

OCT - 8 2020

COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE

COURT OF JUDICIAL DISCIPLINE  
OF PENNSYLVANIA

IN RE: : DOCKET NO. 3 JD 2019  
:  
JUDGE SCOTT DiCLAUDIO :  
COURT OF COMMON PLEAS :  
FIRST JUDICIAL DISTRICT :  
PHILADELPHIA COUNTY :

BRIEF OF THE RESPONDENT, JUDGE SCOTT DiCLAUDIO,  
ON THE ISSUE OF RULE VIOLATIONS

I. Brief Procedural History

Judge Scott DiClaudio, who is a duly elected judge sitting on the Court of Common Pleas of Philadelphia County, was charged in a judicial complaint before the Court of Judicial Discipline on December 20, 2019. The complaint, in essence, consisted of two sets of factual allegations. The first set involved a civil suit against Judge Scot DiClaudio by a fitness club called Cynwyd for a bill for his daughter's use of the club. His then thirteen-year-old daughter injured her back and was no longer able to use the club. The initial amount due was approximately \$2,000.00.

Unfortunately, Judge DiClaudio ignored the complaint, which was originally filed in a Magisterial District Court. A default judgment was entered against him. Judge DiClaudio then filed an appeal to the Montgomery County Court of Common Pleas. He then ignored a number of hearings that were set in the Court of Common Pleas. The original Magisterial District Court Complaint

was filed on August 20, 2015. 2018 was the time for most of the failures to appear in the Court of Common Pleas. There were several sanctions hearings and a contempt hearing. Ultimately, on October 24, 2019, Judge DiClaudio appeared, resolved the issues and paid \$9,500.00 to settle the case with the fitness club. These factual matters are found in paragraphs 3 through 51 of the Complaint for Discipline and have been stipulated to by Judge DiClaudio. In the Joint Stipulations.

The second matter involved Judge DiClaudio's Statements of Financial Interest. Judge DiClaudio had several tax liens from the Department of Revenue, and the I.R.S. filed against him, most due to a prior business he had involving his former ticket agency when he was an attorney. Judge DiClaudio failed to list these tax liens on his Statement of Financial Interest after he was elected as a judicial officer. The failures occurred for the April of 2016 report, the April of 2017 report, the April of 2018 report and April of 2019 report. Judge DiClaudio has now corrected that error and currently has listed the liens.

Judge DiClaudio and the Judicial Conduct Board have now reached a series of stipulations. Judge DiClaudio did not file an answer to the Complaint and none is required since under Rule 413 of the Rules of Procedure of the Court of Judicial Discipline, "the failure to file an answer shall be deemed a

denial of all factual allegations contained in the Board Complaint."

Judge DiClaudio recently hired present counsel, Samuel C. Stretton, Esquire. Before that, Judge DiClaudio was unfortunately representing himself.

Mr. Stretton filed a Pre-Trial Memorandum with the Court of Judicial Discipline, in essence admitting the Factual Proposed Stipulations. Mr. Stretton also in the Pre-Trial Memorandum (although clearly recognizing that the final decision on any rule violation is that solely of the Court of Judicial Discipline) admitted the following Rule violations:

A.) Count One - Rule 1.1, a judge shall comply with the law. The violation occurred when Judge DiClaudio failed to comply with the Montgomery County Court of Common Pleas Orders to produce and appear.

B.) Count Two - Rule 1.1 The violation occurred when Judge DiClaudio failed to accurately submit his Statement of Financial Interest from 2016 through 2019 when he failed to list the liens of the Pennsylvania Department of Revenue and Internal Revenue Service.

C.) Count Three - Rule 1.2, a judge should avoid impropriety and the appearance of impropriety. That violation occurred when Judge DiClaudio failed to comply with the Orders

of the Court of Common Pleas of Montgomery County in his civil litigation with the athletic club.

D.) Count Four - A constitutional violation of Article V, Section 17(b) of the Pennsylvania Constitution, which states in essence that a judge shall not engage in any activity prohibited by law and should not violate any Canons of Legal or Judicial Ethics prescribed by the Supreme Court. Judge DiClaudio, through Mr. Stretton, has admitted violating Rules 1.1 and 1.2. Mr. Stretton, on Mr. DiClaudio's behalf, now has admitted the constitutional violation in Count Four because of his above admitted Code of Judicial Conduct violations.

