

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

August 10, 2018  
BCO-104

No. 18-2574

SHARONELL FULTON; CECELIA PAUL;  
TONI LYNN SIMMS-BUSCH;  
CATHOLIC SOCIAL SERVICES,  
Appellants

v.

CITY OF PHILADELPHIA; DEPARTMENT OF HUMAN SERVICES  
FOR THE CITY OF PHILADELPHIA; PHILADELPHIA COMMISSION ON HUMAN  
RELATIONS

(E.D. Pa. No. 2-18-cv-02075)

Present: RESTREPO and BIBAS, *Circuit Judges*

1. Notice of District Court Indicative Ruling, Construed as Motion for Limited Remand under Federal Rule of Appellate Procedure 12.1(b);
2. Corrected Notice of District Court Indicative Ruling, Construed as a Motion for Limited Remand under Federal Rule of Appellate Procedure 12.1(b);
3. Response by Appellants to Proposed Intervenors' Motion for a Limited Remand.

Respectfully,  
Clerk/pdb/tmm

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ORDER

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We construe Proposed Intervenors' corrected notice of indicative ruling as a motion for a limited remand, and grant that motion. Given this appeal's expedited briefing schedule, this limited remand *will not affect the expedited briefing schedule previously set by this Court*. See Fed. R. App. P. 12.1(b) (noting that a court of appeals "retains jurisdiction unless it expressly dismisses the appeal"). Based on the District Court's indicative ruling, we are confident that it will expeditiously decide Proposed Intervenors' motion to intervene.

If the District Court grants the motion to intervene, the Proposed Intervenors must notify the Clerk of this Court *within five days of the District Court's order*. Their notice must

indicate whether they will participate in this appeal and, if so, which party they will support. Failure to timely file this notice will be deemed a notice of non-participation and the Proposed Intervenor will not be permitted to file a brief. Any brief would be due on the same day as the party the Proposed Intervenor support. The Court disfavors repetitive briefing, so the proposed intervenors and the parties they support are encouraged to consult with one another about the contents of their briefs and to join in or adopt portions of one another's briefs by reference. *See* Fed. R. App. P. 28(i).

By the Court,

s/Stephanos Bibas  
Circuit Judge

Dated: August 10, 2018  
CLW/TMM/cc: ALL COUNSEL OF RECORD



A True Copy

Patricia S. Dodszeit, Clerk