

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW**

BOROUGH OF MEDIA

NO. 06-20475

V.

**COUNTY OF DELAWARE and
THE MEDIA SWIMMING and
ROWING CLUB, a Corporation
Now Known as The Broomall's
Lake Country Club**


ORDER

AND NOW, this 25th day of February, 2013, subsequent to the filing of a Petition for Contempt and Enforcement of Stipulated Order, subsequent to a Response thereto, and subsequent to the submission of Memoranda of Law by Counsel for the Parties, it is hereby ORDERED and DECREED that this ORDER hereby REVOKES the Stipulation and Order entered May 26, 2011.

By way of brief explanation, the Stipulation executed by the Parties formed the basis for this Court to sign the Stipulation on the line provided by the Parties. The Stipulation was signed by this Court as the result of the agreement of the Parties. The Order was not the result of independent analysis by the Court. Rather, the underlying consent of the Parties formed the foundation of the request that the Stipulation become an Order pursuant to the signature of the Judge.

It is now clear that at least two (2) of the Parties are in serious disagreement as to whether or not the Parties ever actually came to an agreement. If the Parties cannot agree on what it is that they allegedly came to an agreement upon, there is no way that the Court can determine the meaning of a document which the Court did not author. Again, the Order of May 26, 2011 was entirely based on the agreement of the Parties and was not in any way imposed on any of the Parties. Rather, it was the Parties' desire to have their agreement become an Order. Since the underlying agreement of the Parties is being challenged, the Order which was entered pursuant to that underlying agreement must also be revoked.

This matter will now return to the status of this matter preceding the Stipulation and Order dated May 26, 2011.

BY THE COURT

JAMES F. PROUD, J.