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OCT 15 2020

COURT OF JUDICIAL DISCIPLINE  
OF PENNSYLVANIA

**COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Judge Scott DiClaudio :  
Court of Common Pleas :  
First Judicial District : 3 JD 2019  
Philadelphia County :

**AMENDED JOINT STIPULATIONS OF FACT IN LIEU OF TRIAL**

AND NOW, this 15<sup>th</sup> day of October, 2020, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board), and Judge Scott DiClaudio (Respondent), by and through their undersigned counsel, and file this Amended Joint Stipulations Of Fact In Lieu Of Trial as follows:

JOINT STIPULATIONS OF FACT IN LIEU OF TRIAL

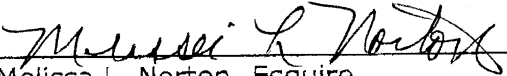
1. On October 9, 2020, the parties filed Joint Stipulations of Fact in Lieu of Trial and Waiver of Trial Pursuant to C.J.D.R.P. No. 502(D)(1), which are incorporated herein by reference.
2. As part of the Joint Stipulations, the parties stipulated to the authenticity and admissibility of 57 exhibits.
3. The parties jointly agree to add an additional exhibit, number 58, which is comprised of the August 13, 2019 Notice of Full Investigation in JCB File No. 2019-096 and is attached below.

By submitting this Amended Joint Stipulations of Fact in Lieu of Trial, the Board and the Respondent agree they shall be bound by it and the Court of Judicial

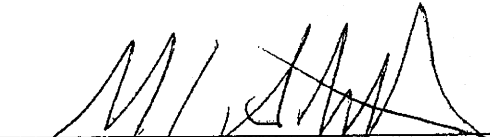
Discipline shall adopt it as a fact of the case upon which a decision shall be rendered.

WHEREFORE, the parties, through their respective counsel, intending to be legally bound by this document, do hereby set their hand and seal.

DATE: 10-15-20

  
\_\_\_\_\_  
Melissa L. Norton, Esquire  
Deputy Counsel  
Judicial Conduct Board

DATE: 10/13/20

  
\_\_\_\_\_  
Samuel C. Stretton, Esquire  
Counsel for Respondent

**COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE**

IN RE:

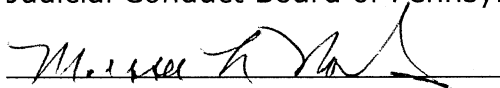
Judge Scott DiClaudio :  
Court of Common Pleas :  
First Judicial District : 3 JD 2019  
Philadelphia County :

**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:

Melissa L. Norton  
*Deputy Counsel*

Attorney No.:

46684

**COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Judge Scott DiClaudio	:	
Court of Common Pleas	:	
First Judicial District	:	3 JD 2019
Philadelphia County	:	


**PROOF OF SERVICE**

In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, the date below, a copy of the Amended Joint Stipulations of Fact in Lieu of Trial was sent by UPS Overnight Mail to counsel for Judge Scott DiClaudio, Attorney Samuel C. Stretton, at the following address:

Samuel C. Stretton, Esquire  
103 South High Street  
P.O. Box 3231  
West Chester, PA 19381

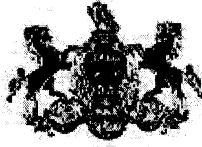
Respectfully submitted,

DATE: October 15, 2020

By:   
MELISSA L. NORTON  
*Deputy Counsel*  
Pa. Supreme Court ID No. 46684  
Judicial Conduct Board  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 3500  
P.O. Box 62525  
Harrisburg, PA 17106  
(717) 234-7911

**EXHIBIT 58**

**EXHIBIT 58**



**COMMONWEALTH OF PENNSYLVANIA  
JUDICIAL CONDUCT BOARD**

PENNSYLVANIA JUDICIAL CENTER  
601 COMMONWEALTH AVENUE, SUITE 3500  
P.O. BOX 62525  
HARRISBURG, PA 17106-2525  
WWW.JCBPA.ORG

RICHARD W. LONG  
CHIEF COUNSEL

717-234-7911

August 13, 2019

The Honorable Scott DiClaudio  
Criminal Justice Center  
Suite 1415  
1301 Filbert Street  
Philadelphia, PA 19107

Re: Judicial Conduct Board Complaint No. 2019-096  
Notice of Full Investigation

Dear Judge DiClaudio:

The Judicial Conduct Board receives and investigates complaints of judicial conduct as mandated by the Constitution of the Commonwealth of Pennsylvania. Article V, §18(d) sets forth the conduct that shall subject a justice, judge or justice of the peace to disciplinary action. Please be advised that this office has received and is currently considering the above referenced complaint made against you and a full investigation of your conduct has been authorized by the Board pursuant to J.C.B.R.P. 30(B).

**You have a right to provide a written response or other information within twenty (20) days of your receipt of this Notice of Full Investigation.** The ongoing investigation may discover facts concerning the allegations that could change the violations alleged or charged. If you are directed to appear or testify and fail to do so without justification, the Board may consider such failure when making its final determination. Further, please note that Canon 2, Rule 2.16(A) of the Code of Judicial Conduct adopted by the Supreme Court of Pennsylvania provides that "[a] judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies."

The Board is investigating the following allegations:

*Cynwyd Club v. Scott DiClaudio:*

1. On August 20, 2015, the Cynwyd Club (the Club), a private fitness and social club, filed a civil complaint against you.

