# In the Supreme Court of Pennsylvania Middle District

No. 159 MM 2017

## LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA et al.,

Petitioners/Appellants,

v.

# THE COMMONWEALTH OF PENNSYLVANIA et al.,

Respondents/Appellees.

Review of Recommended Findings of Fact and Conclusions of Law from the Commonwealth Court No. 261 M.D. 2017

RESPONDENTS/APPELLEES MICHAEL C. TURZAI, IN HIS OFFICIAL CAPACITY AS SPEAKER OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES AND JOSEPH B. SCARNATI III, IN HIS OFFICIAL CAPACITY AS PENNSYLVANIA SENATE PRESIDENT PRO TEMPORE APPLICATION FOR STAY OF COURT'S ORDERS OF JANUARY 22, 2018 AND FEBRUARY 19, 2018

#### **BLANK ROME LLP**

Brian S. Paszamant, PA #78410 paszamant@blankrome.com Jason A. Snyderman, PA #80239 snyderman@blankrome.com John P. Wixted, PA #309033 jwixted@blankrome.com One Logan Square 130 N. 18th Street Philadelphia, Pennsylvania 19103

#### CIPRIANI & WERNER, PC

Kathleen A. Gallagher, PA #37950 kgallagher@c-wlaw.com Carolyn Batz McGee, PA #208815 cmcgee@c-wlaw.com 650 Washington Road, Suite 700 Pittsburgh, Pennsylvania 15228 Phone: 412-563-4978

Attorneys for Respondent Representative Michael C. Turzai Phone: 215-569-5791 Facsimile: 215-832-5791

Attorneys for Respondent Senator Joseph B. Scarnati, III

# HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC

Jason Torchinsky (*pro hac vice*) jtorchinsky@hvjt.law Shawn Sheehy (*pro hac vice*) ssheehy@hvjt.law 45 North Hill Drive, Suite 100 Warrenton, Virginia 20186 Phone: 540-341-8808 Facsimile: 540-341-8809

Attorneys for Respondents Senator Joseph B. Scarnati, III

# **BAKER & HOSTETLER LLP**

E. Mark Braden (*pro hac vice*) mbraden@bakerlaw.com 1050 Connecticut Ave. NW Washington, DC 20036 Phone: 202-861-1504

Patrick T. Lewis (*pro hac vice*) plewis@bakerlaw.com 127 Public Square, Suite 2000 Cleveland, Ohio 44114 Phone: 216-621-0200

Robert J. Tucker (*pro hac vice*) rtucker@bakerlaw.com 200 Civic Center Drive, Suite 1200 Columbus, Ohio 43215 Phone: 614-462-2680

Attorneys for Respondent Representative Michael C. Turzai

# APPLICATION FOR STAY OF COURT'S ORDERS OF JANUARY 22, 2018 AND FEBRUARY 19, 2018

The Legislative Respondents respectfully request a stay of the Court's Orders of January 22, 2018, and February 19, 2018, because (1) the Court's Orders threaten imminent harm to the 2018 Congressional elections, and (2) this Court's course of action raises profoundly important questions of federal law under the Elections Clause that will be addressed in the Legislative Respondents' forthcoming petition for certiorari. The Legislative Respondents hereby restate and incorporate by reference the arguments made in their stay application of January 23, 2018.

Accordingly, the Legislative Respondents respectfully request a stay of the Court's Orders in this matter pending the upcoming 2018 elections and appeal to the U.S. Supreme Court.

Dated: February 22, 2018

HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC

/s/ Jason Torchinsky

Jason Torchinsky jtorchinsky@hvjt.law

Sharra Shaabaa ashaaba

Shawn Sheehy; ssheehy@hvjt.law 45 North Hill Drive, Suite 100

Warrenton, Virginia 20186

Phone: 540-341-8808

Facsimile: 540-341-8809

Attorneys for Respondent Senator Joseph B. Scarnati III, President Pro

Tempore of the Pennsylvania Senate

Respectfully submitted,

CIPRIANI & WERNER, P.C.

/s/ Kathleen A. Gallagher

Kathleen A. Gallagher, PA #37950

kgallagher@c-wlaw.com

Carolyn Batz McGee, PA #208815

cmcgee@c-wlaw.com

650 Washington Road, Suite 700

Pittsburgh, Pennsylvania 15228

Phone: 412-563-4978

Attorneys for Respondent Representative

Michael C. Turzai, Speaker of the

Pennsylvania House of Representatives

#### **BLANK ROME LLP**

#### /s/ Brian S. Paszamant

Brian S. Paszamant
paszamant@blankrome.com
Jason A. Snyderman
snyderman@blankrome.com
John P. Wixted
jwixted@blankrome.com

One Logan Square 130 N. 18th Street

Philadelphia, Pennsylvania 19103

Phone: 215-569-5791
Facsimile: 215-832-5791
Attorneys for Respondent
Senator Joseph B. Scarnati III,
President Pro Tempore of the
Pennsylvania Senate

#### **BAKER & HOSTETLER LLP**

### /s/ E. Mark Braden

E. Mark Braden (pro hac vice) mbraden@bakerlaw.com 1050 Connecticut Ave., NW Suite 1100

Washington, D.C. 20036-5403

Phone: 202-861-1504

Patrick T. Lewis (pro hac vice)

plewis@bakerlaw.com

127 Public Square, Suite 2000

Cleveland, Ohio 44114

Phone: 216-621-0200

Robert J. Tucker (pro hac vice)

rtucker@bakerlaw.com

200 Civic Center Drive, Suite 1200

Columbus, Ohio 43215 Phone: 614-462-2680

Attorneys for Respondent Representative

Michael C. Turzai,

Speaker of the Pennsylvania House of

Representatives