

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

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OF PENNSYLVANIA

NOV 8 2023

RECEIVED

IN RE:

Judge Marissa J. Brumbach :
Municipal Court Judge : 2 JD 2022
1st Judicial District :
Philadelphia County :

ORDER

AND NOW, this _____ day of November, 2023, upon consideration of the Judicial Conduct Board's Request for Extension of Time to Reply to Respondent's Pre-Trial Motions, it is hereby ORDERED that the request is granted and the Board's reply is now due on or before November 13, 2023.

BY THE COURT:

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Judge Marissa J. Brumbach	:	
Municipal Court Judge	:	2 JD 2022
1 st Judicial District	:	
Philadelphia County	:	

**JUDICIAL CONDUCT BOARD'S REQUEST FOR EXTENSION OF TIME TO
REPLY TO RESPONDENT'S PRE-TRIAL MOTIONS**

AND NOW, this 8th day of November, 2023, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board) by undersigned counsel and files this Request for Extension of Time to Reply to Respondent's Pre-Trial Motions.

1. A Pre-Trial Conference was held in the above-captioned matter on November 3, 2023.
2. At the conclusion of the Pre-Trial Conference Counsel for Respondent indicated that it would be filing Pre-Trial Motions.
3. In response to Counsel for Respondent's indication that it would be filing Pre-Trial Motions, this Honorable Court ordered the Board to respond to the Pre-Trial Motion on or before November 8, 2023.
4. At 2:08 p.m. on November 3, 2023, Respondent's counsel emailed four Pre-Trial Motions and a Memorandum of Law to this Honorable Court and by including Board Counsel in said email, provided the Pre-Trial Motions and Memorandum of Law to the Board.
5. The aforementioned motions and memorandum exceed ninety pages and include over 1,500 pages of exhibits as more fully described below:
 - a. 23 page Renewed Omnibus Motion with 656 pages of exhibits;

- b. 36 page Memorandum of Law in Support of Renewed Omnibus Motion;
 - c. 12 page Motion in Limine with three issues and 457 pages of exhibits;
 - d. 13 page Motion in Limine with one issue and 448 pages of exhibits; and
 - e. 8 page Motion in Limine with one issue and 204 pages of exhibits.
6. The Board has made every effort to comply with the Court's order to respond on or before November 8, 2023; however, the quantity and length of the motions, exhibits and argument have made it difficult, if not impossible to comply with the scheduling order of this Honorable Court.
 7. In addition to the quantity and length of the motions, exhibits and argument filed by Respondent, intervening events have hampered the Board's ability to comply with the scheduling order of this Honorable Court.
 8. On November 7, 2023, at approximately 7:30 p.m. while preparing the Board's response to the Pre-Trial Motions, Board Counsel was confronted with intermittent outages of the electrical power and internet service in the Pennsylvania Judicial Center (PJC).
 9. The Network Operations Center (NOC) for the PJC was notified and confirmed "an issue with the internet at the PJC." (Exhibit A.)
 10. Shortly thereafter NOC reached out to Board Counsel asking, "Do you know if the building lost power" to which Board Counsel replied in the affirmative, explaining that Pennsylvania Capital Police had been notified due to a strange smell in the parking garage below the PJC and that the police had instructed Board Counsel to exit the building. (Exhibit B.)
 11. Due to the power outage and interruption of internet service Board Counsel lost approximately six pages of written argument and was unable to access

the necessary information in order to continue preparing the Board's response to the Pre-Trial Motions that evening.

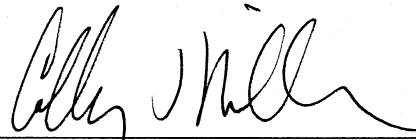
12. The Board anticipates that it will be able to submit its reply to Respondent's Pre-Trial Motions on or before Monday, November 13, 2023.

WHEREFORE, the Board, by and through Board Counsel respectfully requests that this Honorable Court grant the Board's Request for Extension of Time to Reply to Respondent's Pre-Trial Motions and allow its reply on or before November 13, 2023.

Respectfully submitted,

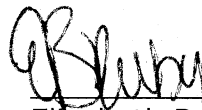
DATE: November 8, 2023

By:



Colby J. Miller
Deputy Chief Counsel
Pa. Supreme Court ID No. 311599

By:



Elizabeth B. Ruby
Assistant Counsel
Pa. Supreme Court ID No. 306764

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

Melissa L. Norton

From: AOPC Network Operations Center
Sent: Tuesday, November 7, 2023 7:40 PM
To: Melissa L. Norton; AOPC Network Operations Center
Subject: RE: Internet outage in PJC?

