

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

League of Women Voters of Pennsylvania, :
Carmen Febo San Miguel, James Solomon, :
John Greiner, John Capowski, Gretchen :
Brandt, Thomas Rentschler, Mary Elizabeth :
Lawn, Lisa Isaacs, Don Lancaster, Jordi :
Comas, Robert Smith, William Marx, :
Richard Mantell, Priscilla McNulty, :
Thomas Ulrich, Robert McKinstry, :
Mark Lichty, Lorraine Petrosky, :
Petitioners :

v. :

No. 261 M.D. 2017

The Commonwealth of Pennsylvania; :
The Pennsylvania General Assembly; :
Thomas W. Wolf, In His Capacity :
As Governor of Pennsylvania; :
Michael J. Stack III, In His Capacity As :
Lieutenant Governor of Pennsylvania And :
President of the Pennsylvania Senate; :
Michael C. Turzai, In His Capacity As :
Speaker of the Pennsylvania House of :
Representatives; Joseph B. Scarnati III, :
In His Capacity As Pennsylvania Senate :
President Pro Tempore; Robert Torres, :
In His Capacity As Acting Secretary of :
the Commonwealth of Pennsylvania; :
Jonathan M. Marks, In His Capacity :
As Commissioner of the Bureau of :
Commissions, Elections, and Legislation :
of the Pennsylvania Department of State, :
Respondents :

ORDER

NOW, this 21st day of November, 2017, upon consideration of (1) the
General Assembly's motion to quash Petitioners' notice of deposition of a designee

of the General Assembly, filed with this Court on September 22, 2017, (2) the General Assembly's application for protective order regarding Petitioners' notice of deposition, filed with this Court on September 22, 2017, (3) Petitioners' answer to the General Assembly's motion to quash Petitioners' notice of deposition, filed with this Court on October 9, 2017, and (4) Petitioners' answer to the General Assembly's application for a protective order regarding Petitioners' notice of deposition, filed with this Court on October 9, 2017, it is hereby ORDERED that the motion to quash is GRANTED, because the General Assembly is not one of the entities specified in Pa. R.C.P. No. 4007.1(e) that may be properly deposed via a designated representative. Accordingly, the application for protective order is DENIED as MOOT.¹



P. KEVIN BROBSON, Judge

Certified from the Record

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And Order Exit

¹ Were the Court to rule on the application for protective order, the Court would grant the protective order based upon the Speech and Debate Clause of the Pennsylvania Constitution. Pa. Const., Art. 2, § 15; *Consumer Educ. & Prot. Ass'n v. Nolan*, 368 A.2d 675, 680 (Pa. 1977); *Firetree, Ltd. v. Fairchild*, 920 A.2d 913, 918-19 (Pa. Cmwlth. 2007).