Mr. Stretton, on behalf of Judge DiClaudio, will not make any argument on these four rule violations, which Judge DiClaudio is suggesting to this Honorable Court have been violated. This Honorable Court has the sole responsibility to make the determination of violations of the Code of Judicial Conduct and the related constitutional provisions.

Mr. Stretton does not admit, on behalf of Judge DiClaudio, a violation of Count Five, which alleges a violation of Article V, Section 18(d)(1) of the Pennsylvania Constitution. That count is found at paragraphs 89 through 92 of the Complaint. In paragraph 89, it states the disrepute violations are for the facts alleged in paragraphs 3 through 51, i.e., the athletic club civil dispute, and it is alleged that Judge DiClaudio

brought the judicial office into disrepute, as set forth in the Pennsylvania Constitution under Article V, Section 18(d)(1). Paragraph 92 then seems to broaden the allegations since it now cites paragraphs 3 through 63, which would also include the failure to list the Pennsylvania revenue and I.R.S. liens in the annual Statement of Financial Interest required by judicial officers. The issue of whether there is a violation of Count Five, bringing the judiciary into disrepute, is the subject of this brief.

Submitted under separate cover is a Joint Stipulation where Mr. Stretton and the Judicial Conduct Board have reached stipulations on all the factual allegations as set forth in the Complaint.

By his stipulations and current cooperation, Judge DiClaudio accepts full and complete responsibility for his misconduct in this private civil suit he had with the athletic club, and his failure to comply with court appearances and orders. Judge DiClaudio further accepts responsibility for not properly listing the tax liens on his Statements of Financial Interest. Those tax lien issues have been corrected now.

## II. Argument

A.) Despite his admitted to misconduct involving the failure to properly proceed on the athletic club litigation and not listing the I.R.S. and Pennsylvania revenue liens on his

Statements of Financial interest, Judge DiClaudio respectfully contends he did not violate Article V, Section 18(d)(1) of the Pennsylvania Constitution, and argues his conduct did not bring the judicial office into disrepute.

Mr. Stretton, on behalf of Judge DiClaudio, has argued in this Brief that Judge DiClaudio's conduct, although wrong, did not violate the disrepute prohibition in Article V, Section 18(d)(1) of the Pennsylvania Constitution. During the sanction hearing, Mr. Stretton intends to present strong evidence as to Judge DiClaudio's excellent conduct as a judicial officer in handling thousands of cases on a timely basis during his five years on the bench in the Court of Common Pleas of Philadelphia County, and the high respect and regard in which he is held by members of the bench and bar in Philadelphia. In other words, despite his bad conduct here, Judge DiClaudio is a very respected and competent judicial officer in Philadelphia County. Mr. Stretton has known Judge DiClaudio since Judge DiClaudio was a young Assistant District Attorney and later when he and Judge DiClaudio represented co-defendants in a capital murder trial in 1996 in Bucks County. Mr. Stretton has also appeared many times before Judge DiClaudio over the last five years. It is important for this Honorable Court to know when evaluating the disrepute issue, that Judge DiClaudio is a very competent judge despite his disappointing failures to act properly in this private civil

suit he had with the athletic club over membership fees owed. As to the Internal Revenue and Pennsylvania Revenue lien issues, they have been corrected now.

The charge of bringing the judicial office into disrepute is probably the most serious charge that can be brought against a judicial officer. The charge is found in Article V, Section 18 (d)(1) of the Pennsylvania Constitution and reads as follows:

"A justice, judge or justice of the peace may be suspended, removed from office or otherwise disciplined for ...neglect or failure to perform the duties of office or conduct which prejudices the proper administration of justice or brings the judicial office into disrepute, whether or not the conduct occurred while acting in a judicial capacity or as prohibited by law;..." [Article V, Section 18(d)(1) of the Pennsylvania Constitution].

The provision at issue is "brings the judicial office into disrepute." Judge DiClaudio was not charged with "prejudices the proper administration of justice." The issue of "disrepute" is the issue before this Honorable Court.

The finding of disrepute can have very serious consequences for a judicial officer since under the Pennsylvania Constitution, under Article V, Section 16(b), such a finding could require a loss of salary or pension or benefits for conduct which "brings the judicial office into disrepute." [Article V, Section 16(b) of the Pennsylvania Constitution]. The Judicial Conduct Board must prove the constitutional disrepute violation by clear and convincing evidence.

