this section is **not unsafe for cyclists and pedestrians**.¹

- There have been 74 accidents with **no fatalities or accidents involving cyclists**.
- The overwhelming majority of accidents involved only cars (71 in total or 96%), with 97% of accidents causing **no (70%) or minor (27%) injuries**.
- Two car accidents with serious injuries did occur-one car hit a fixed object in the dark, and the other was a collision at an angle; **both accidents** occurred on 27th Street.
- Nearly half of **all accidents occurred at night** and were **concentrated at three corners: 25th, 27th, and 30th Streets**.
- Recent infrastructure upgrades seem to work; accidents have declined by 21% from 2022 to 2023.

By addressing DOMI's misrepresentations, we aim to ensure a more accurate and balanced understanding of the safety and mobility concerns on this corridor of Penn Avenue. A similar project on Broad Street did not have the intended results-the reduction to one lane and the introduction of bike lanes did not increase safety (38 accidents over a 5-year period) and reduced speed by only 9%.² We care deeply about ensuring customers, residents, and workers can travel, spend time, and live safely in the Strip District. We seek to work collaboratively to find safe solutions in our area's thriving economy. However, we believe the proposed modifications will lead to **(I) increased traffic congestion and (II) economic loss and loss of tax revenue for the City**.

¹ Crash Data Dashboard (arcgis.com)
² Crash Data Dashboard (arcgis.com): <https://pittsburghpa.gov/domi/traffic-calming-data>



(I) Increased Traffic Congestion

Reducing inbound lanes from two to one will likely lead to significant traffic congestion and backups, exacerbating peak-hour congestion and causing substantial delays and frustration for motorists and businesses. DOMI' s traffic model relied on data from 2017 that does not account for the ongoing and projected growth of the Strip District, including new residential and commercial developments.³ ⁴ With more people living in the Strip District than ever, adequate traffic flow is essential. Liberty Avenue HSIP, currently a four-lane road, will be reduced to one lane for inbound and outbound traffic, likely increasing congestion on Penn Avenue as travelers seek alternate routes to and through the city. This dual downsizing will result in the loss of three essential lanes in a small area of the Strip District, just as the District is poised for significant expansion.⁵ Our experience shows that business on the Strip declines when access is restricted. We see this during events nearby, including parade staging, running events, and Open Streets, which impact street closures and the availability of normal access to the business shopping district.

While the reconfiguration of curbside loading zones aims to improve traffic flow, it falls short of meeting the needs of businesses and disrupts the delivery and pickup of goods. Frequent stops by delivery companies such as Amazon and FedEx will likely overwhelm the limited dedicated loading zones, forcing these trucks to stop in the travel lane in front of businesses and residences. In addition, curbside loading zones are not large enough for tractor trailers, which will also be forced to block traffic. Reducing Penn Avenue to a single travel lane will make it nearly impossible for delivery trucks to maneuver, further complicating traffic flow. Semi-trucks, such as Sysco, already struggle to turn onto and from Penn Avenue-a problem that will be exacerbated by reducing or eliminating turning lanes. Businesses in the Strip District depend on efficient delivery systems, and any interruptions or delays can severely impact their ability to meet customer demands. Similarly, PRT buses, which make stops along Penn Avenue, will cause further backups. The transportation model cited by DOMI Assistant Director Angie Martinez was based on data with significantly reduced traffic numbers and does not accurately reflect current or future traffic conditions. The model's optimistic projections grossly underestimate the potential congestion issues.

³ Some planned and ongoing developments on Penn Ave. (note that list is not exhaustive): Penn 23 Condominiums (2330 Penn Ave; under construction), Forte Condominiums (2635 Penn Ave; recently opened), The Franklin on Penn Apartments (2815 Penn Ave, recently opened); in addition, Penn Ave now hosts The Refinery Condominiums (2545 Penn Ave), 1627 on the Strip Apartments (1627 Penn Ave), and Mulberry Lofts Apartments (3205 Penn Ave).

⁴ stripdistrictneighbors.org/pdfs/SOSD_2023_FINAL_ForWeb.pdf

⁵ Loss of two lanes on Liberty Avenue and one lane on Penn Ave.



(II) Economic Impact on the Strip District and the City of Pittsburgh

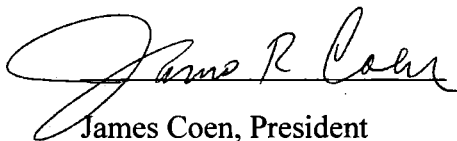
The Strip is a prominent destination, attracting almost 7 million visitors to the Penn Avenue business district annually.⁶ In 2023, Pittsburgh's tourism industry achieved a recordbreaking milestone, with the city's overall tourism economic impact reaching \$6.4 billion. Thanks to its vibrant array of markets, restaurants, and cultural attractions, the Strip District plays a vital role in drawing tourists, significantly contributing to Pittsburgh's cyclical recovery and growth. However, a Strip District characterized by traffic congestion, restricted access, and logistical challenges for business operations and emergency vehicles will undermine the future of the Strip District. This will impact both businesses and the broader community. As for Pittsburgh's tourist industry, frustrated visitors and tourists will be less likely to return.

