

IN THE COMMONWEALTH OF PENNSYLVANIA OFFICE OF OPEN RECORDS

HUNTER OVERDORFF,

OOR Dkt. AP 2026-2420

Requestor,

v.

WEST WHEATFIELD TOWNSHIP,

Agency.

PETITION FOR RECONSIDERATION OF FINAL DETERMINATION

AND NOW comes Agency West Wheatfield Township (“Township”), by and through its counsel, MARSHALL DENNEHEY, P.C., CHRISTIAN D. MARQUIS, ESQUIRE, and KAITLYN M. BURNS, ESQUIRE, who files this Petition for Reconsideration of Final Determination entered on July 6, 2026 in the above-captioned matter, and states in support as follows:

1. West Wheatfield Township (hereafter “Township”) makes this Petition pursuant to 1 Pa. Code § 35.241, which permits parties to file an application for rehearing or reconsideration within 15 days after issuance of an adjudication or other final order by a state agency. The Township also makes this Petition pursuant to the Pennsylvania Office of Open Records’ Procedural Guidelines, which permits parties to file a petition for reconsideration within 15 calendar days after the issuance of a Final Determination. *See* Pennsylvania Office of Open Records, Statement of Policy, § VIII, at 17-18. A copy of the Pennsylvania Office of Open Records’ Procedural Guidelines is attached hereto as **Exhibit A**.

2. On July 6, 2026, Senior Deputy Chief Counsel Joshua T. Young issued a Final Determination in the above-captioned matter. In the Final Determination, Mr. Young granted the appeal of Requestor Hunter Overdorff because “[t]he Township did not respond within five

business days of receiving the Request, and the Request was, therefore, deemed denied on or about June 16, 2026.” Mr. Young also stated that the Township “did not comply with the RTKL by timely responding to the Request, nor did the Township participate on appeal by submitting legal argument or evidence in support of withholding records.” A copy of the July 6, 2026 Final Determination is attached hereto as **Exhibit B**.

3. Mr. Young committed an error of law or otherwise abused his discretion when he found in the Final Determination that the Township “did not respond within five business days of receiving the Request, and the Request was, therefore, deemed denied on or about June 16, 2026” and that the Township “did not comply with the RTKL by timely responding to the Request.”

4. Final Determinations are reserved when the Final Determination is based on an error of law. *See, e.g., Dep’t of Corr. v. Disability Rights Network of Pa.*, 35 A.3d 830, 833 (Pa. Commw. Ct. 2012) (reversing final determination where Office of Open Records erred in ordering access to records not sought or sufficiently identified in the request as required by 65 P.S. §§ 67.703 and 67.1101); *see also Paul v. Pa. State Police*, No. 56 C.D. 2025, 2026 WL 1520750, at 23 (Pa. Commw. Ct. June 1, 2026) (finding that the Office of Open Records “should not have dismissed [an] appeal on the basis of an incomplete record for the OOR’s review” and also holding that Court review Office of Open Records determinations *de novo*).

5. The record in this appeal shows that the Township did, in fact, respond to Mr. Overdorff’s June 9, 2026 Right-To-Know Law Request within the five (5) business days provided for by the Right-To-Know Law. The docket for this appeal states that the Township “invoked a 30 day extension to respond to the request.” A copy of the docket is attached hereto as **Exhibit C**.

6. Furthermore, as evidenced by the Affidavit of Tammie Shetler, attached hereto as **Exhibit D**, the Township received Mr. Overdorff’s Request on June 9, 2026. *See Exhibit D* at ¶¶

4-5. On June 16, 2026, which is within five (5) business days of receiving the Request, Ms. Shetler drafted and mailed Mr. Overdorff a letter informing him that the Township was invoking a 30-day extension to respond to this Request. *Id.* at ¶¶ 6-7; *see also id.* at Exhibit B to Affidavit of Tammie Shetler (June 16, 2026 letter to Mr. Overdorff). The June 16, 2026 letter to Mr. Overdorff indicated that a 30-day extension was needed to respond to his Request because, *inter alia*, the nature of the request precluded a response within the required time period. *See* 65 P.S. § 67.902(a)(7).

7. Accordingly, the Township complied with its obligation to: (1) respond to Mr. Overdorff's June 9, 2026 Request within five (5) business days of receipt of the Request pursuant to 65 P.S. § 67.901; and (2) request an extension of time to respond to Mr. Overdorff's June 9, 2026 Request within 5 business days of receipt of the Request pursuant to 65 P.S. § 67.902.

8. The record similarly establishes that Mr. Overdorff filed this appeal on June 18, 2026.

9. Since Mr. Overdorff filed this appeal before the 30-day extension to respond to his Request elapsed (on July 16, 2026), this appeal was premature because the Township has not yet denied the Request nor has the Request been deemed denied by operation of law. Section 67.1101 of the Right-To-Know Law only allows parties to file appeals if the Request is denied or deemed denied. *See* 65 P.S. § 67.1101(a)(1). As such, this appeal cannot be granted as a matter of law and the Final Determination was predicated on an error of law. Thus, the appeal should be denied, quashed and dismissed.

10. The Pennsylvania Office of Open Records routinely denies appeals by Requestors like Mr. Overdorff who file premature appeals, further evidencing that the Final Determination in this case is based on an error of law. *See, e.g.,* Pennsylvania Office of Open Records

Determinations dated July 1, 2026-July 10, 2026 attached hereto as **Exhibit E** (seven of which were decided by Mr. Young, the author of the Final Determination in this appeal).

11. Accordingly, the Petition for Reconsideration of the Final Determination in this appeal should be granted and the appeal of the June 9, 2026 Request should be denied, quashed and dismissed.

12. Additionally, to the extent that the Final Determination was predicated on the finding that the Request was deemed denied, the Final Determination is also based on an error of law. Namely, since the evidence attached hereto and the record of this appeal establishes that the Township responded to the Request by informing Mr. Overdorff of its need for a 30-day extension to respond to the Request within five (5) business days of its receipt pursuant to 65 P.S. §§ 67.901 and 67.902, Mr. Overdorff's Request was not deemed denied as a matter of law and the Final Determination erred in granting the appeal on this basis. Accordingly, the Petition for Reconsideration of the Final Determination in this appeal should be granted on this basis too.

13. Alternatively, to the extent that Mr. Young credited Mr. Overdorff's July 5, 2026 statement that his Request was "deemed denied" in Mr. Overdorff's July 5, 2026 Letter to Appeal Officer (attached hereto as **Exhibit F** at 1), Mr. Overdorff failed to submit this letter beyond the July 2, 2026 due date for submitting records in this appeal. As such, Mr. Young abused his discretion in making his finding that the Request was deemed denied to the extent this finding was based on Mr. Overdorff's July 5, 2026 misrepresentation or misunderstanding of the law on the same in his Final Determination. Accordingly, the Petition for Reconsideration of the Final Determination in this appeal should be granted on this basis too and the June 9, 2026 Request should be denied, quashed and dismissed.

14. Furthermore, this Petition for Reconsideration should also be granted because it is necessary to ensure due process and to effectuate justice, fairness, and the expeditious resolution of this dispute. *See Exhibit A* at § VIII(e).

15. The Township was not given a meaningful opportunity to respond to the appeal. The Township was first informed of this appeal on June 23, 2026. The Township subsequently turned this appeal over to the Township Solicitor to handle. On or about June 30, 2026, however, the Township Solicitor resigned. *See Exhibit D* at ¶ 9. On June 6, 2026, the Township therefore informed the undersigned of the appeal. When the undersigned attempted to enter their appearances in this appeal for the Township on July 9, 2026, the Final Determination had already been issued and their appearances could not be entered for that reason. Under the circumstances, the Petition for Reconsideration must be granted to effectuate justice and fairness and to provide the Township with due process and a meaningful opportunity to respond to this premature appeal.

16. This Petition for Reconsideration of Final Determination is timely filed as it was submitted within 15 days of the July 6, 2026 Final Determination being issued. *See* 1 Pa. Code § 35.241; *see also Exhibit A* at § VIII(a).