The seminal case on disrepute is In re Smith, 687 A.2d 1229 (Pa. Ct. Judicial Discipline, 1996). In that case, Judge Smith from Bradford County was disciplined for lengthy delays in deciding 61 cases. Some of the cases were not decided for over a three-year time period. He received a reprimand, but the Court made no finding of disrepute, although it was requested by the Judicial Conduct Board. The Court of Judicial Discipline in the Smith case noted as follows:

"Even if a judicial officer's actions could reasonably result in a lessening of respect for the judge, it cannot be assumed that the same actions would necessarily bring the judicial office into disrepute. In other words, one might say Judge Smith has failed to decide his cases, and therefore has lost our respect. Such a finding would not sustain the Board's burden, for the Board must show the disrepute arising from Judge Smith's actions extends to all judges. In other words, that the wrongful actions of a judicial officer are capable of bringing the judicial office into disrepute is only the first step of the inquiry. The second step is that in fact universal disrepute resulted." Id 1239.

There was no evidence of universal disrepute presented in the Smith case by the Judicial Conduct Board.

The same could be said here. Clearly, Judge DiClaudio brought disrespect upon himself by not showing up at court hearings or complying with court orders in his private civil litigation with the athletic club. But this action in a private civil matter would not appear to extend to all other judges. This is a private matter where he was either angry or upset and should not have been representing himself. He settled the civil



suit finally for \$9,500.00, which was about three to four times what he would have paid if he had resolved it early on, or defended it if he had a defense. This kind of bad judgment does not seem to translate into the universal disrespect and it is really a classic example of violating the old maxim that only a fool represents himself.

A similar case is In re Daghr, 657 A.2d 1032 (Pa. Ct. Judicial Discipline, 1995). In that case Judge Daghr delayed resolving five cases for an extended period of time, but even more importantly, accepted a gift from a divorce litigant of Penn State football tickets on the 50<sup>th</sup> yard line. Because of this misconduct, he received a seven-day suspension. But there was no finding of disrepute since it did not have the universal aspect, and in fact, disrepute was not even charged.

Many times, criminal conduct by a judicial officer will have a finding of disrepute. In this case, there is no criminal conduct by Judge DiClaudio, but just disrespectful conduct in his self-representation in the athletic club matter and mistaken conduct by not including the liens from the taxing authorities on his Statements of Financial Interest.

An example of private conduct that resulted in a finding of disrepute is the case of In re Hamilton, 932 A.2d 1030 (Pa. Ct. Judicial Discipline, 2007). The misconduct occurred when a District Judge who was at a golf outing and party at a golf

course became highly intoxicated and assaulted the local Police Chief. The judge got extremely drunk at the public golf function and attacked the Chief of Police for no good reason. The judge was found to be in disrepute and was suspended for five months. He was also convicted of assault in criminal court [In re

Hamilton, 932 A.2d 1030 (Pa. Ct. Judicial Discipline, 2007)].

The Hamilton case clearly fits within the concern for universal disrepute. A judicial officer getting highly drunk at a public function and then beating up the Police Chief, which received a lot of publicity, would clearly bring disrepute not only to himself, but to the judiciary. This contrasts to Judge DiClaudio's behavior in the private civil suit when he just ignored the private civil proceeding. The Court of Judicial Conduct in Hamilton noted the following:

"We believe that the reasonable expectations of the public would include the expectation that a member of the judiciary, elected, as he is, to enforce the laws would not violate them and do so on a public stage. We believe that the reasonable expectations of the public would include the expectation that a judicial officer will not act lawlessly by provoking a fist fight in the midst of a party being held at a local golf club, and then commit assault and battery on a member of the local community." Id 1034.

The Court noted that the judge, physically assaulting the off-duty Chief of Police, also verbally abused the officer's wife and failed to exercise even a modicum of the sensitivity or self-control so vital to the demands of his judicial position.

Id 1034.

The Court then indicated under these facts, they had no difficulty finding the conduct was:

"...so extreme as to qualify as conduct prescribed by the Constitution as that which brings the judicial office into disrespect...the reasonable expectations of the public certainly include the expectation that its judges will act with good judgment, with a modicum of dignity and with respect for all." Id 1034.

The Court very carefully noted that it was not deciding on disrepute because of the level of, or lack of level, of media coverage. Id 1035. The Court said it would not "bestow upon the media a role in determining what is a violation of the Constitution." Id 1035, 136. The Court ended by indicating that it was up to the members of the Court "to determine these cases for conduct that is so extreme as to bring the judicial office itself into disrepute." Id 1036.