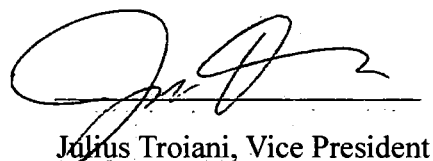
Compounding the urgency of this issue, the city controller's forecast predicts operating losses exceeding \$23 million in both 2025 and 2026, with the city's reserve fund plummeting from over \$100 million at the beginning of this year to a deficit by 2027. In this context, the city should prioritize a business-friendly climate to boost tax revenues and maintain a balanced budget. Such an approach would enable reinvestment in essential upgrades and improvements, ensuring Pittsburgh remains a livable city for all.

Considering these concerns, we respectfully request that the City of Pittsburgh reconsider the current Penn Avenue Rightsizing project and further consult with the small business community. We believe a more balanced approach can be developed to improve safety and mobility without compromising the Strip District's economic health and accessibility. By working together, we can find solutions that benefit all stakeholders and ensure our community's continued success and vibrancy.

Thank you for your attention to this matter. We look forward to a constructive dialogue and a mutually beneficial resolution.

Sincerely,


James Coen, President


Julius Troiani, Vice President

⁶ stripdistrictneighbors.org/pdfs/SOSD_2023_FINAL_ForWeb.pdf



Exhibit “D”

NEWSLETTER | March 1, 2025



Merchants in the historic Strip District have come together to fight back against the City of Pittsburgh's plan, which will devastate this iconic place of Pittsburgh commerce and heritage. Our organization supports them.

Our organization is strongly opposed to the City of Pittsburgh's plan to "right-size" Penn Avenue from 31st Street to 22nd Street in our city's historic Strip District.

The plan, which was proposed and is in the process of being designed by the City's Department of Mobility and Infrastructure, commonly known as DOMI, proposes to reduce the two lanes of in-bound traffic into the Strip District along Penn Avenue, into a single lane for vehicular traffic buttressed by two parking lanes on

each end, and a dedicated bike lane.

DOMI contends that its "right-sizing," will have the effect of creating a safer space by slowing traffic, creating a protected bike lane and reserving space for other modes of transit.

Our organization, together with the Strip District Business Association, and the Young Preservationists Association, believe that this plan, if implemented, will be the beginning of a process of killing the economic vitality, and entrepreneurial vigor that makes the Strip District a distinctive place of attraction, engagement, and cultural life for Pittsburghers and tourists.

It is the folly of urban planning departments to dismember the organic cycle of life in places that already work. The Strip District is one such place in our city. From its beginnings as an industrial area to its evolution as a fresh produce and market hub, and now a singular place of retail, entertainment, and housing, the Strip District works because it has not been overtly planned.

The City of Pittsburgh should not create plans that will disentangle the nature of what makes the Strip District unique. Jane Jacobs, in her classic book, *The Death and Life of Great American Cities*, called this the "unbuilding of cities."

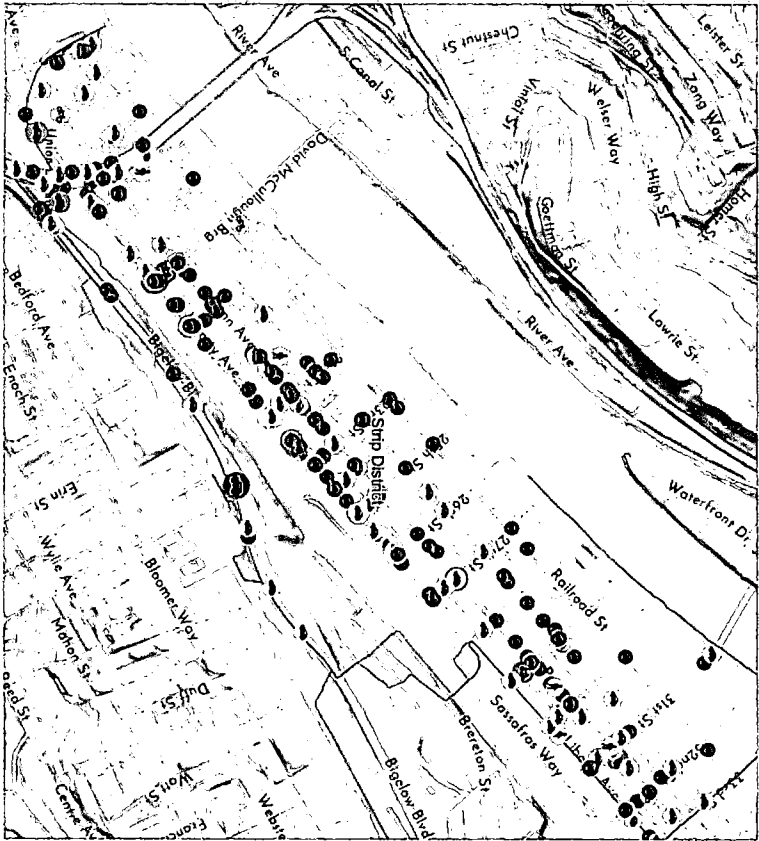
"The ruthless, oversimplified, pseudo-city planning and pseudo-city design we get today is a form of "unbuilding cities," she wrote.

