

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Alicia Marshall, *et al.*, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

Prestamos CDFI, LLC and Chicanos Por La
Causa, Inc.,

Defendants.

Civil Action No. 5:21-cv-04337-JMG

**PLAINTIFFS’ NOTICE OF SUPPLEMENTAL AUTHORITY CONCERNING
DEFENDANT CHICANOS POR LA CAUSA, INC.’S RENEWED MOTION TO
DISMISS PLAINTIFFS’ SECOND AMENDED COMPLAINT**

Plaintiffs Alicia Marshall, Daniel Pronsky, Paris Townsend, Nancilee Holland, Leona Owsley, Kolawole Ahmadou, Kiana Dervin, Kristina Henderson, Dustin Innis, Kelly Stalnaker and Jamie Jones (collectively, “Plaintiffs”), individually and on behalf of all others similarly situated, respectfully attach as Exhibit A the Pennsylvania Supreme Court’s recent ruling, *Hangey v. Husqvarna Professional Products, Inc.*, No. 14 EAP 2022, --- A.3d ---, 2023 WL 8102730 (Pa. Nov. 22, 2023), as supplemental authority relevant to defendant Chicanos Por La Causa, Inc.’s (“CPLC”) pending renewed motion to dismiss Plaintiffs’ second amended complaint (ECF No. 84).

Although *Hangey* focuses on where a corporation “regularly conducts business” for purposes of Pa. R. Civ. P. 2179(a)(2)’s venue provision, the Pennsylvania Supreme Court additionally noted this provision “has a dual significance: (a) it is essential to the exercise of any jurisdiction by the state over a foreign corporation” *Hangey*, 2023 WL 8102730, at *7, n.11. *See also id.*, at *17 n.18 (stating that “there may be some opportunities to borrow rationale

in appropriate cases” between venue and jurisdictional principles). The Court there “reaffirmed time and again that ‘each case must depend on its own facts’” (*id.* at *20), and held that venue was proper even though the evidence showed that only 0.005% of the corporate defendant’s total national revenue was derived from business in the county at issue. Here, the evidence shows, *inter alia*, that CPLC employees regularly conducted PPP business in Pennsylvania for citizens of Pennsylvania who sought PPP loans *and* actually did so pursuant to formal Intercompany Services Agreements (“ISAs”) between Defendants. *See* ECF No. 86 at 12–16 (discussing the ISAs and accompanying evidence regarding Defendants’ common use of employees and managerial and supervisory personnel). *See also* ECF No. 84-1 at 6 (“To the extent that CPLC employees worked on the PPP program, these employees were provided pursuant to the ISAs”).

Dated: November 27, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2023 I caused the foregoing to be filed on the Court's CM/ECF system and for service of same on all counsel of record.

/s/ Lawrence J. Lederer

Lawrence J. Lederer