2. The civil complaint alleged that you owed the Club several thousand dollars in unpaid membership dues.
3. On October 15, 2015, Montgomery County Magisterial District Judge, Karen Eisner Zucker, entered judgment in favor of the Club and against you.
4. On November 13, 2015, you filed an appeal in the Court of Common Pleas of Montgomery County from the judgment of the Magisterial District Judge.
5. On December 3, 2015, the Club filed a civil complaint against you in the Montgomery County Court of Common Pleas alleging the same facts as those alleged in the lower court.
6. The docket reflects that you were served with a copy of the civil complaint on December 8, 2015.
7. On April 4, 2016, a default judgment was entered against you and in favor of the Club in the amount of \$3,767.67 in the Montgomery County Court of Common Pleas.
8. On January 31, 2018, a formal discovery request was sent by the Club to you seeking production of documents and answers to interrogatories in an effort to enforce the judgment against you.
9. On March 28, 2018, the Club filed a Motion to Compel Discovery Responses as a result of your failure to respond to the January 31, 2018 request.
10. On May 22, 2018, you were ordered by the Court of Common Pleas of Montgomery County to respond to the Club's discovery request.
11. On June 4, 2018, a copy of the May 22, 2018 order of court was served on you.
12. On July 26, 2018, the Club filed a motion for sanctions as a result of your failure to obey the May 22, 2018 order of court.
13. On September 27, 2018, the Montgomery County Court of Common Pleas found you in contempt of its May 22, 2018 order, directed you to respond to the discovery request within ten days, and ordered you to pay the Club's attorney fees in the amount of \$1,000.
14. On October 5, 2018, a copy of the September 27, 2018 order of court was served on you.

15. On November 7, 2018, the Club filed a second motion for sanctions as a result of your failure to obey the September 27, 2018 order of court.
16. On February 7, 2019, the Montgomery County Court of Common Pleas found you in contempt of its September 27, 2018 order, directed you to respond to the discovery request within ten days and pay the Club's attorney fees in the amount of \$1,000 per the September 27, 2018 order, and \$2,500 for the current order.
17. On February 8, 2019, a copy of the February 7, 2019 order of court was served on you.
18. On February 26, 2019, the Club filed a third motion for sanctions as a result of your failure to obey the February 7, 2019 order of court.
19. On May 30, 2019, the Montgomery County Court of Common Pleas found you in contempt of its September 27, 2018 and February 7, 2019 orders and directed you to respond to the discovery request within ten days and pay the Club's attorney fees in the amount of \$1,000 per the September 27, 2018 order, \$2,500 per the February 7, 2019 order, and \$1,780 for the current order.
20. On June 3, 2019, a copy of the May 30, 2019 order of court was served on you.

Statement of Financial Interest omissions:

21. By order of the Supreme Court of Pennsylvania dated February 6, 2015, all Pennsylvania judicial officers are required to file an annual Statement of Financial Interest (SOFI) no later than May 1 of each year.
22. Question eight on the SOFI form requires judicial officers to provide a list of all creditors.
23. The instructions provided with the SOFI form limit the list of debts to "those debts which at any time during the prior year were over \$6,500."
24. On March 4, 2011, the Pennsylvania Department of Revenue filed a lien against you in the amount of \$7,536.10 and the matter has remained continuously open during the entire period of time that you have been a judicial officer.
25. On June 12, 2014, the Pennsylvania Department of Revenue filed a lien against you in the amount of \$10,174.97 and the matter has remained continuously open during the entire period of time that you have been a judicial officer.



26. On March 11, 2017, the Pennsylvania Department of Revenue filed a lien against you in the amount of \$16,317.24 and the matter remains open.
27. On July 28, 2017, the Internal Revenue Service filed a lien against you in the amount of \$287,500.11 and the matter remains open.
28. On April 29, 2016, you submitted your annual SOFI.
29. Your April 29, 2016 SOFI did not list the Pennsylvania Department of Revenue as a creditor.
30. On April 26, 2017, you submitted your annual SOFI.
31. Your April 26, 2017 SOFI did not list the Pennsylvania Department of Revenue as a creditor.
32. On May 1, 2018, you submitted your annual SOFI.
33. Your May 1, 2018 SOFI did not list the Pennsylvania Department of Revenue or the Internal Revenue Service as a creditor.
34. On April 29, 2019, you submitted your annual SOFI.
35. Your April 29, 2019 SOFI did not list the Pennsylvania Department of Revenue or the Internal Revenue Service as a creditor.

Some, all, or one of these allegations, if true, may subject you to discipline pursuant to Article V, §18(b)(5) and §18(d)(1), or may constitute a violation of §17(b) of Article V of the Constitution of the Commonwealth of Pennsylvania.

The specific provision(s) which may have been violated include Canon 1, Rule 1.1 and 1.2 of the Code of Judicial Conduct, Article V, §17(b) and Article V, §18(d)(1) of the Constitution of the Commonwealth of Pennsylvania.

To aid the Board in its investigation, the Board requests as part of your response that you provide the following information:

- A. A specific affirmation or denial of each numbered factual allegation contained in this Notice of Full Investigation. You may also include explanatory information you believe is relevant to address each factual allegation. The Board understands that some numbered paragraphs may contain background factual information for which you may have no personal first-hand knowledge.

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The Honorable Scott DiClaudio  
August 13, 2019

- B. The identity of any witness(es) that the Board should interview during the course of this investigation and a brief summary of what information you believe such witness(es) will provide to address a specific factual allegation.
- C. Any information or documents which you believe the Board should consider during the course of this investigation.

If you have any questions, your counsel or you should not hesitate to contact this office.

Very truly yours,

  
Melissa L. Norton  
Deputy Counsel

MLN/tis

UPS Overnight Delivery  
Tracking No. 1Z Y4X 745 01 9962 5349