The Strip District works as it is. We call upon the City of Pittsburgh, not to unbuild it.

Exhibit “E”



PENN AVENUE CRASH DATA 2019 -2023



Source: Crash Data Dashboard, City of Pittsburgh

- 74** accidents from 2019-2023
- 0** fatalities and **0** cyclist accidents
- 96%** of all accidents involved cars only
- 2** car accidents w/ serious injuries
- 50%** of accidents occur at night
- 3** major intersections for improvement

Exhibit “F”

The Honorable Ed Gainey
Mayor of Pittsburgh
City-County Building
414 Grant Street
Pittsburgh, PA 15219

Pittsburgh, 09.15.2025

Re: Concern from Stakeholders on Penn Avenue (22nd Street to 31st Street)

Dear Mayor Ed Gainey,

We, the undersigned stakeholders of Pittsburgh's Strip District, are writing to you today with an urgent and respectful request: please implement a temporary pause on the planned redesign of Penn Avenue until the end of the Liberty Ave HISP is complete. We are in full support of the city's mission to improve traffic safety and reduce accidents and fatalities, and we want to partner with you to achieve this goal effectively.

Our request for a pause is based on several key concerns that we believe have not been adequately addressed.

Coordination with the Liberty Avenue Project

The Liberty Avenue Highway Safety Improvement Project will result in the removal of two travel lanes, a significant change that will undeniably impact traffic flow throughout the Strip District. The Penn Avenue redesign would remove a third lane from our neighborhood's limited traffic network. We feel it would be irresponsible to proceed with the Penn Avenue project without first observing and studying the full effects of the Liberty Avenue changes. A pause would allow us to analyze real-world traffic patterns and make data-driven decisions that benefit our community and the entire city.

Lack of Public and Stakeholder Engagement

The city's outreach for this project has been insufficient. The only formal notification to the public and local stakeholders was a handful of posted signs for a single meeting in May 2024 where the idea was presented. There have been no other advertised public meetings. Stakeholders, property owners, business operators, and residents have received no direct or formal communication about a project that will dramatically alter their daily lives and livelihoods. Furthermore, a new element—paid parking—was added to the plan without any public announcement or discussion at an advertised public meeting. This lack of transparency erodes trust and prevents a collaborative process. We also want to highlight that stakeholders on one side of Penn Avenue feel their needs have been completely ignored in the current design. We urge the city to conduct a more inclusive and thorough outreach effort, ensuring every voice is heard. Mayor Gainey said during the only public meeting "I believe most of the solutions are in the community", we agree with that sentiment.

Fire and Emergency Access Concerns

We have been informed that the current redesign plan does not have the endorsement of the local firefighters' union and that it does not meet established fire code requirements. This is a serious safety issue that must not be ignored. The Strip District is home to a unique mix of new and historic buildings, many of which present specific challenges for emergency services. The proposed design's restrictions on access could significantly impede fire trucks and other emergency vehicles, potentially putting lives and

property at risk. The city must ensure that any new street design prioritizes and fully accommodates the needs of our first responders.

Unaddressed Loading and Unloading Issues

The current design plan fails to adequately address the critical issue of loading and unloading for businesses in the Strip District. No new loading zones have been added above 25th Street. The plan appears to simply "hope and wish" that existing zones will be more effective, rather than implementing concrete solutions. We are particularly concerned that the addition of paid parking will exacerbate this problem, as it is likely to encourage visitors to illegally park in loading zones to avoid fees, making it even more difficult for businesses to receive deliveries and for customers to pick up goods. A viable business district requires functional logistics, and this plan does not provide a realistic solution.

Flawed Traffic Data

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Alternative Traffic Calming Measures

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- Clear crosswalks and signage
- Speed tables, humps, or bumps
- Rectangular Rapid Flashing Beacons
- Strategic placement of street trees
- Manipulation of traffic light timing

These measures are quicker to implement and can provide immediate safety benefits while a more thoughtful, comprehensive plan is developed. We also strongly advocate for the city to accelerate the Liberty Avenue project, as it is widely considered the most dangerous road in the Strip District and should be the priority for safety improvements.