SPACE INTENTIONALLY LEFT BLANK

WHEREFORE, the Township respectfully requests that the Pennsylvania Office of Open Records grant this Petition for Reconsideration of Final Determination and deny, dismiss, or otherwise quash Mr. Overdorff's appeal as premature. A proposed Order is attached.

Dated: July 10, 2026

Respectfully Submitted,

MARSHALL DENNEHEY, P.C.



By: _____

Christian D. Marquis, Esquire

PA. ID. #85070

cdmarquis@mdwcg.com

Kaitlyn M. Burns, Esquire

PA ID. # 324533

kmburns@mdwcg.com

Union Trust Building, Suite 700

501 Grant Street

Pittsburgh PA 15219

Counsel for West Wheatfield Township

EXHIBIT A



STATEMENT OF POLICY

I. PRELIMINARY PROVISIONS

A. Scope

The Office of Open Records (“OOR”) establishes the following Procedural Guidelines to clarify the appeals procedure before the OOR pursuant to the Right-to-Know Law, 65 P.S. §§ 67.101 *et seq.*, hereafter referred to as “the RTKL.”

These Procedural Guidelines constitute the policies and procedures of the OOR concerning its appeals, until the promulgation of regulations by the OOR.

B. Construction

The provisions of these Procedural Guidelines shall be liberally construed to secure a just, speedy and inexpensive determination of the issues presented. The Appeals Officer at every stage of any such action or proceeding may disregard any error or defect of procedure that does not affect the substantial rights of the parties.

The OOR or Appeals Officer at any stage of an action or proceeding may waive a requirement of these Procedural Guidelines when necessary or appropriate, if the waiver does not adversely affect the substantive rights of a party.

C. Definitions

The following words and terms, when used in these Procedural Guidelines, have the following meanings:

Address—A requester’s address under section 703 of the RTKL (65 P.S. § 67.703) refers to the email inbox or postal location listed by a requester to which an agency will direct its response. An agency’s address under section 903 of the RTKL refers to the address of the Agency Open Records Officer.

Appeal—A written RTKL appeal of an agency’s full denial, partial denial, or deemed denial of a RTKL request or the fee charged by an agency to fulfill a request.

Appeals Officer—The attorney designated by the OOR to review appeals of decisions by Commonwealth or local agencies as established in 65 P.S. § 67.1101. OOR Appeals Officers are not subject to the Commonwealth Attorneys Act, 71 P.S. §§ 732-101 - 732-506.

Agency Open Records Officer—An individual designated by an agency as the agency's open records officer, who is required to register with the OOR pursuant to 65 P.S. § 67.502(a)(1) (relating to open records officers) of the RTKL.

Attorney—An individual licensed or otherwise permitted to practice law by the Supreme Court of Pennsylvania.

Business day—The regular business hours of the OOR are Monday through Friday from 9:00 a.m. to 5:00 p.m. Business days exclude Saturday and Sunday and a weekday where the OOR is closed, or on any day made a legal holiday by the laws of this Commonwealth or of the United States.

Certified Copy—A copy of a responsive record that verifies the authenticity of the document for purposes of admitting the record as evidence during pending or future litigation.

Deficient appeal—An appeal submitted to the OOR that, due to the omission of the Request, agency response, or both, lacks sufficient clarity for an Appeals Officer to adjudicate. A deficient appeal lacks information sufficient to identify the record(s) at issue on appeal and/or the bases on which the agency denied the Request.

Deemed denial—When an agency fails to issue a timely response to a RTKL request, the request is deemed denied. Additionally, when an Appeals Officer fails to issue a final determination within 30 days, the appeal is deemed denied, unless the requester agrees to an extension of the deadline.

Direct interest participant—A person or entity, other than the requester or agency, who has been granted the ability to participate in an appeal before the OOR.

Electronic filing—The electronic submission of documents by means other than facsimile transmission or paper filing and the acceptance of the document by the OOR.

Executive Director—The Executive Director of the OOR.

Final Determination—A written decision issued by an Appeals Officer adjudicating the matters appealed upon. The written decision is a binding final order subject to judicial review and enforcement.

Generative AI/Generative Artificial Intelligence—Technology or tools that use predictive algorithms to create new content including, but not limited to, audio, code, images, text, simulations and videos.

In camera review—A confidential process during which an Appeals Officer privately reviews records claimed to be nonpublic and submitted by an agency or direct interest participant without redaction.

Mediation—Informal proceeding that stays the statutory deadline to resolve a RTKL appeal.

OOR E-file appeal portal—An online system maintained by the OOR and managed by the Appeals Officer for each appeal, allowing parties to make submissions and access the submissions on the individual appeal docket.

Order—OOR directive to the parties of an appeal.

Petition for reconsideration—An application for a re-adjudication of a Final Determination based on the contents of the evidentiary record before the OOR.

Request—A written communication sent or addressed to an AORO, seeking a copy of or access to a record under section 703 of the RTKL.

Verification—A signed, written statement of fact supported by oath or affirmation or made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

II. DESCRIPTION OF THE ORGANIZATION

The OOR is established pursuant to Section 1310 of the RTKL to, among other tasks, provide information related to the implementation and enforcement of the RTKL, assign Appeals Officers to review appeals of decisions by Commonwealth and local agencies, and monitor cases appealed to the OOR. The mission of the OOR is to implement the Commonwealth's RTKL, provide training and serve as a resource for citizens and public officials. The OOR's official address is:

Executive Director
Office of Open Records
555 Walnut Street, Suite 605
Harrisburg, PA 17101
Telephone: 717-346-9903
Facsimile: 717-425-5343
Email: openrecords@pa.gov

III. APPEALS TO OOR

A. Form and contents of a RTKL appeal

- (a) An appeal shall be submitted using the appeal form promulgated by the OOR and located on the OOR's website. Failure to use the appeal form may result in the dismissal of the appeal if the appeal does not otherwise meet the requirements set forth in 65 P.S. § 67.1101(a).
- (b) A RTKL appeal must be in writing and contain the following documents:
 - (1) A copy of the request filed with the agency and;
 - (2) A copy of the agency's response, if any, and;
 - (3) A copy of any extension invoked under Section 902 and a copy of mutually agreed upon extensions, if any.
- (c) Deficient Appeals. Upon receipt of a deficient appeal, the OOR will assign a docket number to the appeal and issue a directive requiring the Requester to provide the necessary missing information. If the Requester does not cure a deficient appeal as set forth in the directive, the deficient appeal may be dismissed.
- (d) Upon determination that an Appeals Officer does not have jurisdiction to hear an appeal or part of an appeal, but the appeals officer for a Commonwealth or local agency designated under section 503 of the RTKL (65 P.S. § 67.503) does have jurisdiction, the Appeals Officer may transfer the appeal in full or part, as appropriate, to the other appeals officer with jurisdiction to consider the appeal.

B. Commencement of RTKL appeal

- (a) An appeal is commenced with a filing in the format proscribed above.
- (b) Appeals may be submitted:
 - (1) via U.S. Mail;
 - (2) by in person delivery; or
 - (3) electronically through the OOR's website.
- (c) Upon receipt of a filed appeal, the OOR will docket the appeal.
- (d) Docketed appeals will be assigned to an Appeals Officer. The time to issue a Final Determination shall begin upon the Appeals Officer's receipt of the appeal.
- (e) The requester and agency will be served by the OOR with notice of the filing of the appeal with the OOR. The notice will be sent by the method and manner of service accepted by each party.
- (f) The OOR may direct the agency to serve a potential direct interest participant with notice of the appeal and their ability to participate therein.

- (g) If a requester is incarcerated, the OOR will consider appeals as timely filed if there is evidence that the appeal was placed into the institutional mail within the fifteen (15) business day appeal period as provided in 65 P.S. § 67.1101(a)(1).

C. Docket

- (a) Each appeal as initiated will be assigned an appropriate docket number designation. The OOR will maintain a docket of all proceedings, which will be maintained for at least two years after the issuance of a Final Determination. The docket shall be available for inspection and copying by the public, upon request.
- (b) Consolidation of appeals. By order of the OOR, proceedings involving the same parties with a common question of law or fact may be consolidated. Appeals that are consolidated will be referenced by the first docket number in which the appeals are consolidated. Parties may request consolidation. An Appeals Officer's decision to grant or not to grant consolidation is not appealable.

