

HANGLEY ARONCHICK SEGAL
PUDLIN & SCHILLER
Robert A. Wiygul (I.D. No. 310760)
Cary L. Rice (I.D. No. 325227)
John B. Hill (I.D. No. 328340)
One Logan Square, 27th Floor
Philadelphia, PA 19103-6933
(215) 568-6200

OFFICE OF ATTORNEY GENERAL
Caleb Curtis Enerson (I.D. No. 313832)
15th Floor, Strawberry Square
Harrisburg, PA 17120
1600 Arch St., Suite 300
Philadelphia, PA 19103
(717) 787-2717

TUCKER LAW GROUP
Joe H. Tucker, Jr. (I.D. No. 56617)
Dimitrios Mavroudis (I.D. No. 93773)
Jessica Rickabaugh (I.D. No. 200189)
Ten Penn Center
1801 Market Street, Suite 2500
Philadelphia, PA 19103
(215) 875-0609

Counsel for Respondents

IN THE SUPREME COURT OF PENNSYLVANIA

CAROL ANN CARTER *et al.*,

Petitioners,

v.

LEIGH M. CHAPMAN, in her official capacity as the
Acting Secretary of the Commonwealth of
Pennsylvania; JESSICA MATHIS, in her official
capacity as Director for the Pennsylvania Bureau of
Election Services and Notaries,

Respondents.

No. 7 MM 2022

PHILIP T. GRESSMAN *et al.*,

Petitioners,

v.

LEIGH M. CHAPMAN, in her official capacity as the Acting Secretary of the Commonwealth of Pennsylvania; JESSICA MATHIS, in her official capacity as Director for the Pennsylvania Bureau of Election Services and Notaries,

Respondents.

**RESPONDENTS' ANSWER TO
THE DELAWARE COUNTY BOARD OF ELECTIONS'
APPLICATION FOR INTERVENTION**

Respondents, Leigh M. Chapman, the Acting Secretary of the Commonwealth, and Jessica Mathis, the Director for the Pennsylvania Bureau of Election Services and Notaries, respectfully submit this Answer to the Delaware County Board of Elections' Application for Intervention (the "Application for Intervention").

Respondents do not oppose the intervention of the Delaware County Board of Elections (the "Board") in this proceeding.

With respect to the Board's position on the merits—that is, the Board's opposition, in part, to the relief requested in Respondents' Application for Clarification Regarding the Election Calendar for Party Offices (filed February 24, 2022) (the "Application for Clarification")—the undersigned has spoken with

counsel for the Board to clarify the Board’s position. The undersigned is authorized to state that the Board does *not* oppose the relief sought by Respondents with respect to the calendar for state party offices and any party offices elected at the county level. In other words, the Board does not oppose Respondents’ request that the election calendar for state party offices, as well as any party offices elected at the county level,¹ to be temporarily suspended and then aligned with the calendar that this Court ultimately imposes for General Assembly races.

Rather, the Board opposes the suspension of the calendar only with respect to *precinct-level* party offices. See Application for Intervention ¶ 5 (arguing that “[t]he inclusion of precinct-level party offices in the stay is necessary and would create immense logistical hurdles for county boards of election”). With respect to precinct-level party offices, the Board would like the period for nomination petitions to be circulated and filed to begin as soon as possible, and for the primary election calendar for precinct-level party offices otherwise to be aligned with the primary election calendar for statewide and congressional offices, as set forth in this Court’s Order dated February 23, 2022.

Respondents do not oppose the Board’s position; that is, Respondents have no objection to excluding precinct-level party offices from the relief requested in

¹ See *infra* note 2.

Respondents' Application for Clarification.² Respondents note that nomination petitions for precinct-level offices are filed with county boards of elections rather than the Department of State.

Respondents respectfully attach a proposed order for the Court's consideration.

Dated: February 28, 2022 Respectfully submitted,

HANGLEY ARONCHICK SEGAL
PUDLIN & SCHILLER

By: /s/ Robert A Wiygul
Robert A. Wiygul (I.D. No. 310760)
Cary L. Rice (I.D. No. 325227)
John B. Hill (I.D. No. 328340)
One Logan Square, 27th Floor
Philadelphia, PA 19103
Tel: (215) 568-6200
Fax: (215) 568-0300

OFFICE OF ATTORNEY GENERAL
Caleb Curtis Enerson (I.D. No. 313832)
15th Floor, Strawberry Square
Harrisburg, PA 17120
1600 Arch St., Suite 300
Philadelphia, PA 19103
(717) 787-2717

² Many county party offices are occupied by individuals elected at the precinct level and are therefore "precinct-level offices" as that term is used in this Answer. By contrast, the election calendar for any party offices occupied by individuals elected at the county level would, under Respondents' proposal and with the Board's consent, be aligned with the election calendar for statewide and congressional offices.

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Jessica Rickabaugh (I.D. No. 200189)
Ten Penn Center
1801 Market Street, Suite 2500
Philadelphia, PA 19103
(215) 875-0609

Counsel for Respondents

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

CAROL ANN CARTER *et al.*,

Petitioners,

v.

LEIGH M. CHAPMAN, in her official capacity as the Acting Secretary of the Commonwealth of Pennsylvania; JESSICA MATHIS, in her official capacity as Director for the Pennsylvania Bureau of Election Services and Notaries,

Respondents.

PHILIP T. GRESSMAN *et al.*,

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Respondents.

No. 7 MM 2022

[PROPOSED] ORDER

AND NOW, this ___ day of _____, 2022, upon consideration of (1) Respondents’ Application for Clarification Regarding the Election Calendar for Party Offices (filed February 24, 2022) (“Respondents’ Application for Clarification”) and (2) the Delaware County Board of Elections’ Application for Intervention (filed February 25, 2022), it is hereby **ORDERED** that:

1. The Delaware County Board of Elections is permitted to intervene in this action for the purpose of addressing Respondents' Application for Clarification.
2. The primary election calendar relative to state party offices and party offices occupied by individuals elected at the county level is **TEMPORARILY SUSPENDED** pending further order of this Court.
3. The period for circulation and filing of nomination petitions for precinct-level party offices (including county party offices occupied by individuals elected at the precinct level) shall **BEGIN IMMEDIATELY**, and the primary election calendar relative to precinct-level party offices shall otherwise be aligned with the primary election calendar relative to statewide and congressional offices, as set forth in this Court's Order dated February 23, 2022.

CERTIFICATION REGARDING PUBLIC ACCESS POLICY

I 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.

Dated: February 28, 2022

/s/ Robert A. Wiygul
Robert A. Wiygul