A pause on the Penn Avenue redesign would allow the city to conduct proper studies, observe the effects of the Liberty Avenue project, and engage in genuine dialogue with all stakeholders. We are not against progress; we are in favor of a smarter, more collaborative, and more effective approach.

Thank you for your time and consideration of this critical matter. We look forward to working with you to create a safer and more prosperous Strip District for everyone.

Sincerely,

The Stakeholders of the Penn Avenue Redesign Area

(Signature page to Official Letter to Mayor Ed Gainey)

Janet Campbell
The Dancers Perfect Fit

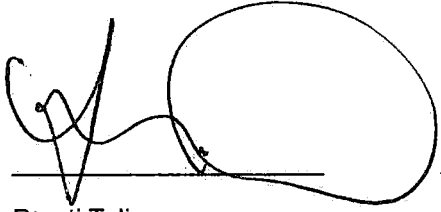
Matthew S. Woods

Matthew S. Woods

Bar Marco.

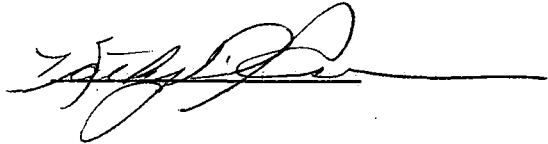
As a biker/commuter in
the city, this proposition is
counterproductive to the Strip and
to the lore of riding through
the area.

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, featuring a large, stylized 'P' and 'T' that are connected and looped together. The signature is written on a horizontal line.

Preeti Tuli
Preeti's Pitt PreetiPITT

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, appearing to read 'Kathy DiAndrea', followed by a horizontal line.

KATHY DIANDREA
Forte Penn Condo

(Signature page to Official Letter to Mayor Ed Gainey)



Dave Anora

DiAnora's Eatery

+

pane e pronto

+

pizzeria Davide



Anne DiAndrea Anola

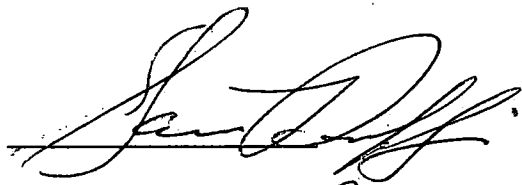
(Signature page to Official Letter to Councilman Bobby Wilson)

Ken Szalinski Harley Kennedy

Ken Szalinski Harley Kennedy

Palm Beauty Lounge

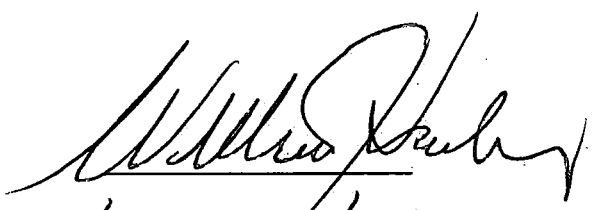
(Signature page to Official Letter to Mayor Ed Gainey)

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Samuel Rutting

AT&T

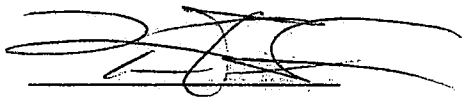
(Signature page to Official Letter to Mayor Ed Gainey)


William Hanbury
c/o Colter Cr.

(signature page to Official letter to Mayor Ed Gurney)

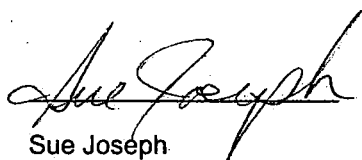
Alice Joseph
Molly's Trolleys Pittsburgh

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, appearing to be 'Tim Gaber', written over a horizontal line.

Tim Gaber
The Original Pittsburgh Winery

(Signature page to Official Letter to Mayor Ed Gainey)

A handwritten signature in cursive script, reading "Sue Joseph". The signature is written in black ink and is positioned above the printed name.

Sue Joseph
Pittsburgh Party Pedaler

(Signature page to Official Letter to Mayor Ed Gainey)



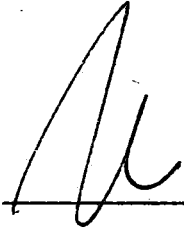
Tim Ludwig
Jim Ludwig's Blumengarten Florist

(Signature page to Official Letter to Mayor Ed Gainey)

A handwritten signature in black ink, appearing to read "Alan Alt", written over a horizontal line.

Alan Alt
Pennock Floral

(Signature page to Official Letter to Mayor Ed Gainey)



Nick Lardas

NIKO Contracting Co., Inc.

(Signature page to Official Letter to Mayor Ed Gainey)

Richard Gilmer

Richard Gilmer

R. E. Michel co.

(Signature page to Official Letter to Mayor Ed Gainey)

A handwritten signature in black ink, appearing to read 'Natalie Rascati', written over a horizontal line.