The question is, was Judge DiClaudio's conduct so extreme that it brings the office into disrepute because of its universal aspect in affecting all judges? Mr. Stretton argues to this Court that it did not since this was a private matter where Judge DiClaudio was using poor judgment in representing himself in a civil litigation and violated the classic maxim set forth by Abraham Lincoln that only a fool represents himself or herself in litigation. Judge DiClaudio's conduct certainly doesn't rise to the level of Judge Hamilton engaging in criminal

conduct with the Chief of Police during a drunken brawl at the golf club function.

Similarly, another example of extreme personal misconduct is that of In re Singletary, 61 A.3d 402 (Pa. Ct. Judicial Discipline, 2012). In that case, Judge Singletary was found in disrepute and removed from office for showing photographs of his private part to an employee responsible for collecting impound fees on cars when he was a Judge in Philadelphia Traffic Court. This is another example of extreme misconduct, which is of a criminal nature where disrepute was clearly warranted.

The Court in Singletary, noted as follows:

"In deciding these disrepute cases, we have frequently considered the reasonable expectations of the public as these expectations related to various conduct of various judicial officers...We think that the public - even those members of the public who register the lowest scores on the sensitivity index - do not expect their judges to be conducting photo sessions featuring the judicial penis and then to be sending the photos over the electronic airwaves to another person - thereby placing that person in a position to further publish the photos to anyone he or she may deem deserving." Id 412.

The Court pointed out for disrepute, there must be an element of mens rea and not conduct that was purely accidental. Id 412. The Court rightly concluded that this conduct was so extreme as it brought the office into disrepute. Id 412.

Hamilton and Singletary are classic examples of extreme misconduct that borders on or is criminal and creates the universal aspect needed for the finding of disrepute.

Another example of disrepute is In re Kelly, 757 A.2d 456 (Pa. Ct. Judicial Discipline, 2000) where a judge called another judge asking for favorable treatment for a friend on traffic tickets. That was extreme misconduct, which resulted in the finding of disrepute and a reprimand.

Similarly, in In re Harrington, 877 A.2d 570 (Pa. Ct. Judicial Discipline, 2000), the judge was found to have brought the judicial office into disrepute by putting fake parking tickets on his car to avoid having to put money in the parking meter. Again, this was criminal conduct and resulted in a finding of disrepute.

Without in any way minimizing Judge DiClaudio's bad conduct in his civil litigation, the misconduct does not rise to the level of these extreme criminal acts noted above, particularly since it involved private civil litigation.

In case where there was no disrepute, In re Brown, 907 A.2d 684 (Pa. Ct. Judicial Discipline, 2006), Judge Brown admitted misconduct of sexual harassment and making improper comments to his female employees and also other improper statements about litigants. He was found in violation of several rules and allowed to retire, but there was no finding that his conduct brought the office into disrepute. That charge was withdrawn.

Another example is in the case of In re DeLeon, 967 A.2d 466 (Pa. Ct. Judicial Discipline, 2009). This was an interesting

case where the judge acted very badly. He had met a social acquaintance at a bar or restaurant, who told him a story of problems with a neighbor. Judge DeLeon went back and signed an ex parte stay away Order to help the social acquaintance. There was nothing before his Court. Judge DeLeon was disciplined and suspended for approximately three months. Initially, the Court of Judicial Discipline found him to have brought disrepute on the Court, and then the Court of Judicial Discipline reversed that finding of disrepute but without any real explanation. But that is a case where bad conduct by a judicial officer was not enough to warrant a disrepute finding, and that is consistent with the above cases.

In the case of In re Berkheimer, 930 A.2d 1255 (Pa., 2007), Judge Berkheimer was found in disrepute. His misconduct involved ten instances over several years of offensive and unwarranted statements to female employees. The Pennsylvania Supreme Court noted as follows about the extreme sexual remarks and comments:

"Appellants unwanted and offensive statements during an interview reflected poorly on the judiciary as a whole. The event was disrespectful to the judiciary and the public; combined with his offensive behavior, it brought disrepute on the entire judiciary." Id 1259.

In the case of In re Berry, 979 A.2d 991 (Pa. Ct. Judicial Discipline, 2009), Judge Berry, while a Judge of the Court of Common Pleas of Philadelphia County, had also operated his rental real estate business out of his judicial office and had

his judicial secretary manage it, accept rental payments, prepare eviction notices, etc. Judge Berry was suspended for four months and was found in disrepute. The Court in Berry noted past court decisions for findings of disrepute such as sexual harassment, failure to deposit office receipts at the end of each day, use of the "f" word in the Courtroom, public drunkenness, bogus parking tickets, calling defendants in waiting rooms morons, fighting at golf outings, repeated lateness in Court, bizarre behavior in chambers, etc. Id 996, 997. The Court noted as follows:

"The judicial officer must have engaged in conduct that is so extreme that it brings the judicial office into disrepute." Id 997.