D. Filings

- (a) Paper filings.

- (1) Pleadings, submittals or other documents filed in proceedings, if not printed, must be submitted on 8 ½ x 11 or 8 ½ x 14 inch paper unless the party filing the document specifically seeks and is granted permission to file non-conforming papers.

- (2) Number of Copies – Parties shall provide one (1) copy of all paper filings to the OOR, except as otherwise specified.

- (3) Service – Service of paper filings must be made upon the Appeals Officer, the opposing party, and any direct interest participants via U.S. Mail or hand delivery.

- (b) Electronic filings.

- (1) A person must register to use the OOR E-file appeal portal in accordance with the registration instructions available on the OOR's web site at <https://www.openrecords.pa.gov>. Electronic filings will serve as the default filing method unless a party demonstrates the inability to use the E-file appeal portal due to lack of internet access or physical disability. Upon such a determination, a party may submit paper filings by U.S. Mail or hand delivery. **The E-file appeal portal constitutes the sole electronic means for participating in an OOR appeal.**

- (2) Either party, counsel for parties, and direct interest participants in an RTKL appeal shall use the OOR E-file appeal portal through an authorization process established by the OOR.

(3) In order to participate in the system, a party shall establish an account in the system using procedures established by the OOR. The OOR E-file appeal portal permits parties to proceed with or without counsel and allows parties to file documents electronically to be entered into the docket record for the appeal.

(4) Establishment of an account by a party shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed in the OOR E-file appeal portal system.

(5) Service upon all parties participating in the system shall be done electronically through the OOR E-file appeal portal.

(6) A registered AORO will receive electronic notice of a RTKL appeal at the registered agency email address.

(7) All legal papers electronically filed shall be maintained and retained by the OOR E-file appeal portal in an electronic format. The OOR is not required to maintain in a physical paper format any legal paper filed electronically as provided in this rule.

(8) Any legal paper submitted for filing to the OOR in a physical paper format shall be accepted by the OOR in that format and shall be converted to Adobe Portable Document Format (.pdf) and added to the E-file appeal portal.

(9) Confirmation of receipt. The electronic filing system will generate a notice confirming the successful receipt of a filing made electronically. The notice will contain the date and time that the filing was received and a link to the filing.

(i) A legal paper shall be considered filed upon submission of the legal paper to the system and acceptance of the filing by the OOR. If the OOR determines that the requirements for filing have been met, the time and date of filing shall be the time and date that the legal paper was submitted to the system. If the OOR finds that the requirements for filing are not met, the OOR may reject the filing.

(ii) The filing party shall be responsible for any delay, disruption, and interruption of the electronic notice and legibility of the document electronically filed, except when caused by the failure of the OOR system's website.

(iii) The system shall attribute the filing of an electronic legal paper to the party whose account is used to log onto the system and file the legal paper for the relevant affiliated docket number.

(10) Revocation of participation in the electronic filing system.

(i) Revocation by the filing user. Filing users may revoke their participation in the electronic filing system for all OOR proceedings by filing a notice of revocation with the assigned Appeals Officer. The notice must contain the user's name, user ID, address and e-mail addresses, the name of the party that the user represents, the

names of all authorized users on the same account, the effective date of the revocation, and all OOR proceedings in which the user is a party or participant, or provides representation. After receipt of the notice, and upon conclusion of any active OOR proceedings, the OOR will cancel the filing user's user ID and password.

(ii) Revocation by the OOR. The OOR may revoke a filing user's participation in the electronic filing system and may cancel the filing user's user ID and password, after providing the filing user with notice, when the OOR determines that the filing user is abusing the electronic filing privileges. All parties to an appeal will receive a copy of the OOR's notice of revocation. Abuse of the OOR's electronic filing privileges includes knowingly permitting unauthorized use of a user ID and password and knowingly engaging in actions that interfere with the security or integrity of the electronic filing system, including the introduction of a virus or destructive programming into the electronic filing system.

(c) Restriction for filings containing confidential information. Information made confidential by statute or regulation should not be included in any document filed. The best way to protect confidential information is not to provide it to the OOR. Therefore, only provide confidential information to the OOR when ordered or it is otherwise necessary for the disposition of a matter.

(1) Parties and their attorneys shall be solely responsible for complying with the provisions of this section.

(2) The OOR is not required to review or redact any filed document for compliance with this section. A party's or attorney's failure to comply with this section shall not affect access to agency records that are otherwise accessible.

(3) If a filed document fails to comply with the requirements of this subsection, the OOR may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended, stricken, or any combination thereof.

E. Rejection of filings

The OOR may reject a filing if it does not comply with any applicable statute, regulation or order of the OOR.

F. Computation of time

(a) The OOR's business hours are from 9:00 a.m. to 5:00 p.m. each weekday, except as follows:

(1) A legal holiday designated by section 1 of the Act of May 31, 1893 (P.L. 188, No. 138).

(2) Saturdays and Sundays.

(3) A day declared a holiday by the Pennsylvania Office of Administration.

(4) Any other day on which the OOR is closed.

(b) Filings submitted through the U.S. mail or in person delivery will be accepted up to 5:00 p.m. and will be date-stamped as being received on the same business day as they are received. Such filings received outside of OOR's business hours shall be deemed received and date-stamped on the next business day of the OOR.

(c) Filings submitted through the OOR E-file appeal portal will be accepted up to 11:59:59 p.m. and will be date-stamped as being received on the same business day as they are transmitted.

(d) Timely Filing Required. An appeal of a denial or deemed denial pursuant to the RTKL must be filed with the OOR within the earliest of:

(1) Fifteen (15) business days of the mailing date of the Agency's response; or,

(2) Fifteen (15) business days of the Agency's deemed denial of a request.

(e) Appeals after inspection. Appeals must be filed within fifteen (15) business days of the production of records if a requester inspects the records.

G. Use of generative artificial intelligence

Any person who submits a pleading or filing with the OOR using any generative artificial intelligence (A.I.) tool to: (a) conduct the legal research referenced in the pleading or (b) to draft a pleading or documents must ensure that each and every citation to the law or the evidentiary record in the filing has been verified by the submitter as relevant and accurate. Parties should not assume that mere reliance on an AI tool will be presumed to constitute reasonable inquiry.

If a document is submitted that contains material inaccuracies or lacks probative value, clarity, or conciseness, the Appeals Officer or the OOR, upon motion or upon its own initiative, may take appropriate remedial action, which may include striking the document.

H. Service

(a) Electronic service. Upon the submission of a legal paper for electronic filing, the OOR E-file appeal portal shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements on any attorney or party who has established a system account.

(1) Service of electronic filings on any attorney or party who has not established a OOR E-file appeal portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under section (b).

(b) Service by mail. A copy of all filings shall be mailed to the opposing party by any form of mail. Service is complete upon delivery of the mail.

(1) If the mail is returned with notation by the postal authorities that the party refused to accept the mail, the sender shall have the right of service by mailing a copy to the party at the same address by ordinary mail with the return address of the sender appearing thereon. Service by ordinary mail is complete if the mail is not returned to the sender within fifteen days after mailing.

(2) If the mail is returned with notation by the postal authorities that it was unclaimed, the sender shall make service by another means pursuant to these rules.

I. Representation

(a) A party may be represented by an attorney.

(b) Attorneys retained to represent a party in an appeal shall submit an Entry of Appearance to the Appeals Officer assigned to the appeal. Entries of appearance can be filed at <https://www.openrecords.pa.gov/Appeals/EntryOfAppearance.cfm>.

(c) An act or failure to act by an attorney has the same effect as if the party for whom the attorney has entered an appearance performs or fails to perform it.

J. Procedure

(a) The Appeals Officer has wide discretion over procedural matters, including the setting of submission schedules and the closing of the evidentiary record.

(b) Form and admissibility of evidence

(1) The Appeals Officer may rule on the admissibility of evidence and may otherwise control the receipt of evidence so as to confine it to the matters at issue in the proceeding. In the discretion of the Appeals Officer, evidence may be excluded if:

(i) It is repetitious or cumulative; or,

(ii) Its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or of undue delay or waste of time.