NATALIE RASCATI
OWNER, REFORM PILATES LLC

(Signature page to Official Letter to Mayor Ed Gainey)



~~HA~~ LUDMILA MUNTIAN S&D POLISH DELI
RENATA BINCZYKA S&D POLISH DELI



(Signature page to Official Letter to Mayor Ed Gainey)

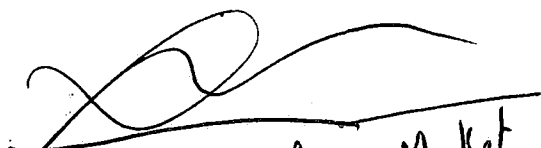
Jayne Cooper
Jayne Cooper
Hens and Chicks

(Signature page to Official Letter to Mayor Ed Gainey)

Michael Lotenero

MICHAEL LOTENERO
LOTENERO ART + DESIGN

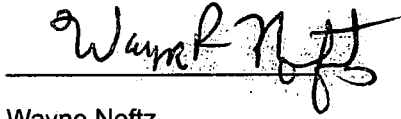
(Signature page to Official to Mayor Carney)



Many More Asian Market

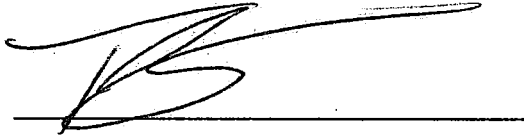
XIU HUI CHIU

(Signature page to Official Letter to Mayor Ed Gainey)

A handwritten signature in black ink, reading "Wayne Nofz". The signature is written in a cursive style with a horizontal line underneath the name.

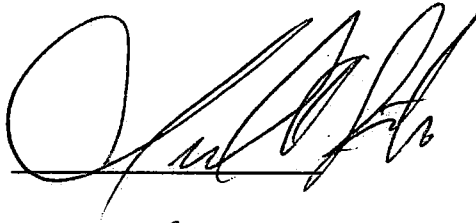
Wayne Nofz
Nofz Sheet Metal

(Signature page to Official Letter to Mayor Ed Gainey)

A stylized, handwritten signature in black ink, appearing to be 'AG', written over a horizontal line.

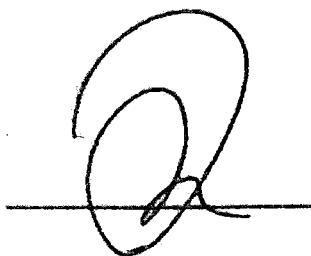
Alberts Gifts

(Signature page to Official Letter to Mayor Ed Gainey)

 Dr. M. Penn

Penn Animal Hospital
2205 Penn Ave
Pgh PA 15222

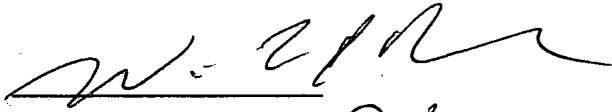
(Signature page to Official Letter to Mayor Ed Gainey)

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Sean Keilich

Leaf & Bean

(Signature page to Official Letter to Mayor Ed Gainey)



Nicola D. Dilibio

Nicola WINERY 2519 PENN AVE

Resident (2517) PENN AVE

Landlord (3 Building)

2514 PENN AVE

2515 PENN AVE

2517-19 PENN AVE

(Signature page to Official Letter to Mayor Ed Gainey)

Stephen P Russell
STEPHEN P RUSSELL
R WINE CELLAR
2519 PENN AVE

(Signature page to Official Letter to Mayor Ed Gainey)

Layali Restaurant Inc

Shaker Azmerli

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(Signature page to Official Letter to Mayor Ed Gainey)

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Michael Troiani

Troy Development Associates

Exhibit “G”

The Honorable Bobby Wilson
Councilman, District 1
City-County Building
414 Grant Street
Pittsburgh, PA 15219

Pittsburgh, 09.15.2025

Re: Concern from Stakeholders on Penn Avenue (22nd Street to 31st Street)

Dear Councilman Bobby Wilson,

We, the undersigned stakeholders of Pittsburgh's Strip District, are writing to you today with an urgent and respectful request: please implement a temporary pause on the planned redesign of Penn Avenue until the end of the Liberty Ave HISP is complete. We are in full support of the city's mission to improve traffic safety and reduce accidents and fatalities, and we want to partner with you to achieve this goal effectively.

Our request for a pause is based on several key concerns that we believe have not been adequately addressed.

Coordination with the Liberty Avenue Project

The Liberty Avenue Highway Safety Improvement Project will result in the removal of two travel lanes, a significant change that will undeniably impact traffic flow throughout the Strip District. The Penn Avenue redesign would remove a third lane from our neighborhood's limited traffic network. We feel it would be irresponsible to proceed with the Penn Avenue project without first observing and studying the full effects of the Liberty Avenue changes. A pause would allow us to analyze real-world traffic patterns and make data-driven decisions that benefit our community and the entire city.

