

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

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OF PENNSYLVANIA

JUN 3 2021

RECEIVED AND FILED

IN RE:

Judge Andrew T. LeFever :
Magisterial District Judge :
Magisterial District 02-2-04 : 7 JD 2020
2nd Judicial District :
Lancaster County :

JUDICIAL CONDUCT BOARD PRE-TRIAL MEMORANDUM

AND NOW, this 3rd day of June, 2021, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board) by and through undersigned counsel, pursuant to this Court's May 3, 2021 Order and files this Pre-Trial Memorandum:

A. TRIAL WITNESS LIST

The Board may call some or all of the following witnesses at trial:

1. Leo Zuvich, Board Investigator
601 Commonwealth Ave., Suite 3500
Harrisburg, PA 17120

Mr. Zuvich may testify regarding paragraphs 10 to 13 of the Board Complaint.

B. BOARD EXHIBITS

The Board may introduce some or all of the following exhibits at trial:

1. Confidential Request for Investigation dated November 12, 2019.
2. Video of "Andrew LeFever for Magisterial District Judge" Facebook page as it appeared on November 18, 2019.
3. Screenshot of LCDC website www.lancastercitydemocrats.com/about regarding LCDC Committee Members.

4. Screenshot of LCDC website www.lancastercitydemocrats.com/about regarding LCDC's mission and vision.
5. Minutes of February 11, 2019 LCDC endorsement meeting.
6. LNP article regarding LCDC endorsements at February 11, 2019 meeting.
7. Minutes of March 11, 2019 LCDC meeting.
8. Respondent's March 11, 2019 Letter of Resignation as an LCDC Committee Person.
9. Respondent's Democratic Nominating Petitions for the office of Magisterial District Judge in Magisterial District 02-2-04.
10. Respondent's Republican Nominating Petitions for the office of Magisterial District Judge in Magisterial District 02-2-04.
11. Campaign Finance Reports for LANCASTER FOR LEFEVER and Andrew T. LeFever.
12. Docket, John W. Kenneff v. Andrew LeFever, CI-19-02536.
13. Docket, John W. Kenneff v. Andrew LeFever, CI-19-02537.
14. Petition to Set Aside Nominating Petition, CI-19-02536 and CI-19-02537 (Redacted).
15. Transcript of March 21, 2019 hearing on Petition to Set Aside Nominating Petition before President Judge Dennis Reinaker.
16. LNP article regarding March 21, 2019 hearing on Petition to Set Aside Nominating Petition before President Judge Dennis Reinaker.

C. STIPULATIONS

In addition to the Joint Stipulations of Fact Pursuant to C.J.D.R.P. No. 502(D)(2) filed in this matter on March 23, 2021, it can reasonably be expected that opposing counsel may agree to the following stipulations:

1. At his March 12, 2020 deposition before undersigned Board counsel, Respondent admitted to voting, as a Committee Person at the February 11, 2019 public LCDC meeting, for the LCDC to endorse non-judicial candidates for Lancaster City School Director and Lancaster City Council.

2. All of the above-listed Board exhibits at Section B, which have been provided to Respondent pursuant to C.J.D.R.P. No. 401(D)(1) and (E), are admissible and authentic.

D. DISCOVERY CERTIFICATION

The Board, by and through undersigned counsel, hereby certifies that it has furnished Respondent with the materials required to be exchanged under C.J.D.R.P. No. 401(D)(1).

E. EXCULPATORY EVIDENCE CERTIFICATION

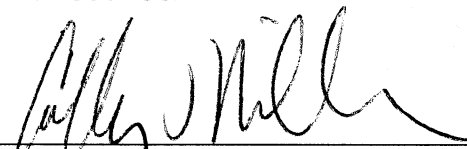
The Board, by and through undersigned counsel, hereby certifies that it has provided Respondent with any exculpatory evidence relevant to the charges contained in the Board Complaint in accordance with C.J.D.R.P. No. 401(E).

Respectfully submitted,

RICHARD W. LONG
Chief Counsel

Date: June 3, 2021

By:



COLBY J. MILLER
Deputy Counsel

Pa. Supreme Court ID No. 311599

Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

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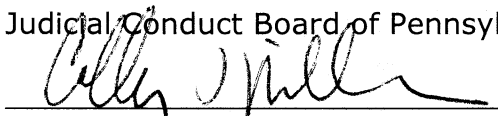
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2 nd Judicial District	:	
Lancaster County	:	

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Judicial Conduct Board of Pennsylvania

Signature:



Name:

Colby J. Miller
Deputy Counsel

Attorney No.:

311599

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PROOF OF SERVICE

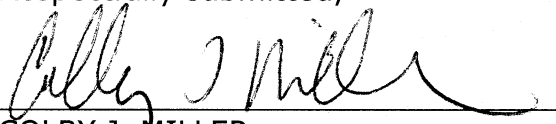
In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on the date below, a copy of the Judicial Conduct Board's Pre-Trial Memorandum was sent via first class mail to Robert A. Graci, Esquire, counsel for Magisterial District Judge Andrew T. LeFever, at the following address and via email:

Robert A. Graci, Esquire
Saxton & Stump, LLC
4250 Crums Mill Road, Suite 201
Harrisburg, PA 17112
rag@saxtonstump.com

Respectfully submitted,

DATE: June 3, 2021

By:


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