(2) The Appeals Officer may close the evidentiary record if further submissions are deemed to be unnecessary or cumulative.

(c) Discovery – There shall be no discovery in an RTKL appeal unless authorized by special order of the OOR.

(d) Motions

(3) Motions for relief shall specifically state the grounds and facts relied upon, appropriate reference to statutory or other authority, and the relief sought.

(4) Motions may be filed, submitted, or made at any time during the pendency of an appeal. The Appeals Officer assigned to the appeal shall rule on motions on the basis of justice, fairness, and the expeditious resolution of the dispute.

IV. MEDIATION

A. Participation

(a) The parties of an appeal may participate in the OOR Mediation Program.

(b) The parties may agree to enter the mediation process at any time before the issuance of the Final Determination.

(c) To participate in the OOR Mediation Program:

(1) The parties shall agree in writing to participate in the mediation process, through a signed Mediation Agreement; and,

(2) The requester shall agree to extend the deadline to issue a final determination until 30 days after the date the mediation process concludes, plus any additional time granted by the requester when the appeal was filed. If the requester indicates an interest in mediation on the appeal form when filing an appeal, the proceeding is automatically stayed for seven business days.

(d) If both parties elect to resolve the appeal by way of mediation, the statutory requirements for the OOR to issue a Final Determination are stayed until such time as the OOR mediator would determine that mediation was unsuccessful. Upon unsuccessful resolution by mediation, the appeal is reassigned to an Appeals Officer and thirty days from the date of unsuccessful mediation is the new date for the Final Determination, unless additional time was granted by the requester when the appeal was filed.

B. Mediation process

(a) Once a signed Mediation Agreement is submitted by both parties and the OOR deems the matter to be appropriate for mediation, an OOR mediator will be assigned. If an appeal is not approved for mediation, the appeal will continue through the appeals process for the issuance of a Final Determination.

- (b) The mediator's role is to facilitate the mediation process in an effort to resolve the contested issues between or among the parties. The mediator will not make a decision on the merits of the issues or provide legal advice to any party.
- (c) If the mediator determines that the mediation process is unlikely to result in resolution, the mediator may terminate the mediation at any time.
- (d) The mediator may communicate with each party individually.
- (e) Communications will take place via email and teleconference, outside of the OOR's E-file appeal portal.
- (f) Discussions during the mediation process are confidential, and mediation communications cannot be used as evidence during an appeal or other court proceeding.
- (g) By entering mediation, the parties agree to participate in good faith. Failure to participate in good faith, inappropriate behavior, or failing to appear for a scheduled mediation session may result in the termination of the mediation and may affect a party's ability to participate in future mediations before the OOR.

C. Conclusion of the mediation process

- (a) If an agreement between the parties is reached through the mediation process, the requester shall withdraw the appeal before the OOR.
- (b) If the mediator determines or any party notifies the mediator that mediation is unsuccessful:
 - (1) The mediator shall send correspondence to the parties indicating that the mediation process is concluded.
 - (2) The OOR will transfer the appeal to an Appeals Officer who shall issue a Final Determination.
 - (3) If a party abandons an appeal during the mediation process, the appeal may be considered resolved and withdrawn.

D. Records of the mediation process

- (a) All records sent by or submissions made to a mediator during an OOR mediation are not subject public access.
- (b) All written mediation communications and mediation documents sent by or submitted to a mediator or the OOR Mediation Program will be excluded from the public appeal file and will be disposed of securely at the conclusion of the mediation process.

V. IN CAMERA REVIEW

A. In Camera Review

- (a) Any party to the appeal may request an *in camera* review of records.,
- (b) The Appeals Officer may order an *in camera* inspection of records without a request from a party participating in the appeal.
- (c) Following the decision to conduct such review, the OOR will issue an Order directing the Agency or, if applicable, the direct interest participant, to submit the records in accordance with the requirements set forth herein. The Order will establish a new date by which a Final Determination will be due after receipt of the records for *in camera* inspection.
- (d) The Agency or, if applicable, the direct interest participant, shall submit a copy of the records for *in camera* inspection, together with an *in camera* inspection index, by the date ordered.
- (e) The Appeals Officer will provide the Agency, or, if applicable, the direct interest participant, confirmation reflecting the date the records were received. The confirmation shall also certify that neither the records submitted for an *in camera* inspection, nor their contents, will be disclosed to any unauthorized person, except as provided by court order or this section.
- (f) The Agency or, if applicable, the direct interest participant, shall certify that the records submitted for an *in camera* inspection are true and correct and complete copies of the records at issue in the appeal. If a hearing is held, the Agency, or, if applicable, the direct interest participant, shall make available for direct and cross-examination the official who issued the certification.
- (g) In the event a party providing records for *in camera* inspection fails to comply with the requirements set forth herein, the Appeals Officer may return the records, decline to inspect them or otherwise act upon the request for *in camera* inspection on the basis of justice, fairness and the expeditious resolution of the appeal.

B. In Camera Inspection Index and Transmission

- (a) When submitting records for *in camera* inspection, the Agency or, if applicable, the direct interest participant, shall provide a copy of an *in camera* inspection index,

referencing each record, or each item within each record, claimed to be exempt and citing the applicable exemption(s).

- (1) The inspection index and records submitted for *in camera* inspection must be provided to the OOR by one of the following methods: e-mail, regular or certified mail, or hand-delivery. The OOR may also permit Agencies or Direct Interest Participants to provide records for *in camera* inspection through other secure electronic means at the OOR's discretion.
 - (2) If submitted electronically, *in camera* records should be provided in Adobe Portable Document Format (.pdf) and submitted to OORSecure@pa.gov, the OOR's secure email resource account for the submission of *in camera* records.
 - (3) If the file containing the *in camera* records exceeds the OOR's email system limitation of 20 MB, the submission may be filed via multiple transmittal emails. If the *in camera* records are in a format that cannot be converted to .pdf, they should be sent using traditional delivery methods (e.g. U.S. Mail, commercial carrier, in-person, etc.) within seven days of the submission of the electronic filing.
 - (4) Each record (or page of the record, if necessary) shall be Bates numbered and correspond to the number(s) listed on the inspection index.
 - (5) The inspection index shall cite the applicable exemption(s) for each record (or page of the record, if necessary) and provide a description of the grounds(s) for each exemption. Where appropriate, the inspection index should also identify the individuals, by name and title, who sent or received the records subject *in camera* inspection.
- (b) The Agency or, if applicable, the Direct Interest Participant, shall provide a copy of the *in camera* inspection index and all other documents not submitted under seal (e.g., cover letter and redacted records previously provided to the Requester and submitted for the purposes of comparison) to all parties to the appeal.

C. Storage and Use of In Camera Records

- (a) Records submitted for *in camera* inspection shall be stored in a secure electronic OOR file or, if records are provided in hard copy form, the records shall be stored in a secure OOR file. Only the Appeals Officer, the Executive Director, Deputy Director, Chief Counsel, and staff attorneys designated by Chief Counsel are authorized to review the content of the records. All other documents submitted by the parties in the appeal, including documents accompanying the *in camera* records not filed under seal, will be included as part of the public appeal file.
- (b) The Appeals Officer may print copies of the *in camera* records for review and immediately destroy any such copies after the need for review has passed. Similarly, notes

taken by the Appeals Officer, if any, will be destroyed upon the issuance of the Final Determination.

(c) Any *in camera* records printed shall be secured in the same manner as records submitted to the OOR in hard copy form. The OOR will not otherwise permit records submitted for an *in camera* inspection to be printed or copied. Likewise, any persons authorized to inspect such records, with the exception of the assigned Appeals Officer, are prohibited from taking notes referring to specific information contained in the *in camera* records.

(d) References to specific records submitted for *in camera* inspection, or the contents of such records, in the Final Determination will be made by the assigned reference numbers, as reflected on the inspection index or records themselves, or by reference to generic descriptions or characterizations set forth on the inspection index.

(e) At public hearings, the Appeals Officer shall not allow any mention of the specific contents of records submitted for *in camera* inspection. However, identification of these records may be made by reference to the assigned Bates numbers endorsed on the records or by reference to generic descriptions or characterizations set forth on the inspection index.