Lack of Public and Stakeholder Engagement

The city's outreach for this project has been insufficient. The only formal notification to the public and local stakeholders was a handful of posted signs for a single meeting in May 2024 where the idea was presented. There have been no other advertised public meetings. Stakeholders, property owners, business operators, and residents have received no direct or formal communication about a project that will dramatically alter their daily lives and livelihoods. Furthermore, a new element—paid parking—was added to the plan without any public announcement or discussion at an advertised public meeting. This lack of transparency erodes trust and prevents a collaborative process. We also want to highlight that stakeholders on one side of Penn Avenue feel their needs have been completely ignored in the current design. We urge the city to conduct a more inclusive and thorough outreach effort, ensuring every voice is heard. Mayor Gainey said during the only public meeting "I believe most of the solutions are in the community", we agree with that sentiment.

Fire and Emergency Access Concerns

We have been informed that the current redesign plan does not have the endorsement of the local firefighters' union and that it does not meet established fire code requirements. This is a serious safety issue that must not be ignored. The Strip District is home to a unique mix of new and historic buildings, many of which present specific challenges for emergency services. The proposed design's restrictions on access could significantly impede fire trucks and other emergency vehicles, potentially putting lives and

property at risk. The city must ensure that any new street design prioritizes and fully accommodates the needs of our first responders.

Unaddressed Loading and Unloading Issues

The current design plan fails to adequately address the critical issue of loading and unloading for businesses in the Strip District. No new loading zones have been added above 25th Street. The plan appears to simply "hope and wish" that existing zones will be more effective, rather than implementing concrete solutions. We are particularly concerned that the addition of paid parking will exacerbate this problem, as it is likely to encourage visitors to illegally park in loading zones to avoid fees, making it even more difficult for businesses to receive deliveries and for customers to pick up goods. A viable business district requires functional logistics, and this plan does not provide a realistic solution.

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Thank you for your time and consideration of this critical matter. We look forward to working with you to create a safer and more prosperous Strip District for everyone.

Sincerely,

(Signature page to Official Letter to Councilman Bobby Wilson)

Henry Dewey

Henry Dewey - Penn Ave Fish Co.

(Signature page to Official Letter to Councilman Bobby Wilson)

Ann An

Ann An

WFH Oriental Market

2306 Penn Ave

(Signature page to Official Letter to Councilman Bobby Wilson)

David Campbell
The Dancers Perfect Fit

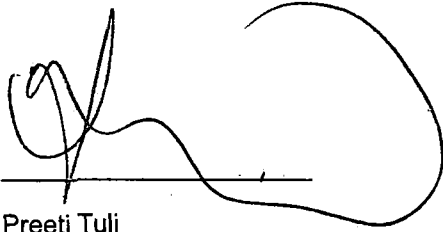
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Matthew S. Woods

Matthew S. Woods

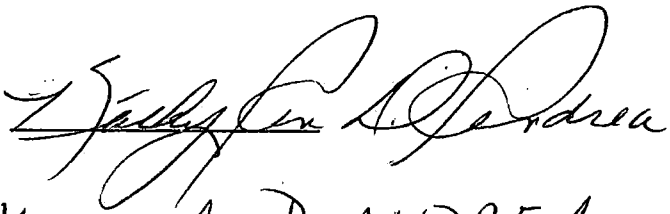
Bar Marco

(Signature page to Official Letter to Mayor Ed Gainey)

A handwritten signature in black ink, featuring a large, stylized 'P' and 'T' that are interconnected. The signature is written over a horizontal line.

Preeti Tuli
Preeti's Pitt PreetiPITT

(Signature page to Official Letter to Mayor Ed Gainey)

 Kathy A. DiAndrea Resident

KATHY A DIANDREA

Resident Condo-Forte

(Signature page to Official Letter to Councilman Bobby Wilson)



Dave Anioia

+



Annee DiAndrea Anioia

Di Anioia's Eatery

+
Pizzeria Dante

+
pane e' pronto

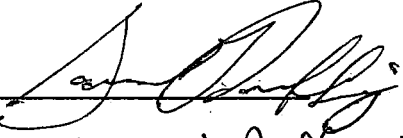
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~~Keli Szallinski~~ Hailey Kennedy

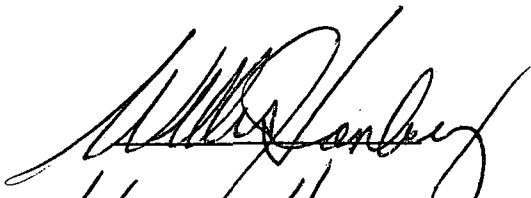
Keli Szallinski Hailey Kennedy

Palm Beauty Lounge

(Signature page to Official Letter to Councilman Bobby Wilson)


Samuel Ritting
A.T.

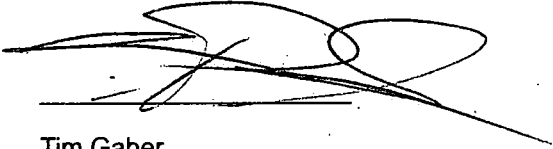
(Signature page to Official Letter to Councilman Bobby Wilson)


William Hauberg
L.M. C. K. C. Inc.

