

[J-100-2007]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

PHILADELPHIA ENTERTAINMENT AND	:	No. 88 EM 2007
DEVELOPMENT PARTNERS, L.P., d/b/a	:	
FOXWOODS CASINO PHILADELPHIA,	:	
	:	Application for Reargument of Petitioner
Petitioner	:	Philadelphia Entertainment and
	:	Development Partners L.P. d/b/a/
	:	Foxwoods Casino Philadelphia and
v.	:	Request for Expedited Treatment
	:	
	:	
CITY OF PHILADELPHIA, CITY	:	
COUNCIL FOR THE CITY OF	:	
PHILADELPHIA, AND THE	:	
DEPARTMENT OF LICENSES AND	:	
INSPECTIONS OF CITY OF	:	
PHILADELPHIA,	:	
	:	
Respondents	:	

CONCURRING STATEMENT

MR. JUSTICE BAER

FILED: December 21, 2007

This Court being prohibited from considering facts not of record, see Welsh v. Bulger, 698 A.2d 581, 586 (Pa. 1997) (citing, McCaffrey v. Pittsburgh Athletic Association, 293 A.2d 51, 57 (Pa. 1972) (appellate court cannot consider anything which is not part of the record)), I join in the Court's *per curiam* Order denying the Application for Reargument of Petitioner Philadelphia Entertainment and Development Partners L.P. d/b/a/ Foxwoods Casino Philadelphia and Request for Expedited Treatment.