

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Dave McCormick for U.S. Senate, <i>et al.</i> ,	:	
	:	
Petitioners,	:	
	:	
v.	:	286 M.D. 2022
	:	
Leigh M. Chapman, in her official capacity	:	
as Secretary of State for the Commonwealth	:	
<i>et al.</i> ,	:	
	:	
Respondents.	:	

**RESPONSE OF RESPONDENT
LUZERNE COUNTY BOARD OF ELECTIONS**

Comes now Respondent Luzerne County Board of Elections ("Board"), by and through counsel, Joseph M. Cosgrove, and in consideration of the Order of this Court issued May 25, 2022, submits the following Response:

1. As noted in Exhibit A, attached hereto, the Board "is following the directive of the PA Department of State of May 24, 2022 regarding the canvassing and counting of the mail-in and absentee ballots from the May 17, 2022 Primary Election."

2. Further, as indicated in Exhibit A, the Board takes no position on the pending Motion for Special Injunction, and further, takes no position on any request to intervene herein.

Respectfully submitted,

SELINGO GUAGLIARDO LLC

s/ Joseph M. Cosgrove

Attorney I.D. 37130

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Kingston, PA 18704

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EXHIBIT A

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Luzerne County Board of Elections / Current Litigation



Williams, Denise <Denise.Williams@luzernecounty.org>

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Thu 5/26/2022 7:39 PM

To: Joseph Cosgrove

Cc: Election Board Distribution Group <ElectionBoard@LuzerneCounty.org>

Inbox

Dear Attorney Cosgrove,

The Luzerne County Board of Elections is following the directive of the PA Department of State of May 24, 2022 regarding the canvassing and counting of the mail-in and absentee ballots from the May 17, 2022 Primary Election.

The Board takes no position regarding the litigation *McCormick et al v. Chapman et al*, 46 MM 2022 (Supreme Court) and 286 MD 2022 (Commonwealth Court), and takes no position regarding requests to intervene in those matters.

Sincerely,

Denise Williams

Chair, Luzerne County Board of Elections & Registration

Denise.Williams@LuzerneCounty.org

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