(signature page to Official letter Councilman Bobby Wilson)

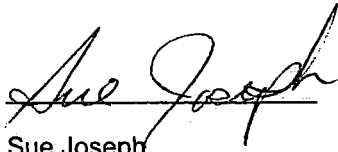
Aue Joseph
Mollys Trolleys Pittsburgh

(Signature page to Official Letter to Mayor Ed Gainey)

A handwritten signature in black ink, appearing to read 'Tim Gaber', with a long horizontal line extending from the end of the signature.

Tim Gaber
The Original Pittsburgh Winery

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in cursive script, reading "Sue Joseph", written over a horizontal line.

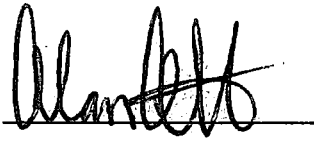
Sue Joseph
Pittsburgh Party Pedaler

(Signature page to Official Letter to Councilman Bobby Wilson)



Tim Ludwig
Jim Ludwig's Blumengarten Florist

(Signature page to Official Letter to Councilman Bobby Wilson)

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Alan Alt
Pennock Floral

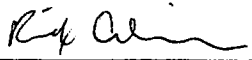
(Signature page to Official Letter to Councilman Bobby Wilson)

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Nick Lardas

NIKO Contracting Co., Inc.

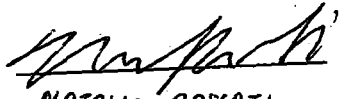
(Signature page to Official Letter to Councilman Bobby Wilson)



Richard A. Gilmer

R.E. Michel Co.

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, appearing to read 'Natalie Rascati', written over a horizontal line.

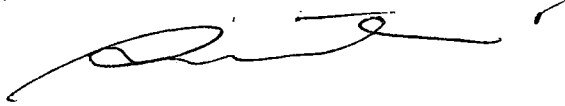
NATALIE RASCATI
OWNER, REFORMPILATES LLC

(Signature page to Official Letter to Councilman Bobby Wilson)



LUDMILA MONTIAN S~~D~~ POLISH DEL

RENATA BINCZYKA S~~D~~ POLISH DEL



(Signature page to Official Letter to Councilman Bobby Wilson)

Jayne Cooper

Jayne Cooper

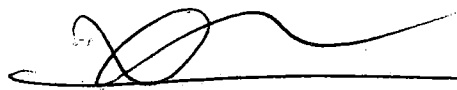
Hens and Chicks

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, appearing to read "Michael Lotenero". The signature is stylized with a large, sweeping "M" and a long, horizontal stroke at the end.

MICHAEL LOTENERO
LOTENERO ART + DESIGN

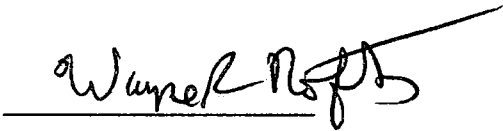
Official signature to letter to Councilman Wilson)



Many More Asian Market

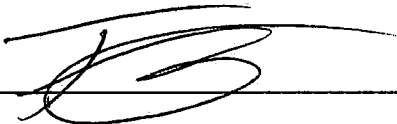
XINHUI CHEN

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, reading "Wayne Noftz". The signature is written in a cursive style with a long horizontal line extending from the end of the word "Noftz".

Wayne Noftz
Noftz Sheet Metal

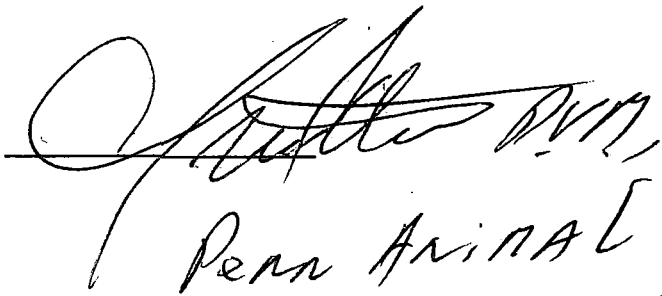
(Signature page to Official Letter to Councilman Bobby Wilson)



A handwritten signature in black ink, consisting of a stylized 'B' with a horizontal line extending to the right, positioned above a solid horizontal line.

Alberts Gifts

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, appearing to read "Dr. DVM", with a large, stylized loop at the beginning.

Penn Animal Hospital

2205 Penn Ave

Pgh PA 15222

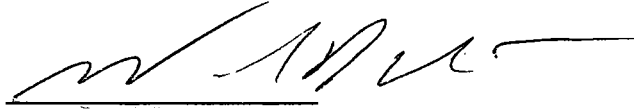
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Sean Keilich

Leaf & Bean

(Signature page to Official Letter to Councilman Bobby Wilson)



Nicola Dilio

Nicola Winesy 2519 PENN AVE

Resident (2517) PENN AVE

1 Andlord (3 Buildings)

2514 PENN AVE

2515 PENN AVE,

2517-19 PENN AVE.