D. Disposal of In Camera Records

(a) Unless a Final Determination is appealed to a reviewing court, after six (6) months from the issuance of the Final Determination, the OOR shall destroy all records submitted for *in camera* inspection and notify the Agency and, if applicable, the Direct Interest Participant, of the destruction of the record(s).

(b) Unless directed by court order, if a Final Determination is appealed to a reviewing court, the OOR will not include the records submitted for *in camera* inspection as part of the official record to be certified to the court. For cases appealed to a Court of Common Pleas or the Commonwealth Court, the OOR will file the *in camera* records with the Court, under seal, in a separate Supplemental Certified Record.

(c) Until delivery of the certified record to the court, the OOR will continue to retain records submitted for *in camera* inspection in the OOR's secure file, separate and apart, from the remainder of the public record of an appeal.

(d) Absent a subsequent appeal to a reviewing court, six (6) months following the issuance of a final court order in an appeal implicating records submitted for *in camera* inspection, the OOR shall destroy all *in camera* records and notify the Agency and, if applicable, the Direct Interest Participant, of the destruction.

VI. HEARINGS

A. Appeal hearing

(a) If the Appeals Officer elects to hold a hearing, the OOR will take the following actions:

(1) The OOR will send notice of the time, date and location of the hearing, along with a description of the subjects and issues that are the subject of the hearing, to the parties.

(2) The Appeals Officer may decide to hold the hearing at any location designated by the OOR, including by videoconference or teleconference if accessible to all parties (in this event, the address of all locations where the hearing may be viewed or heard will appear on the OOR publication notice). If a hearing will be conducted by videoconference, the Appeals Officer will arrange for the submission of any documentary evidence before the hearing and distribute copies of any materials to the parties.

(3) The Appeals Officer will establish a new date by which a Final Determination will be due after conclusion of the hearing.

B. Appeal calendar

(a) The OOR will maintain a hearing calendar of all appeals set for hearing. The OOR, in its discretion with or without motion, may at any time, with due notice to the parties, advance or postpone any proceeding on the hearing calendar.

(b) Continuances. Proceedings may not be continued except for good cause shown. Requests for continuances shall be submitted to the OOR in writing.

C. Prehearing conference

(a) The Appeals Officer may schedule a prehearing conference.

(b) During a prehearing conference, the following may be considered:

(1) Simplification of the issues.

(2) Exchange and acceptance of service of exhibits proposed to be offered into evidence.

(3) Obtaining of admission as to, or stipulations of, facts not remaining in dispute, or the authenticity of documents that might properly shorten the hearing.

(4) Providing the opportunity for the parties to submit witness and exhibit lists, stipulations and settlement proposals.

(5) Limitation of the number of witnesses.

(6) Rule on motions and establish a briefing schedule for the parties to submit briefs and reply briefs.

- (7) Other matters as may properly be dealt with to aid in expediting the orderly conduct and disposition of the proceeding.

D. Subpoenas

Subpoenas for the attendance of witnesses, unless directed by the Appeals Officer, are to be issued only on application in writing to the assigned Appeals Officer, except that during a hearing, the application may be made orally on the record before the Appeals Officer. The Appeals Officer is to determine the relevancy and materiality of the evidence sought and to issue the subpoenas accordingly.

E. Order of presentation

- (a) The agency shall open the hearing and present any evidence and witnesses followed by the requester, who may also present evidence and witnesses.
- (b) All witnesses will be sworn.
- (c) All witnesses are subject to reasonable cross examination.
- (d) The Appeals Officer will decide whether to hear closing arguments and, if so permitted, the requester shall go first, followed by the agency, which has the burden of proof under the RTKL.
- (e) If a direct interest participant is involved, the direct interest participant may present evidence and witnesses after the agency, and before the requester.

F. Attendance at proceedings

All individuals must appear at all scheduled proceedings and mediation sessions. Attendance at scheduled proceedings and mediation sessions is required. An individual may appear on their own behalf. A member of a partnership may represent the partnership; a *bona fide* officer of a corporation, trust or association may represent the corporation, trust or association; and an officer or employee of another agency or political subdivision may represent the agency or political subdivision in presenting any submittal of an agency subject to these Procedural Guidelines.

G. Transcripts

- (a) Testimony shall be recorded and transcribed by a duly qualified court reporter.
- (b) At the conclusion of the hearing, the Appeals Officer will permit copies of the hearing transcript to be delivered to the parties. Participants desiring copies of the transcript may obtain copies on payment of the fees fixed therefor.

(c) At the request of a party, the recording will be transcribed, and a transcript of the proceedings will be included as part of the certified record of the appeal.

VII. FINAL DETERMINATIONS

(a) A Final Determination shall include the following:

- (1) The docket number of the appeal;
- (2) The name of the Appeals Officer;
- (3) The names of the parties;
- (4) A factual summary of proceedings before the OOR;
- (5) A written explanation of the reason for the decision containing findings of fact and conclusions of law;
- (6) A statement explaining the agency action required to comply with the Final Determination and the date by which the agency must comply;
- (7) The date of issuance to the parties.

(b) A Final Determination is effective on the date of issuance.

(c) If the Appeals Officer fails to issue a Final Determination within thirty (30) calendar days of receipt of the appeal, the appeal is deemed denied unless an extension of time has been agreed to by the Requester or the Appeals Officer exercises the discretion to extend the statutory deadline to issue a Final Determination as appropriate for the purposes of ensuring full due process and the meaningful opportunity for party participation in the appeal.

VIII. PETITIONS FOR RECONSIDERATION

(a) Petitions for reconsideration shall be filed within 15 calendar days after the issuance of a Final Determination. A petition for reconsideration shall specifically state the grounds relied upon.

(b) Petitions for reconsideration shall be directed to the OOR's Chief Counsel and submitted to oor-postfd@pa.gov.

(c) The OOR will follow the procedures set forth in the General Rules of administrative Practice and Procedure, 1 Pa. Code § 35.241.

(d) The filing of a petition for reconsideration or the OOR's granting of a petition for reconsideration does not toll the time period for seeking judicial review under 65 P.S. §§ 67.1301 (relating to judicial review of Commonwealth, legislative and judicial agency decisions) and 67.1302 (relating to judicial review of local agency decisions) of the RTKL.

(e) The OOR will not accept additional evidence or re-open the record for appeals in which a petition for reconsideration is granted unless it is necessary to ensure due process or to effectuate justice, fairness, or the expeditious resolution of the dispute.

(f) If the OOR grants a petition for reconsideration, a party may file a response to the petition for reconsideration within 15 calendar days of the issuance of the order granting reconsideration.

(g) The OOR may deny a petition for reconsideration in writing. Otherwise, a petition for reconsideration will be deemed denied if no response is made within thirty calendar days after it is filed.

EXHIBIT B

FINAL DETERMINATION

DATE ISSUED AND MAILED: July 6, 2026

IN RE: *Hunter Overdorff v. West Wheatfield Township*; OOR Dkt. AP 2026-2420

On June 9, 2026, Hunter Overdorff (“Requester”) submitted a request (“Request”) to West Wheatfield Township (“Township”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* The Township did not respond within five business days of receiving the Request, and the Request was, therefore, deemed denied on or about June 16, 2026. 65 P.S. § 67.901. On June 18, 2026, the Requester filed an appeal with the Office of Open Records (“OOR”).

Local agencies have the burden of proving that records are exempt from access. 65 P.S. § 67.708(a)(1). Here, the Township did not comply with the RTKL by timely responding to the Request, nor did the Township participate on appeal by submitting legal argument or evidence in support of withholding records.¹ Accordingly, the Township did not meet its burden of proof under the RTKL. 65 P.S. § 67.305.

For this reason, the appeal is **granted**, the Township is required to provide the requested records to the Requester within thirty days, or, in the alternative, a sworn affidavit or a statement made under the penalty of perjury demonstrating that the records do not exist. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Indiana 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.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

JOSHUA T. YOUNG
SENIOR DEPUTY CHIEF COUNSEL

Sent via OOR e-file portal to: Hunter Overdorff; Tammie Shetler, AORO

¹ Notably, the Township’s Open Records Officer logged into the OOR’s e-file portal system and viewed the appeal documents on June 23, 2026 and July 6, 2026.