The Court noted that the determination is made on a case by case basis. Id 997. The Court then noted as follows in Berry:

"It is thus clear, that our determinations of whether particular conduct is such that brings the judicial office into disrepute, are to be made as if the public knows about it. Indeed, how can it be otherwise?" Id 999, 1000.

The Court then held that Judge Berry's conduct with running the real estate business in his judicial office did bring his office into disrepute. Id 1001. The reasons were, first that Judge Berry operated his real estate business for twelve years out of his chambers until he got caught. Second was the manner in which he ran his business. The properties were in poor condition, there were a number of citations issued against him by the City.

The third reason found by the Court was the reality that he ran the business out of his judicial office with absolutely no overhead. Id 1001. The Court noted as follows:

"We find that the Respondent's active operation of a real estate business out of his judicial office, at the very least, trivializes the fundamental concept we find that Respondent's conduct in this business and the use of his judicial secretary to manage the day to day operation of the business demonstrated a flagrant, open, disregard for the dignity of the judicial office. It also demonstrated a total disregard for citizens of the Commonwealth, including those who elected him..." Id. 1001, 1002.

The Court noted misappropriating the funds for paying business expenses. Id 1002, 1003. The Court found Judge Berry's conduct was extreme, and therefore found disrepute.

Judge Berry's case was different from the present case. It involved a business for personal gain, operating out of the actual judicial office and for many years.

In this case, Judge DiClaudio was involved in a personal civil suit where he apparently was angry and not using good judgment. As a result, he ignored the law suit repeatedly, allowing sanctions and fines to accumulate until he finally came in and resolved the matter, paying three or four more times than he would have had to if he had resolved the case earlier on. He was unrepresented, which as noted above, was a major mistake.

In the case of In re Merlo, 58 A.3d 1 (Pa., 2012), Judge Merlo, who had numerous violations, including not showing up on



time, taking 60 to 70 days off and yelling at litigants, was found in disrepute. The Court gave some advice on what to look for:

"It is fair to say that difficulty in deciding these cases has not been in determining whether the conduct is bad or reprehensible or whether it makes a particular judge look bad, the difficulty has been in determining whether the conduct of the particular judge makes everyone look bad, whether it makes judges collectively look bad, whether the conduct gives all judges a bad name... whether it is such that brings the office into disrepute." Id 17 and 18.

In Merlo, the Court was particularly upset with Judge Merlo's calling off and missing many days, and often times calling out the day of the hearing after people were sitting and waiting. The Court found that conduct beyond egregious. Id 18, 19. The Pennsylvania Supreme Court in Merlo actually found if a judge always appears late, that would be a violation of the disrepute constitutional requirement. Id 19. The Pennsylvania Supreme Court noted a finding that a judge has engaged in offense, confrontational or discourteous conduct on the bench may support a finding of disrepute. Id 20.

A recent case where there was no finding of disrepute despite bad conduct by a judge when he was not on the bench is the case of In re Maruszczak, 220 A.3d 742 (Pa. Ct. Judicial Discipline, 2019). Judge Maruszczak received a reprimand. There were conditions for a psychological assessment. His misconduct occurred after he discovered three of his former friends and

political supporters were now supporting his election opponent.

The Court noted as follows:

“Respondent Maruszczak’s conduct arose out of his surprise and anger at finding former political supporters instead backing his political opponents. Such conduct while clearly wrong, is more understandable when it occurs in the course of a hard-fought election rather than the normal courses of judicial proceedings. Such conduct warrants a sanction nevertheless.” Id 744.

Judge Maruszczak’s conduct did consist of screaming at former friends now supporting his election opponent in public and leaving threatening notes in a mailbox or on voicemail. The Court noted as follows:

“The effect the misconduct has upon the integrity and respect for the judiciary - although Respondent Maruszczak’s conduct was clearly wrong, it was not found to amount to a violation of the disrepute clause.” Id 744, 745.

