



**pennsylvania**  
OFFICE OF OPEN RECORDS

**FINAL DETERMINATION**

**IN THE MATTER OF**

**DIANE ECHTERNACH,  
Requester**

**v.**

**LANSDOWNE BOROUGH,  
Respondent**

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**Docket No.: AP 2026-1519**

The Office of Open Records (“OOR”) received the above-captioned appeal under the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* For the following reasons, the appeal is dismissed.

On February 25, 2026, Diane Echternach (“Requester”) submitted a request (“Request”) to Lansdowne Borough (“Borough”) pursuant to the RTKL, seeking communications regarding a social media posts, as well as comments on the post. On April 15, 2026, the Borough denied the Request, asserting that no responsive records exist.

Also on April 15, 2026, the Requester filed an appeal with the OOR, challenging the denial and stating grounds for disclosure. The OOR invited both parties to supplement the record and directed the Borough to notify the OOR if any third parties have a direct interest in this appeal. 65 P.S. § 67.1101(c).

On April 28, 2026, the Borough submitted correspondence from its solicitor, made under the penalty of perjury, stating that on April 27, 2026, responsive emails and all comments in

response to the social media post were provided to the Requester, and that, to their knowledge, the records provided consisted of all of the Borough's responsive records. On June 2, 2026, the OOR asked the Requester to set forth any outstanding issues to be adjudicated, while noting that if the OOR did not hear from the Requester by June 8, 2026, the appeal would be dismissed. To date, the Requester has not objected to the appeal being dismissed or raised any issues for the OOR to adjudicate.<sup>1</sup> Therefore, because the responsive records have been provided to the Requester, the appeal is **dismissed as moot**. See *Chester Water Auth. v. Pa. Dep't of Cmty. & Econ. Dev.*, 249 A.3d 1106, 1114 (Pa. 2021) (finding that a matter was settled by provision of records and, thus, "the controversy has been mooted").

The file is now closed and no further action will be taken. This Final Determination is binding on the parties. Within thirty days of the mailing date of this Final Determination, either party may appeal to the Delaware County Court of Common Pleas. 65 P.S. § 67.1302(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303, but as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.<sup>2</sup> All documents or communications following the issuance of this Final Determination shall be sent to [oor-postfd@pa.gov](mailto:oor-postfd@pa.gov). This Final Determination shall be placed on the OOR website at: <http://openrecords.pa.gov>.

**FINAL DETERMINATION ISSUED AND MAILED: June 10, 2026**

*/s/ Kathleen A. Higgins*

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KATHLEEN A. HIGGINS  
DEPUTY CHIEF COUNSEL

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<sup>1</sup> We note that the OOR's appeal portal log indicates that the Requester viewed the appeal file on June 4, 2026.

<sup>2</sup> *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).

Sent via appeal portal to: Diane Echternach; Betsy Riffert, AORO; Robert Scott, Esq.