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

EXHIBIT C



DOCKET SHEET

Hunter Overdorff v. West Wheatfield Township

OOR Dkt. No.: AP 2026-2420

Case Status: Granted: Agency Did Not Participate

FD Due:

07/23/2026

Record Closing Date:

07/02/2026

Appeals Officer:

Young, Joshua

Agency/County:

Indiana

Description:

The Agency did not participate on appeal by submitted legal argument and/or evidence to meet its burden of proof under the RTKL. Granted.

Legal Issues:

Clause	Exemption	Result
708(a) - Non-participation of Agency	Non-participation of Agency	Granted
Agency Invoked an Extension	The agency invoked a 30 day extension to respond to the request.	
Deemed Denial	Request was deemed denied.	

Docket Entries

Filed	Description	Step	Court	Document
07/06/2026	OOR Final Determination	Final Determination		

 Download Files

 Print Docket Sheet

EXHIBIT D

IN THE COMMONWEALTH OF PENNSYLVANIA OFFICE OF OPEN RECORDS

HUNTER OVERDORFF,

OOR Dkt. AP 2026-2420

Requestor,

v.

WEST WHEATFIELD TOWNSHIP,

Agency.

AFFIDAVIT OF TAMMIE SHETLER

I, Tammie Shetler, being duly sworn according to law, certify as follows:

1. I am over eighteen (18) years of age and am competent to make this Affidavit based upon my personal knowledge.

2. I am submitting this Affidavit in support of the Township's Petition for Reconsideration of the Final Determination made in the above-captioned Right-To-Know Law Request appeal.

3. I am the Secretary for West Wheatfield Township. By virtue of my position as Secretary, I process Right-To-Know requests for the Township as the Open Records Officer.

4. On June 9, 2026, Hunter Overdorff submitted a Right-To-Know Law Request form to the Township, requesting various documents pertaining to a lawsuit filed against the Township in the Court of Common Pleas of Indiana County, Pennsylvania, Case No. 0915-CD-2026-1. A true and correct copy of Mr. Overdorff's Right-To-Know Law request is attached hereto as **Exhibit A**.

5. I received Mr. Overdorff's request on June 9, 2026.

6. Consequently, on June 16, 2026, which is within five (5) business days of Mr. Overdorff submitting his June 9, 2026 Right-To-Know Law request to the Township, I drafted a letter to Mr. Overdorff informing him that the Township was invoking a 30-day extension pursuant

to letter I mailed Mr. Overdorff on June 16, 2026. A true and correct copy of my June 16, 2026 letter to Mr. Overdorff is attached hereto as **Exhibit B**.

7. Therefore, I filled out the section on the Right-To-Know Law Request form confirming that a 30-day extension existed. **See Exhibit A.**

8. Despite my mailing of the 30-day extension letter to Mr. Overdorff, Mr. Overdorff filed the above-referenced appeal.

9. On or about June 30, 2026, the Township Solicitor, Timothy S. Burns, Esquire, resigned from his position as Solicitor. Currently, the Township has no Solicitor.

I declare under penalty of perjury under the laws of the Commonwealth of Pennsylvania that the foregoing statements are true and correct to the best of my knowledge, information, and belief.



Tammie Shetler, Secretary
West Wheatfield Township
16129 Route 259
P.O. Box C
Robinson, PA 15949

Date: 7-9-26

Hunter Overdorff
41 Brookdale Lane
Indiana, Pennsylvania 15701

June 9, 2026

West Wheatfield Township
Attention: Open Records Officer
16129 Route 259
P.O. Box C
Robinson, PA 15949

Re: Right-to-Know Law Request

The purpose of this letter is to request information pursuant to the Right-To-Know Law (RTKL), P.L. 6, No. 3 Cl. 02 Section 302. If this information is not available from your agency, forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide me with a copy of the following items:

See attached Commonwealth RTKL Form.

If any part or all of the materials are withheld under a Right-To-Know Law (RTKL) exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

I request that you furnish the information without any charge, however, should a fee be placed on the search for requested information, it should be limited to the reasonable standard charges as outlined in Section 1307 of the Right-To-Know Law (RTKL). In the event fees are charged, please provide me with an itemized statement of the applicable fees.

As provided for by Section 901 of the Right-To-Know Law (RTKL), please provide your reply within five (5) business days. Thank you for your prompt attention to this matter.

Sincerely,



Hunter Overdorff



Pennsylvania Office of Open Records

Standard Right-to-Know Law Request Form

Please read carefully. Complete this form and retain a copy of **both** pages; this copy may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied. More information about the RTKL is available at <https://www.openrecords.pa.gov>. In most cases, a completed RTKL request form is a public record.

SUBMITTED TO AGENCY NAME: West Wheatfield Township (Attn: AORO)

Date Request Submitted: 6/9/26 Submitted via: ☒ Email ☐ U.S. Mail ☐ Fax ☐ In Person

PERSON MAKING REQUEST:

Full Name: Hunter Overdorff

Company (if applicable): _____

Please send response via: ☒ Email ☐ U.S. Mail

If you wish to obtain records that only exist in hard copy, or must be provided on an electronic storage device, you may be required to provide a mailing address to the agency. See Section 703.

Email: hjover@protonmail.com

Mailing Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

How do you prefer to be contacted if the agency has questions? ☐ Telephone ☒ Email ☐ U.S. Mail

☐ **By checking this box, I affirm that my full name and contact information is true and correct, and that I am a legal resident of the United States. I understand that failure to check this box may result in the denial of my request and the dismissal of any appeal filed with the Office of Open Records.**

RECORDS REQUESTED: *Provide as much detail as possible, including subject matter, time frame, and type of record sought. RTKL requests must seek records, not ask questions. Use additional pages if necessary.*

All documents relating to 0915-CD-2026-1, including but not limited to:

- The original Complaint in Civil Action filed in this matter.
- The Amended Complaint in Civil Action.
- All Praecipe For Entry of Appearance(s).
- All pleadings, motions, petitions, answers, replies, and other court filings.
- All orders, judgments, decrees, opinions, memoranda, or decisions issued by the court.

Form continues on page 2. Retain a copy of both pages.

RECORDS REQUESTED (continued):

- All notices, certificates of service, and proofs of service.
- All correspondence, letters, memoranda, or e-mails between the agency/court and any party, counsel, or third party concerning this case (non-privileged).
- All records identifying counsel of record for all parties, including full name(s), law firm(s), mailing address(es), telephone number(s), and email address(es).
- All documents relating to a fee schedule for defendant's counsel.
- All receipts of payments made to counsel on behalf of defendant.
- Any other documents or data that reference or relate to 0915-CD-2026-1.

DO YOU WANT COPIES? ☐ Yes, printed ☒ Yes, electronic ☐ No, in-person inspection

Records shall be provided in the medium requested if they exist in that medium; otherwise, they shall be provided in the medium in which they exist. See Section 701. Your request may require payment or prepayment of fees. View the Official RTKL Fee Schedule for more details.

I understand that my request may incur fees. Notify me before further processing if fees will be more than ☐ \$100 (or) ☒ \$1.00.

Do you want certified copies? ☐ Yes (may be subject to additional costs) ☒ No

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: 6-9-26 Response Due (5 bus. days): _____

30-Day Ext.? ☒ Yes ☐ No (If Yes, Final Due Date: _____) Actual Response Date: 6-16-26

Request was: ☐ Granted ☐ Partially Granted & Denied ☐ Denied Cost to Requester: \$ _____

☒ Appropriate third parties notified and given an opportunity to object to the release of requested records.

Retain a copy of both pages of this Form.

WEST WHEATFIELD TOWNSHIP
BOARD OF SUPERVISORS
P.O. BOX "C"
ROBINSON, PA 15949
724-676-4835
FAX NO: 724-676-4837
E-MAIL: tshetler@wwtownship.com

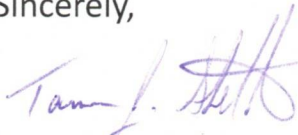
Hunter Overdorff
41 Brookdale Lane
Indiana, PA 15701

This Standard Right-to-Know Law Request, was turned over to our Attorney on June 9, 2026.

