

IN THE COURT OF JUDICIAL DISCIPLINE  
COMMONWEALTH OF PENNSYLVANIA

RECEIVED AND FILED  
COURT OF  
JUDICIAL DISCIPLINE  
OF PENNSYLVANIA

2016 MAR 17 P 3:44

IN RE: SUPREME COURT JUSTICE :  
J. MICHAEL EAKIN :  
:

No. 13 JDB

**FORMER JUSTICE J. MICHAEL EAKIN'S  
WAIVER OF RIGHTS**

AND NOW comes the Respondent, former Justice J. Michael Eakin, by and through his attorneys, William C. Costopoulos, Esquire, and Heidi F. Eakin, Esquire, COSTOPOULOS, FOSTER & FIELDS, and respectfully files and submits this Waiver of his rights in light of the Joint Stipulations of Fact in Lieu of Trial filed this day in conformity with Rule 421, and Rule 502 of the Court of Judicial Discipline Rules of Procedure, and intending to be all encompassing.

1. On March 15, 2016, The Honorable Justice J. Michael Eakin, retired from the Supreme Court of Pennsylvania, and on this same date, served his official letter confirming the aforesaid with The Chief Justice of the Supreme Court, The Governor of Pennsylvania, and The Judicial Conduct Board.

2. On March 17, 2016, the parties filed Joint Stipulations of Fact in Lieu of Trial in the above captioned matter.

3. Respondent, J. Michael Eakin, hereby waives the following rights to which he is entitled to under the Pennsylvania Constitution and the Court of Judicial Discipline Rules of Procedure, and this waiver of rights is intended to be all encompassing:

a) the right to be present at all stages of the disciplinary proceedings to follow, if any, including but not be limited to, any proceeding addressing the Joint Stipulations of

Fact in Lieu of Trial, if any such hearing is set; the right to be present at any sanctions hearing should there be a determination by the Court that a Canon or Canons were violated should the Court deem such a hearing necessary;

b) the right to present any oral argument or make recommendations or submit briefs for any reason;

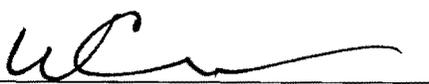
c) the right to call any witnesses subsequent to the filing of the Joint Stipulations of Fact in Lieu of Trial for any reason;

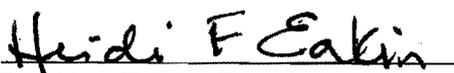
d) the right to seek disqualification of any Judge of this Court on the basis of having received Joint Stipulations of Fact;

e) the right to present proposed findings of fact and conclusions of law pursuant to C.J.D.R.P. No. 502(B)(3), and 502 (E).

RESPECTFULLY SUBMITTED:

  
\_\_\_\_\_  
J. Michael Eakin

  
\_\_\_\_\_  
William C. Costopoulos, Esquire  
I.D. No. 22354

  
\_\_\_\_\_  
Heidi F. Eakin, Esquire  
I.D. No. 43893

COSTOPOULOS, FOSTER & FIELDS  
831 Market Street  
Lemoyne, Pennsylvania 17043-1518  
Phone: 717.761.2121  
Fax: 717.761.4031  
Web: [www.Costopoulos.com](http://www.Costopoulos.com)  
ATTORNEYS FOR JUSTICE EAKIN

DATED: March 17, 2016

IN THE COURT OF JUDICIAL DISCIPLINE  
COMMONWEALTH OF PENNSYLVANIA

IN RE: SUPREME COURT JUSTICE  
J. MICHAEL EAKIN

:  
:  
:

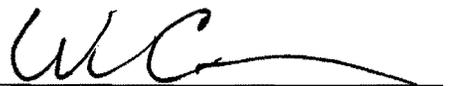
No. 13 JD 15

**PROOF OF SERVICE**

In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on March 17, 2016, a copy of Former Justice J. Michael Eakin's Waiver of Rights was provided to Francis J. Puskas II, Deputy Chief Counsel, by personal service at the following address:

Francis J. Puskas II, Deputy Chief Counsel  
Judicial Conduct Board of Pennsylvania  
601 Commonwealth Avenue,  
Suite 3500  
P.O. Box 62525  
Harrisburg, PA 17120-0901

RESPECTFULLY SUBMITTED:



William C. Costopoulos, Esquire  
I.D. No. 22354



Heidi F. Eakin, Esquire  
I.D. No. 43893

COSTOPOULOS, FOSTER & FIELDS  
831 Market Street  
Lemoyne, Pennsylvania 17043-1518  
Phone: 717.761.2121  
Fax: 717.761.4031  
Web: [www.Costopoulos.com](http://www.Costopoulos.com)  
ATTORNEYS FOR JUSTICE EAKIN

DATED: March 17, 2016