

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

COUNTY OF LEBANON,
Petitioner

NO 433 MD 2020

v.

**THE HONORABLE THOMAS W.
WOLF, in his Official Capacity as
Governor, Commonwealth of
Pennsylvania,**
Respondent

**RESPONDENT’S ANSWER TO PETITIONER’S EMERGENCY
APPLICATION FOR RELIEF AND EXPEDITED HEARING**

Respondent, the Honorable Thomas W. Wolf, through his counsel, answers the County of Lebanon’s Application for Relief and Expedited Hearing as follows:

1. It is admitted that a Petition for Review was filed on July 22, 2020. The Petition is a written document that speaks for itself and Petitioner’s characterization thereof is denied.

2. It is admitted that Governor Wolf signed Act 24 of 2020 on May 29, 2020. Act 24 is written document that speaks for itself and Petitioner’s characterization thereof is denied.

3. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be

factual in nature they are denied. By way of further response, Act 24 is a written document that speaks for itself.

4. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied. By way of further response, Act 24 is a written document that speaks for itself.

5. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied.

6. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied. By way of further response, Act 24 is a written document that speaks for itself.

7. It is admitted only that the Department of Community and Economic Development issued Program Guidelines in June 2020. The remaining averments constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied.

8. It is admitted that the County of Lebanon has not received a county block grant as of the date of filing. It is further admitted that eligible counties who

submitted a timely application for a county block grant have been issued their allocated funds. The remaining averments are denied.

9. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied.

10. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied.

11. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied.

12. Denied.

13. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied. Petitioner's characterization of any argument of the Governor is specifically denied.

14. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied. It is specifically denied that the County faces

irreparable harm; rather, any perceived harm may be remedied by the relief sought, which is monetary relief.

15. Denied.

16. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied. By way of further response, Act 24 is a written document that speaks for itself.

17. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied.

18. The averments of this paragraph constitute conclusions of law to which no response is required. To the extent the averments are determined to be factual in nature they are denied.

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WHEREFORE, Respondent, the Honorable Thomas W. Wolf respectfully requests that this Honorable Court enter an appropriate scheduling order in response to Petitioners Emergency Application for Relief and Expedited Scheduling.

Respectfully submitted,

JOSH SHAPIRO
Attorney General

KELI M. NEARY
Executive Deputy Attorney General
Director, Civil Law Division

By: /s/ Karen M. Romano
KAREN M. ROMANO
Chief Deputy Attorney General
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DATE: July 29, 2020

CERTIFICATE OF COUNSEL

I 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.

/s/ Karen M. Romano

KAREN M. ROMANO
Chief Deputy Attorney General

CERTIFICATE OF SERVICE

I, Karen M. Romano, Chief Deputy Attorney General, do hereby certify that I have this day served the foregoing **Answer to Emergency Application for Relief and Expedited Hearing**, via PACFile notification, on the following:

David R. Warner, Jr., Esquire
warner@buzgondavis.com
Counsel for Petitioner

/s/ Karen M. Romano

KAREN M. ROMANO
Chief Deputy Attorney General

DATE: July 29, 2020