I spoke with our Attorney today (June 16, 2026). Our Attorney informed me, to send you this information.

That he will need to take the 30-Day Extension period, for all this information.

Sincerely,



Tammie J. Shetler
Secretary/Treasurer
West Wheatfield Township
Board of Supervisors

EXHIBIT E



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 1, 2026

IN RE: *Aaron Shover v. Big Spring School District*, OOR Dkt. AP 2026-2357

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the Big Spring School District (“District”) submissions, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The appeal states that the Request was filed on June 8, 2026¹ and deemed denied on June 15, 2026 *See* 65 P.S. § 67.901. However, on June 16, 2026, the District timely invoked a thirty-day extension as permitted under 65 P.S. § 67.902(b).² *See* District’s June 30, 2026 submission. Under the extension, the District has five business days, followed by thirty calendar days, from June 8, 2026 to respond to the Request. 65 P.S. § 67.902(b)(1)-(2). As a result, the District has until July 16, 2026 to respond to the Request. The appeal was submitted on June 16, 2026; thus, the Requester did not allow sufficient time before filing the appeal. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Cumberland 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.³ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Lyle Hartranft

LYLE HARTRANFT, ESQ.
APPEALS OFFICER

Sent via OOR Portal to: Aaron Shover; Cristy Lentz, AORO; Thomas Breth, Esq.
Thomas King, III, Esq.

¹ The Request is dated June 11, 2026.

² The District explains that, beginning on June 8, 2026, the District operates on a summer work schedule and the “District is not open to the public on Fridays[.]” Lentz Attestation, ¶ 3. As such, June 10, 2026 does not count as a business day.

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



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 2, 2026

IN RE: *Tim Tatarko v. Blacklick Township*, OOR Dkt. AP 2026-2599

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was submitted to Blacklick Township (“Township”) on June 22, 2026. The Township has five (5) business days upon receipt of the Request to respond. 65 P.S. § 67.901. As a result, the Township had until 11:59:59 p.m. on June 29, 2026 to respond to the Request. The appeal was submitted to the OOR on June 29, 2026; thus, the Requester did not allow sufficient time before filing the appeal.¹ The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the Township is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Cambria 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. However, 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.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer, Blacklick Township

¹ Because June 19, 2026, was observed as a federal holiday, it was not included in the calculation of the Township’s five day response period.

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



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 2, 2026

IN RE: *Jana Price v. Millville Area School District*, OOR Dkt. AP 2026-2602

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was submitted to the Millville Area School District (“School District”) on May 29, 2026. The School District timely invoked a thirty-day extension of time to respond on June 4, 2026. 65 P.S. § 67.902(b)(1). Under the extension, the School District has five (5) business days, followed by thirty (30) calendar days, from May 29, 2026 to respond to the Request. 65 P.S. § 67.902(b)(1)-(2). As a result, the School District has until July 6, 2026 to respond to the Request. The appeal was submitted to the OOR on June 29, 2026; thus, the Requester did not allow sufficient time before filing the appeal. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the School District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Columbia 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. However, 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.¹ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Joshua T. Young

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer, Millville Area School District

¹ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 2, 2026

IN RE: *Stack v. Berks County Conservation District*, OOR Dkt. AP 2026-2615

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was submitted to the Berks County Conservation District (“District”) on June 23, 2026.¹ The District had five (5) business days upon receipt of the Request to respond, or until 11:59:59 p.m. on June 30, 2026. *See* 65 P.S. § 67.901. The appeal was submitted to the OOR on June 30, 2026; thus, the Requester did not allow sufficient time before filing the appeal. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Berks 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. However, 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.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent via OOR e-file portal to: Requester;
Agency Open Records Officer, Berks County Conservation District

¹ The Request was emailed to the District after hours (5:08 p.m.) on June 22, 2026 and is deemed to have been received no sooner than the next business day, June 23, 2026. *See* <https://berkscd.com/contact-us/> (last accessed July 2, 2026).

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



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 7, 2026

IN RE: *Devin Maresca v. New Castle City*, OOR Dkt. AP 2026-2247

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED**. On May 4, 2026, Devin Maresca (“Requester”) submitted a request (“Request”) to the City of New Castle (“City”) pursuant to the Right-to-Know Law (“RTKL”), 65 P.S. §§ 67.101 *et seq.* The City invoked a thirty-day extension of time to respond, and a response was, therefore, due on or before June 10, 2026. 65 P.S. § 67.902(b)(2).

The Requester filed this appeal to the OOR on June 9, 2026, one day before the expiration of the response period. Because an appeal may only be filed from the denial or deemed denial of a request, and the City had an additional day to respond to the Request, the appeal must be **dismissed as premature**. 65 P.S. § 67.901. The Requester is not prohibited from filing the Request with the City and, if necessary, filing an appeal with the OOR pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the City is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Lawrence 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.¹ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Josh Macel

JOSH MACEL
APPEALS OFFICER

Sent *via* Appeals Portal to: Devin Maresca; Christopher Frye (AORO)

¹ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 7, 2026

IN RE: *Matthew Conklin v. East Stroudsburg Area School District*, OOR Dkt. AP 2026-2644

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was received by East Stroudsburg Area School District (“School District”) on June 25, 2026.¹ The School District timely invoked a thirty-day extension of time to respond to the Request on July 2, 2026.² 65 P.S. § 67.902(b)(1). Under the extension, the School District has five (5) business days, followed by thirty (30) calendar days, from June 25, 2026 to respond to the Request, or until August 3, 2026. 65 P.S. § 67.902(b)(1)-(2). The appeal was submitted to the OOR on July 2, 2026; thus, the Requester did not allow sufficient time before filing the appeal. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the School District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Monroe 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. However, 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.³ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent via OOR e-file portal to: Matthew Conklin;
Stephen Zall, East Stroudsburg Area School District

¹ Notably, the Request was emailed to the School District at 11:27 p.m. on June 24, 2026, and was received by the School District’s Open Records Officer the next business day, June 25, 2026. As a result, the School District’s response to the Request was due by the end of the day on July 2, 2026, not July 1, 2026 as the Requester claims on his appeal form. See 65 P.S. § 67.901.

² The School District’s extension notice is dated July 1, 2026 but appears to have been transmitted to the Requester on July 2, 2026. Regardless of this discrepancy, for the reasons set forth above, the extension notice was timely issued.

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



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 8, 2026

IN RE: *Matthew McAdoo v. Edinboro Borough*, OOR Dkt. AP 2026-2681

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Request was submitted to Edinboro Borough (“Borough”) on June 3, 2026. The Borough timely invoked a thirty-day extension of time to respond on June 4, 2026. 65 P.S. § 67.902(b)(1). Under the extension, the Borough has five (5) business days, followed by thirty (30) calendar days, from June 3, 2026 to respond to the Request. 65 P.S. § 67.902(b)(1)-(2). As a result, the Borough has until July 10, 2026 to respond to the Request. The appeal was submitted to the OOR on July 6, 2026; thus, the Requester did not allow sufficient time before filing the appeal. The Requester is not prohibited from filing a new appeal to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the Borough is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Erie 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. However, 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.¹ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer, Edinboro Borough

¹ *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).

FINAL DETERMINATION

DATE ISSUED AND MAILED: July 9, 2026

IN RE: *Aaron Shover v. Big Springs School District*, OOR Dkt. AP 2026-2395

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the submission of the Big Springs School District (“School District”), it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The appeal states that the Request was received by the School District on June 9, 2026 and deemed denied on June 17, 2026; however, the School District’s summer business hours at the time the Request was received were Monday through Thursday. *See* Lentz Attestation ¶¶ 3-4.¹ As such, the School District had until June 17, 2026 to respond to the Request. Because an appeal may only be filed from the denial or deemed denial of a request, and the School District issued a thirty-day extension to respond on June 17, 2026, the appeal must be dismissed as premature. 65 P.S. § 67.901. The Requester is not prohibited from filing the Request with the School District and, if necessary, filing an appeal with the OOR pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the School District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Cumberland 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.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Catherine R. Hecker

CATHERINE R. HECKER
APPEALS OFFICER

Sent to: Aaron Shover, Requester Cristy Lentz, AORO

¹ The Requester argues that the School District’s public facing website and the Business Manager’s voicemail does not note the School District’s summer business hours. Notwithstanding, under the RTKL, a sworn affidavit or statement made under penalty of perjury may serve as sufficient evidentiary support, and the attestation, made subject to the penalties of unsworn falsification to authorities, 18 Pa.C.S. § 4904, of Crisy Lentz is sufficient evidence under the RTKL. *See Sherry v. Radnor Twp. Sch. Dist.*, 20 A.3d 515, 520-21 (Pa. Commw. Ct. 2011); *Moore v. Off. of Open Records*, 992 A.2d 907, 909 (Pa. Commw. Ct. 2010).

