

IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

IN RE: GOVERNOR TOM WOLF’S :
ORDER OF MARCH 19, 2020 :
CLOSING ALL “NON-ESSENTIAL”:
BUSINESSES : No. 2020
:
PETITION OF: COSTOPOULOS, :
FOSTER & FIELDS, A LAW FIRM :

**PETITION FOR EMERGENCY
PRELIMINARY INJUNCTION/
TEMPORARY RESTRAINING ORDER**

AND NOW comes the Petitioner, COSTOPOULOS, FOSTER & FIELDS, a law firm, by and through William C. Costopoulos, Esquire, and respectfully represents as follows in support of this Petition:

1. Earlier today, Petitioner filed a “King’s Bench Petition for Extraordinary Relief to Declare Unconstitutional and Illegal Governor Wolf’s March 19, 2020 Order as it Pertains to ‘Legal Services.’”

2. The Governor’s Order, effective at 8 p.m. last night, March 19th, will be enforced by law enforcement agents commencing at 12:01 a.m on Saturday, March 21, 2020.

3. The Governor’s Order has declared “legal services” as non-essential, thereby closing down Petitioner’s and other law offices across the Commonwealth of Pennsylvania and interfering with the state and federal constitutional rights of

Pennsylvania citizens to counsel and due process of law, among other rights.

4. Petitioner seeks a preliminary injunction pursuant to Pa.R.A.P. 1732 of the Governor's Order as it pertains to "legal services," attorneys and their offices for the following reasons under the *Process Gas* standards.¹

5. First, Petitioner respectfully contends that because the Governor's Order is so broad and sweeping, it is manifestly unconstitutional and illegal such that there is a likelihood that Petitioner will succeed on the merits.

6. Second, Petitioner and their citizen-clients will suffer irreparable harm if the Governor's Order, currently in effect, is permitted to remain in effect indefinitely.

7. And third, no substantial harm or adverse public effect will result from granting the injunction.

8. Should the injunction be granted, the Court may then proceed to consider the matter on the merits; but if the injunction is not granted, Petitioner's citizen-clients and others across Pennsylvania will continue to be deprived of their state and federal constitutional rights in the meantime – not even a public health emergency should result in the deprivation of such critical rights.

¹*Commonwealth, PUC v. Process Gas Co.*, 467 A.2d 805, 808-809 (Pa. 1983).

WHEREFORE, Petitioner, COSTOPOULOS, FOSTER & FIELDS, for the foregoing reasons, respectfully requests that Your Honorable Court grant this petition and issue a preliminary injunction or temporary restraining order as to the Governor's March 19th Order and "legal services."

RESPECTFULLY SUBMITTED:

/s/ William C. Costopoulos

William C. Costopoulos, Esquire

I.D. No. 22354

COSTOPOULOS, FOSTER & FIELDS

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Lemoyne, Pennsylvania 17043-1518

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Email: Wcostopoulos@Costopoulos.com

ATTORNEY FOR PETITIONER

DATED: March 20, 2020.

VERIFICATION

I, Petitioner, William C. Costopoulos, Esquire, do hereby verify that the averments of fact made in the foregoing document are true and correct to the best of my personal knowledge and/or information and belief. I understand that false statements made herein are subject to the penalties at 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

By: /s/ William C. Costopoulos
William C. Costopoulos, Esquire

DATED: March 20, 2020.

CERTIFICATE OF SERVICE

I, William C. Costopoulos, Esquire, attorney for Petitioner, do hereby certify that a true and correct copy of this PETITION was served upon the Respondent, Governor Tom Wolfe, and the Attorney General of Pennsylvania via FACSIMILE today; an attempt will also be made to send it via email today and hard copies will be placed in the United States Mail, first-class postage prepaid today and addressed as follows:

Hon. Tom Wolf
Governor of Pennsylvania
225 Main Capitol Building
Harrisburg, PA 17120
Fax: 717.772.8284

Hon. Joshua Shapiro
Attorney General of Pennsylvania
1600 Strawberry Square
Harrisburg, PA 17120
Fax: 717.783.1107

By: /s/ William C. Costopoulos
William C. Costopoulos, Esquire

DATED: March 20, 2020.

CERTIFICATE OF COMPLIANCE

I, William C. Costopoulos, Esquire, attorney for Petitioner, do hereby 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.

By: /s/ William C. Costopoulos
William C. Costopoulos, Esquire