Finally, in evaluating disrepute, the case of In re Eakin, 150 A.3d 1042 (Pa. Ct. Judicial Discipline, 2016) must be reviewed. In that case, Justice Eakin was involved in sending emails that contained nudity, inappropriate references to race, sex and ethnicity, among other things. Judge Eakin used his government supplied computer for some of these emails. There was no finding of disrepute in that particular case, and perhaps the disrepute had been withdrawn. It is unclear from the Opinion. [In re Eakin, 150 A.3d 1042 (Pa. Ct. Judicial Discipline, 2016)].

The recitation of the above cases demonstrates the fact that each case is decided on its facts. But there are several aspects to the disrepute. The disrepute must be extreme. Disrepute must be more than just disrepute for the individual judge. It must translate into disrepute brought on to the entire judicial office. There are cases where there is bad conduct, but no disrepute. Judge Maruszczak is an example. Judge Smith in Bradford County is an example, although there was a finding that he was not delaying decisions intentionally. Judge Daghr was not charged with disrepute, but clearly delayed decisions and took 50-yard line Penn State football tickets. In Judge Brown, the Judicial Conduct Board withdrew the disrepute. Clearly, there was disrepute for criminal misconduct, such as Judge Hamilton in the drunken assault on the Police Chief. There are often findings of disrepute for misconduct on the bench, such as in the Merlo case or misconduct in the judicial office, such as Berkhimer. Although at times, the misconduct is bad, such as in DeLeon, in terms of issuing an Order without anything before him, there was no finding of disrepute because it did not rise to the level of bringing the entire bench into disrepute universally.

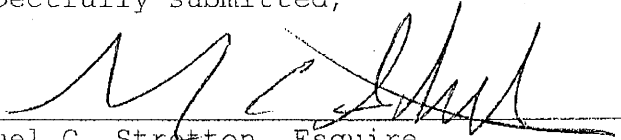
There is no question that Judge DiClaudio acted badly over an approximately three-year period by not appearing or properly defending the civil litigation against him over a fee owed to a

local athletic club. As noted above, this is a classic example as to what happens when one does not retain counsel in litigation that is very personal to them. The conduct had nothing to do with Judge DiClaudio's conduct on the bench. This was a personal matter where he got caught up in the matter and did not act appropriately by not showing up or complying with Court Orders. He finally did, to his credit, resolve the matter, although he had to pay three or four times more the amount because of his delays and ignoring of Court Orders. But the case is now resolved. As to the failure to file his tax liens, the stipulation noted that Judge DiClaudio did not realize he had to do so, and now has corrected that situation.

None of these matters, i.e., a judge being caught up in his personal litigation and failure to properly list everything on his Statement of Financial Interest, which as been corrected, do not seem to be the extreme disrepute that would go beyond the personal disrepute for a judge, but not reach the universal disrepute that would make all judges look bad. As in Maruszczak, sometimes a judge lets his emotions overcome him. Judge Maruszczak was upset with his friends, who betrayed him, and he acted badly. Judge DiClaudio was upset at the athletic club, and acted badly. But, like Maruszczak, Judge DiClaudio respectfully contends his conduct did not rise to the level of disrepute, as required for the constitutional violation.

In conclusion, Judge DiClaudio, by and through his counsel, Samuel C. Stretton, Esquire, respectfully requests this Honorable Court dismiss the disrepute charge since the Judicial Conduct Board has not proven by clear and convincing evidence that Judge DiClaudio has violated Article V, Section 18(d)(1) of the Pennsylvania Constitution.

Respectfully submitted,



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COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE

IN RE: : DOCKET NO. 3 JD 2019  
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COURT OF COMMON PLEAS :  
FIRST JUDICIAL DISTRICT :  
PHILADELPHIA COUNTY :

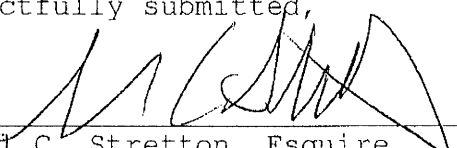
CERTIFICATE OF COMPLIANCE

I, Samuel C. Stretton, Esquire, certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,

10/8/20

Date

  
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CERTIFICATE OF SERVICE

I hereby certify I am this date serving a copy of the foregoing Brief of the Respondent on the Issue of Rule Violations in the captioned matter upon the following persons in the manner indicated below.

Service by Federal Express, Overnight Delivery addressed as follows:

1. Cathy Kane, Court Administrator  
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2. Honorable James J. Eisenhower  
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Service by email addressed as follows:

3. Melissa L. Norton, Esquire  
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4. Honorable Scott DiClaudio  
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Respectfully submitted,



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Date