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



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 9, 2026

IN RE: *Jon Burkett v. Highlands School District*, OOR Dkts. AP 2026-2693 and 2026-2694

Upon review of the appeals filed with the Office of Open Records (“OOR”) to the above-referenced docket numbers, it is determined that the appeals are **DISMISSED** because:

The appeals are premature. The Requests were submitted to the Highlands School District (“School District”) on June 19, 2026.¹ The School District timely invoked a thirty-day extension of time to respond on June 25, 2026. 65 P.S. § 67.902(b)(1). Under the extension, the School District has five (5) business days, followed by thirty (30) calendar days, from June 25, 2026 to respond to the Requests. 65 P.S. § 67.902(b)(1)-(2). As a result, the School District has until July 29, 2026 to respond to the Requests. The appeals were submitted to the OOR on July 6, 2026; thus, the Requester did not allow sufficient time before filing the appeals. The Requester is not prohibited from filing new appeals to the OOR of any denial or deemed denial stemming from the Request, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the School District is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Allegheny 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. However, 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.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer, Highlands School District

¹ The Request was emailed to the District on June 19, 2026, which was observed as a federal holiday, and is deemed to have been received no sooner than the next business day, June 22, 2026. See https://www.goldenrams.com/calendar-22?cal_date=2026-06-08 (last accessed July 8, 2026).

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



FINAL DETERMINATION

DATE ISSUED AND MAILED: July 10, 2026

IN RE: *Elizabeth Carter v. East Union Township*, OOR Dkts. AP 2026-2728 through 2026-2730

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the appeal is **DISMISSED** because:

The appeal is premature. The Requests were submitted to the East Union Township (“Township”) on June 30, 2026.¹ The Township has five (5) business days upon receipt of the Requests to respond.² 65 P.S. § 67.901. As a result, the Township had until July 8, 2026 to respond to the Requests. The appeals were submitted to the OOR on July 8, 2026; thus, the Requester did not allow sufficient time before filing the appeals. The Requester is not prohibited from filing new appeals to the OOR of any denial or deemed denial stemming from the Requests, pursuant to the requirements of 65 P.S. § 67.1101(a)(1).

For this reason, the Township is not required to take any further action. Within thirty days of the mailing date of this Final Determination, you may appeal or petition for review with the Schuylkill 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. However, 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.³ All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ *Joshua T. Young*

Senior Deputy Chief Counsel
Joshua T. Young, Esq.

Sent to: Requester; Agency Open Records Officer, East Union Township

¹ The Requests submitted with the appeals are dated June 26, 2026; however, the Requester’s appeal forms and statements identify the Requests as having been filed on June 30, 2026. Accordingly, the dates included on the Requests are being treated as inaccurate.

² Because July 3, 2026, was observed as the Independence Day holiday, it was not included in the calculation of the Township’s five day response period.

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

EXHIBIT F

Hunter Overdorff
41 Brookdale Lane
Indiana, PA 15701
Email: hjover@protonmail.com

Date: July 5, 2026

Re: OOR Appeal Docket No. AP 2026-2420 – Appeal of Deemed Denial by West Wheatfield Township Records Requested: All documents relating to 0915-CD-2026-1

Dear Appeals Officer,

This submission is made in response to the Notice of Deadlines. I am providing evidence and legal argument in support of my position that the requested records are public records under the Pennsylvania Right-to-Know Law (RTKL) and must be disclosed. I respectfully request that the OOR direct West Wheatfield Township to produce the records promptly.

1. Background and Procedural History

- On June 9, 2026, I submitted a RTKL request via email to West Wheatfield Township for all documents relating to case number **0915-CD-2026-1**, a civil action. The request was detailed and included specific categories such as complaints, amended complaints, pleadings, motions, orders, correspondence, proofs of service, fee schedules, and payment records.
- The request was submitted properly using the standard RTKL form and was sufficiently specific.
- The Township failed to respond within the required timeframe, resulting in a **deemed denial**.
- I timely filed this appeal with the OOR.

2. Legal Argument: The Requested Records Are Public Records

Under the RTKL (65 P.S. § 67.101 et seq.):

- Records in the possession, custody, or control of a local agency (such as West Wheatfield Township) are **presumed to be public records** unless the agency proves by a preponderance of the evidence that they are exempt under Section 708, protected by privilege, or exempt under other law.
- Court filings and related documents in a civil action involving a governmental agency are generally public records. The requested items (original/amended complaints, pleadings, orders, correspondence between the agency/counsel/parties, proofs of service, and payment records) directly relate to official township business and are maintained or controlled by the Township as a party to the litigation.
- No exemptions appear to apply here. Common exemptions (e.g., predecisional deliberations, attorney-client privilege for certain internal documents, or personal security) do not blanketly cover entire case files or basic court documents. The agency bears the

burden of proving any exemption and must provide a specific justification for any withholding or redaction.

- The request is not overly broad; it is narrowly tailored to a specific identified civil action (0915-CD-2026-1) and lists precise categories of documents. Pennsylvania courts have upheld similar targeted requests for litigation-related records.

3. Evidence Supporting Disclosure

- **Copy of Original RTKL Request** (already submitted with appeal).
- **Copy of Appeal Form** (already submitted).
- The Township provided **no response**, no denial letter, and no invocation of any exemption—further supporting that the records are public and no valid basis for denial exists.
- Public policy strongly favors disclosure of government litigation records to promote transparency and accountability. The Township has attempted to curb this transparency by placing the stated and referenced litigation on their public agenda, but failed to include any relevant details to the public.

4. Requested Relief

I request that the OOR:

1. Issue a Final Determination ordering West Wheatfield Township to provide **all** responsive records in electronic format (preferred) within a short timeframe.
2. Require the Township to identify and justify with specificity any records or portions withheld.
3. Award any other relief deemed appropriate.

I am available for mediation if helpful, though I previously indicated **no preference**. I agree to any reasonable extension of the OOR's determination deadline if needed.

Thank you for your assistance in this matter. Please contact me at hjover@protonmail.com with any questions.

Sincerely,

/S/ Hunter J. Overdorff

Hunter Overdorff

IN THE COMMONWEALTH OF PENNSYLVANIA OFFICE OF OPEN RECORDS

HUNTER OVERDORFF,

OOR Dkt. AP 2026-2420

Requestor,

v.

WEST WHEATFIELD TOWNSHIP,

Agency.

[PROPOSED] ORDER

AND NOW, this ____ day of July, 2026, upon consideration of West Wheatfield Township's Petition for Reconsideration of Final Determination and supporting papers attached thereto as well as any responses to the Petition, the Petition is hereby **GRANTED**.

It is further ordered that the Requestor Hunter Overdorff's Right-To-Know Law Request appeal of this matter is denied, quashed, and dismissed. The Pennsylvania Office of Open Records will issue a determination confirming the same.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing PETITION FOR RECONSIDERATION OF FINAL DETERMINATION AND PROPOSED ORDER has been served this 10th day of July, 2026, by electronic mail to the parties listed below:

Pennsylvania Office of Open Records Chief Counsel
555 Walnut Street, Suite 605
Harrisburg, PA 17101
Oor-postfd@pa.gov

Hunter Overdorff
41 Brookdale Lane
Indiana, PA 15701
hjover@protonmail.com
Requestor

MARSHALL DENNEHEY, P.C.



Christian D. Marquis, Esquire
PA. ID. #85070
cdmarquis@mdwcg.com
Counsel for West Wheatfield Township