(Signature page to Official Letter to Councilman Bobby Wilson)

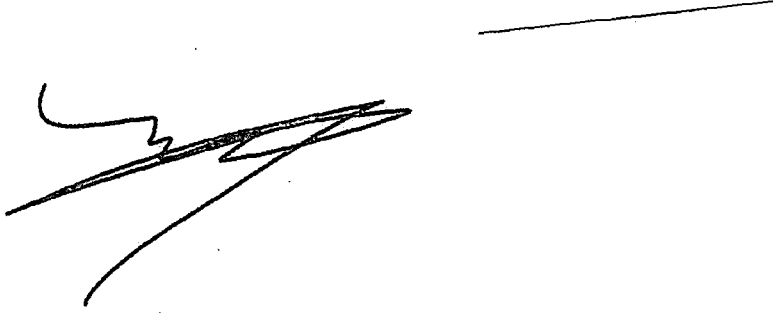
Stephen P Russell

STEPHEN P RUSSELL

R WINE CELLAR

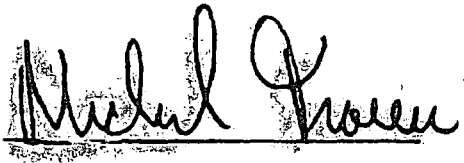
2519 PENN AVE

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Shaker Azmerli
Layali Restaurant inc

(Signature page to Official Letter to Councilman Bobby Wilson)

A handwritten signature in black ink, reading "Michael Troiani". The signature is written in a cursive style with a horizontal line underneath the name.

Michael Troiani

Troy Development Associates

CERTIFICATE OF COMPLIANCE

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

Submitted by: Daniel Nolan
Signature: [Handwritten Signature]
Name: Daniel P. Nolan
Attorney No. (if applicable): _____

Supreme Court of Pennsylvania

Court of Common Pleas Civil Cover Sheet

Allegheny

County

For Prothonotary Use Only:

Docket No:

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A	Commencement of Action: ☒ Complaint ☐ Writ of Summons ☐ Petition ☐ Transfer from Another Jurisdiction ☐ Declaration of Taking	
	Lead Plaintiff's Name: <u>Strip District Business Association</u>	Lead Defendant's Name: <u>City of Pittsburgh and Department of Publicity</u>
	Are money damages requested? ☐ Yes ☒ No	Dollar Amount Requested: ☐ within arbitration limits (check one) ☐ outside arbitration limits
	Is this a Class Action Suit? ☐ Yes ☒ No	Is this an MDJ Appeal? ☐ Yes ☒ No
	Name of Plaintiff/Appellant's Attorney: _____ ☒ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)	

SECTION B	Nature of the Case: Place an "X" to the left of the <u>ONE</u> case category that most accurately describes your PRIMARY CASE . If you are making more than one type of claim, check the one that you consider most important.		
	TORT (do not include Mass Tort) ☐ Intentional ☐ Malicious Prosecution ☐ Motor Vehicle ☐ Nuisance ☐ Premises Liability ☐ Product Liability (does not include mass tort) ☐ Slander/Libel/ Defamation ☒ Other: <u>Injection of DOMI</u> <u>Project Right Size</u>	CONTRACT (do not include Judgments) ☐ Buyer Plaintiff ☐ Debt Collection: Credit Card ☐ Debt Collection: Other _____ ☐ Employment Dispute: Discrimination ☐ Employment Dispute: Other _____ ☐ Other: _____	CIVIL APPEALS Administrative Agencies ☐ Board of Assessment ☐ Board of Elections ☐ Dept. of Transportation ☐ Statutory Appeal: Other _____ ☐ Zoning Board ☐ Other: _____
	MASS TORT ☐ Asbestos ☐ Tobacco ☐ Toxic Tort - DES ☐ Toxic Tort - Implant ☐ Toxic Waste ☐ Other: _____	REAL PROPERTY ☐ Ejectment ☐ Eminent Domain/Condemnation ☐ Ground Rent ☐ Landlord/Tenant Dispute ☐ Mortgage Foreclosure: Residential ☐ Mortgage Foreclosure: Commercial ☐ Partition ☐ Quiet Title ☐ Other: _____	MISCELLANEOUS ☐ Common Law/Statutory Arbitration ☐ Declaratory Judgment ☐ Mandamus ☐ Non-Domestic Relations ☐ Restraining Order ☐ Quo Warranto ☐ Replevin ☐ Other: _____
	PROFESSIONAL LIABILITY ☐ Dental ☐ Legal ☐ Medical ☐ Other Professional: _____		

Updated 1/1/2011