

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In re: Nomination Papers of :
Joel D. Getz, III, Libertarian :
Candidate for State Senate - :
General Election 2022 :
 :
Objection of: John A. Cassella and :
Frank C. Revitt : No. 394 M.D. 2022

AMENDED SCHEDULING and CASE MANAGEMENT ORDER

PER CURIAM

NOW, August 10, 2022, upon consideration of the Petition to Set Aside Nomination Papers (Objection Petition):

1. IT IS HEREBY ORDERED:

A. The hearing on the Objection Petition scheduled for **Friday, August 19, 2022, at 10:00 a.m.** in Courtroom Number 3001, Third Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania, **will now be conducted on the same date and time via WebEx video conferencing.**

B. Objectors, Candidate, and counsel of record shall provide the Court with their names, email addresses and mobile telephone numbers **immediately** upon receipt of this order, unless they have already done so. The Contact email address for the Court is: CommCourtRemote@pacourts.us. The Court will provide the parties and counsel with the information for connecting to the WebEx hearing. To facilitate participation in the hearing, various WebEx applications are available for download at pacourts.webex.com. The parties are directed to connect to the

hearing 15 minutes before the starting time. **Please see the Protocol for WebEx Video Hearings attached to this Order.** In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626.

C. **Objectors are directed to secure the services of a court stenographer for the hearing.** As soon as possible, and no later than 4:00 p.m. August 17, 2022, Objectors shall email the name, email address and mobile telephone number of the court stenographer to this address: CommCourtRemote@pacourts.us. Failure of Objectors to secure the services of a court stenographer may result in the dismissal of this matter.

D. No later than 4:00 p.m. August 16, 2022, Objectors and Candidate shall provide via email to the Court at CommCourtRemote@pacourts.us their witness lists, including the name, email address and mobile telephone number for each witness, and the curriculum vitae and expert report for each expert witness. All witnesses will testify via WebEx.

E. If signature lines are challenged, Objectors shall secure, by request or subpoena, the presence of a **Statewide Uniform Registry of Electors (SURE)** system operator at the WebEx hearing and shall provide the name, email address and mobile telephone number for the SURE system operator to the Court at CommCourtRemote@pacourts.us no later than August 16, 2022.

F. Service of the Objection Petition on Candidate, and of this Order on all parties, is complete upon the posting of the Objection Petition and this Order on the Pennsylvania Unified Judicial System website in accordance with this Court's Notice and Order in *In re: Objections to Nomination Papers of State Level Minor Political Party Candidates and Independent Candidates of Political Bodies - General Election 2022* (Pa. Cmwlth., No. 126 Misc. Docket No. 3, dated July 29, 2022).

G. At the WebEx hearing, Objectors shall offer proof of timely service of the Objection Petition on the Secretary of the Commonwealth.

2. If signature line challenges are at issue, it is FURTHER ORDERED that the parties shall make a good faith effort to comply with the following in advance of the hearing:

A. Objectors and Candidate or Candidate's representative and, if appropriate, a SURE system operator, shall meet to review each and every challenged signature line.

B. Objectors and Candidate shall file a stipulation of the parties that identifies:

- (a) the total number of completed signature lines submitted;
- (b) the total number of uncontested signature lines submitted;
- (c) the total number of signature lines challenged;
- (d) each and every signature line to which there is an objection, identified by page number and line number, and the basis for the objection;
- (e) each and every signature line to be stricken as invalid or for which an objection is to be withdrawn, identified by page number and line number, if the parties can reach such a stipulation.

C. Candidate shall file a list of all signature lines, identified by page number and line number, that are facially defective and that Candidate intends to rehabilitate. Candidate shall also state the manner in which Candidate intends to rehabilitate the signature lines.

3. Objectors and Candidate may each file a memorandum of law in support of their respective positions. No further memoranda will be permitted unless ordered by the Court.

4. Unless otherwise ordered, the parties shall make a good faith effort to file all items required or permitted by paragraphs 2 and 3 of this Order no later than 24 hours in advance of the hearing. Filing may be accomplished by PACFile (the Pennsylvania appellate court electronic filing system) or by email to CommCourtFiling@pacourts.us. Parties may **not** file by facsimile without express prior permission from the Court.

5. Failure to comply with any provision of this order may preclude the noncompliant party from entering any evidence, and may result in the imposition of monetary sanctions.