

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
TRIAL DIVISION - CIVIL SECTION

ANTHONEE PATTERSON

PLAINTIFF

v.

KENNETH SHELTON and
ERIK SHELTON

DEFENDANT

JULY TERM, 1995

NO.: 2945

Control NO's. 052941; 060306

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MEMORANDUM AND ORDER

Dych, J.

July, 2006

Before me for adjudication, are petitions to Confirm Arbitration Award, Vacate Arbitration Award, and Vacate Supplemental Adjudication and Orders of Arbitrator. This long and acrimonious litigation dates back to July 1995 and has produced a docket in the Court of Common Pleas running 36 pages.

It is uncontroverted that on January 10, 2006, the Honorable James Murray Lynn of this Court entered an Order dismissing the case from the Court of Common Pleas by agreement and submitting the matter to Arbitration before the Honorable Edwin E. Nythons, United States Magistrate Judge (Ret.). All evidentiary rulings were to be made by the arbitrator and the arbitration was to be binding on both parties with no right of appeal. The parties also waived procedural arguments such as standing. (A copy of Judge Lynn's Order is attached hereto and made a part hereof by reference). On April 26, 2006, Judge Nythons issued a comprehensive and scholarly Adjudication followed by a Supplemental Adjudication dated May 8, 2006. (copies of both Adjudications are attached hereto and made a part hereof by reference).

It is clear that a common law arbitration award is binding and may not be set aside absent a

clear showing that a party was denied a hearing or that fraud, misconduct, corruption or other irregularity caused rendition of an unjust and equitable or unconscionable award. 42 P.A.C.S.A. § 7341. Furthermore, the parties explicitly waived any right to appeal (see Judge Lynn's Order and Judge Nythons' Supplementary Adjudication).

I find after a review of the Petitions and Responses as well as Judge Nythons' Adjudications that the Petitions to Vacate are nothing but disingenuous attempts to collaterally attack and evade the Award, since the arbitrator clearly did not misbehave nor render an unconscionable decision.

Accordingly, the following Order is entered:

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PURSUANT TO Pa.R.U.P. 230(b)
JUL 19 2005
FIRST JUDICIAL DISTRICT OF PA
USER I.D.

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
 FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
 TRIAL DIVISION - CIVIL SECTION

ANTHONEE PATTERSON

PLAINTIFF

v.

KENNETH SHELTON and
 ERIK SHELTON

DEFENDANT

JULY TERM, 1995

NO.: 2945

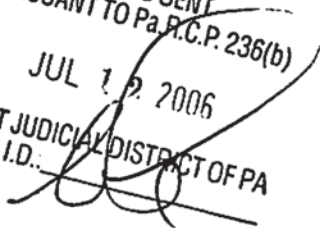
Control NO's. 052941; 060306

ORDER

AND NOW, this 10 day, of JULY, 2006, after consideration,
 defendant's petition and supplemental petition to vacate are **DENIED** and the Arbitration Award is
CONFIRMED.

BY THE COURT:

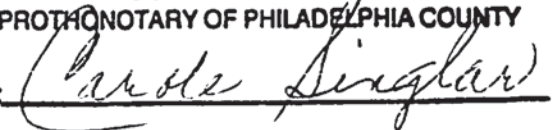

 DYCH, J.

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 JUL 12 2006
 FIRST JUDICIAL DISTRICT OF PA
 USER I.D. 

DOCKETED
 JUL 12 2006
 E. HAURIN
 CIVIL ADMINISTRATION

JUL 20 2006

CERTIFIED FROM THE RECORD ON
 JOSEPH H. EVERS
 PROTHONOTARY OF PHILADELPHIA COUNTY

BY: 

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION

ANTHONEE PATTERSON : JULY TERM, 1995
: :
v. : NO. 2945
: :
KENNETH SHELTON : Control No. 062197

ORDER

AND NOW, this 20 day of JULY, 2006, upon consideration of Lord Jesus Christ of the Apostolic Faith, Inc.'s Motion to Determine Preliminary Objections, and any response thereto, it is hereby ORDERED and DECREED that the "Preliminary Objections to the Emergency Petition to Confirm Arbitration Award filed by non parties, The General Assembly of the Church of the Lord Jesus Christ of the Apostolic Faith, and the Trustees of the General Assembly of the Church of the Lord Jesus Christ of the Apostolic Faith, Inc." are STRICKEN as an impermissible filing.

BY THE COURT:



DYCH, J.

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PURSUANT TO Pa.R.C.P. 236(b)

JUL 24 2006

FIRST JUDICIAL DISTRICT OF PA
USER I.D.: AK

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CIVIL ADMINISTRATION

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION

CHURCH OF THE LORD JESUS : MAY TERM, 2006
CHRIST OF THE APOSTOLIC :
FAITH; and : NO. 3099
THE TRUSTEES OF THE GENERAL :
ASSEMBLY OF THE CHURCH OF :
THE LORD JESUS CHRIST OF THE :
APOSTOLIC FAITH, INC. :
:
:
:
v. :
:
:
ANOTHONEE PATTERSON; and :
GLASSRATNER MANAGEMENT & :
REALTY ADVISORS, LLC : Control No. 061198

ORDER

AND NOW, this 20 day of *JJA*, 2006, upon consideration of Defendant Anthonee Patterson's Motion to Determine Preliminary Objections, and any response thereto, it is hereby ORDERED and DECREED that said Preliminary Objections are SUSTAINED* and Plaintiff's Complaint is dismissed with prejudice.


BY THE COURT:


DYCH, J.

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JUL 21 2006

FIRST JUDICIAL DISTRICT OF PA
USE I.D. 

* These preliminary objections are sustained based upon the reasoning laid out in this court's July 10, 2006 Memorandum and Order which were captioned at July Term, 1995, Number 2945. The instant action is but one more disingenuous attempt at collateral attack.

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
CIVIL TRIAL DIVISION

CHURCH OF THE LORD JESUS
CHRIST OF THE APOSTOLIC
FAITH; and
THE TRUSTEES OF THE GENERAL
ASSEMBLY OF THE CHURCH OF
THE LORD JESUS CHRIST OF THE
APOSTOLIC FAITH, INC.

MAY TERM, 2006

NO. 3099

v.

ANOTHONEE PATTERSON; and
GLASSRATNER MANAGEMENT &
REALTY ADVISORS, LLC

Control No. 061198

ORDER

AND NOW, this 20 day of JUL, 2006, upon consideration of Defendant Anthonnee Patterson's Motion to Determine Preliminary Objections, and any response thereto, it is hereby ORDERED and DECREED that said Preliminary Objections are SUSTAINED* and Plaintiff's Complaint is dismissed with prejudice.

BY THE COURT:


DYCK, J.

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PURSUANT TO Pa.R.C.P. 236(b)
JUL 21 2006
FIRST JUDICIAL DISTRICT OF PA
USER J.D.

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