Good Afternoon,

There appears to be an issue with the internet at the PJC and we are currently looking into it.

Thank You

Jordan Rudacille
Network Operations Center
Administrative Office of Pennsylvania Courts
(717)795-3662
noc@pacourts.us

From: Melissa L. Norton <Melissa.Norton@jcbpa.org>
Sent: Tuesday, November 7, 2023 7:33 PM
To: AOPC Network Operations Center <noc@pacourts.us>
Subject: Internet outage in PJC?

A member of my staff is working late in the PJC. She just sent me a text telling me the Internet keeps going off and on. She just lost some of her work and has no Internet connection. Do you know what's happening?

Get [Outlook for iOS](#)



Melissa L. Norton

From: Melissa L. Norton
Sent: Tuesday, November 7, 2023 7:58 PM
To: AOPC Network Operations Center
Subject: Re: Internet outage in PJC?

Yes, the employee said it was flickering. She also called the Capitol Police to let them know that the garage near the generators smelled "stinky." Capitol Police told her to leave to leave the building.

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From: AOPC Network Operations Center <noc@pacourts.us>
Sent: Tuesday, November 7, 2023 7:48 PM
To: AOPC Network Operations Center <noc@pacourts.us>; Melissa L. Norton <Melissa.Norton@jcbpa.org>
Subject: RE: Internet outage in PJC?

Do you know if the building lost power?

Thank You

Jordan Rudacille
Network Operations Center
Administrative Office of Pennsylvania Courts
(717)795-3662
noc@pacourts.us

From: AOPC Network Operations Center <noc@pacourts.us>
Sent: Tuesday, November 7, 2023 7:40 PM
To: Melissa L. Norton <Melissa.Norton@jcbpa.org>; AOPC Network Operations Center <noc@pacourts.us>
Subject: RE: Internet outage in PJC?

Good Afternoon,

There appears to be an issue with the internet at the PJC and we are currently looking into it.

Thank You

Jordan Rudacille
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(717)795-3662
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From: Melissa L. Norton <Melissa.Norton@jcbpa.org>
Sent: Tuesday, November 7, 2023 7:33 PM
To: AOPC Network Operations Center <noc@pacourts.us>
Subject: Internet outage in PJC?

BOARD'S
EXHIBIT

B

**COMMONWEALTH OF PENNSYLVANIA
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Municipal Court Judge
1st Judicial District
Philadelphia County

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2 JD 2022

VERIFICATION

I, Colby J. Miller, Deputy Chief Counsel to the Judicial Conduct Board, and Elizabeth B. Ruby, Assistant Counsel to the Judicial Conduct Board, verify that the statements made in the Judicial Conduct Board's Request for Extension of Time to Reply to Respondent's Pre-Trial Motions are made subject to the penalties of 18 Pa. Cons. Stat. Ann. § 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

Colby J. Miller
Deputy Chief Counsel

Elizabeth B. Ruby
Assistant Counsel

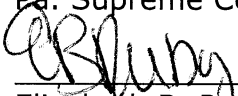
Date: November 8, 2023

By:



Colby J. Miller
Deputy Chief Counsel
Pa. Supreme Court ID No. 311599

By:



Elizabeth B. Ruby
Assistant Counsel
Pa. Supreme Court ID No. 306764
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
Harrisburg, PA 17106
(717) 234-7911

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PROOF OF SERVICE

In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, a copy of the Judicial Conduct Board's Request for Extension of Time to Reply to Respondent's Pre-Trial Motions was sent by Email to Matthew H. Haverstick, Esquire as follows:

Matthew H. Haverstick, Esquire
Email: mhaverstick@kleinbard.com

Respectfully submitted,

Colby J. Miller
Deputy Chief Counsel

Elizabeth B. Ruby
Assistant Counsel

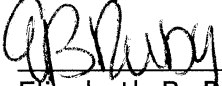
Date: November 8, 2023

By:



Colby J. Miller
Deputy Chief Counsel
Pa. Supreme Court ID No. 311599

By:



Elizabeth B. Ruby
Assistant Counsel
Pa. Supreme Court ID No. 306764
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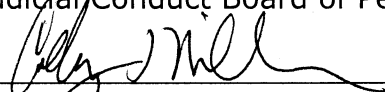
2 JD 2022

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:



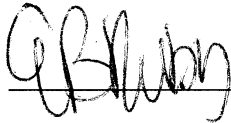
Name:

Colby J. Miller
Deputy Chief Counsel

Attorney No.:

311599

Signature:



Name:

Elizabeth B. Ruby
Assistant Counsel

Attorney No.:

306764