

IN THE SUPREME COURT OF PENNSYLVANIA

<p>David Ball, <i>et al.</i>,</p> <p style="text-align: center;">Petitioners,</p> <p style="text-align: center;">v.</p> <p>LEIGH M. CHAPMAN, in her official capacity as Acting Secretary of the Commonwealth, <i>et al.</i>,</p> <p style="text-align: center;">Respondents.</p>	<p>No. 102 MM 2022</p>
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**PETITIONERS’ ANSWER IN OPPOSITION TO RESPONDENT BOARDS’
APPLICATION FOR RELIEF *NUNC PRO TUNC***

The Application for Relief *Nunc Pro Tunc* to Permit the Filing of Opposition to the Legislative Intervenors’ Motion [sic] to Intervene (the “Application”) filed by Respondents Allegheny, Bucks, Chester, Montgomery, and Philadelphia County Boards of Elections (collectively, “Respondent Boards”), should be denied.

The Respondent Boards’ Application fails to set forth a “breakdown in the process constituting extraordinary circumstances” sufficient to support a grant of *nunc pro tunc* relief. See Pa. R.A.P. 1925(b)(2) cmt.; accord *Bureau Veritas North Am., Inc. v. Dep’t of Transp.*, 127 A.3d 871, 879 (Pa. Commw. 2015). Indeed, the Application makes clear that this is *not* a matter of “non-negligent circumstances, either as they relate to appellant or his counsel” which occasioned the delay. See *McKeown v. Bailey*, 731 A.2d 628, 630 (Pa. Super. 1999).

The Respondent Boards’ sole proffered reason for the delay in filing their opposition to the Legislative Intervenors’ Application to Intervene (the “Opposition”) is the then-pending filing of an attorney’s appearance in this action. Application ¶¶ 4–5. But Petitioners fail to acknowledge why none of the other attorneys who represent one of these Respondent Boards was incapable of timely handling the filing. Fourteen Pennsylvania-licensed attorneys appear in the signature block of the Opposition. *See* Ex. B to Application. Of those, as of 8:22 a.m. on October 25, 2022, the following attorneys had already entered an appearance and were authorized to file the Opposition via PACFile:

1. Zachary G. Strassburger, counsel for Philadelphia Board;
2. George M. Janocsko, counsel for Allegheny Board;
3. Allan Opsitnick, counsel for Allegheny Board;
4. Lisa G. Michel, counsel for Allegheny Board;
5. Daniel Donovan Grieser, counsel for Bucks Board;
6. Jessica L. VanderKam, counsel for Bucks Board;
7. Colleen M. Frens, counsel for Chester Board;
8. Faith Anne Mattox-Baldini, counsel for Chester Board;
9. Nicholas J. Stevens, counsel for Chester Board;
10. John A. Marlatt, counsel for Montgomery Board;
11. J. Manly Parks, counsel for Delaware Board; and
12. Nicholas M. Centrella, Jr., counsel for Delaware Board.

See Proof of Service filed in this action at 8:22 a.m. on October 25, 2022, attached as Ex. A, at 3, 7, 10–12, 15, 18, 23. Respondent Boards fail to explain why Ms. Eisenstein, one of just two attorneys for the Respondent Boards whose appearance had not been accepted for filing as of the deadline to file the Opposition, was selected for this task. Indeed, given that the Montgomery Board had already timely filed a

joinder in the Acting Secretary’s answer to the Legislative Intervenors’ Application to Intervene, the Respondent Boards’ failure to timely file this Application does not satisfy the “non-negligent” standard required for *nunc pro tunc* relief.¹

Further, although Respondent Boards note that the PACFile system only allows certain options for the type of documents an attorney not already of record may file, Application ¶ 5, they make no indication that their Opposition would have been rejected by the Court had one of those options been selected. Upon information and belief, the Prothonotary routinely redesignates documents where the incorrect document-type is selected in PACFile.

Nunc Pro Tunc relief should also be denied because the Opposition cannot be accepted for filing. Contrary to Respondent Boards’ representation that the Opposition was “ready for filing in advance of [the 8:30 a.m.] deadline,” Application at 1, it still is not. Not one of the 14 attorneys for the Respondent Boards signed the rejected application. This is a requirement for all papers being filed with the Court. *See* Pa. R. Civ. P. 1023.1(b) (“Every ... paper directed to the court shall be signed by at least one attorney of record”); *see also* Pa. R. App. P. 1517 (adopting the

¹ Although not raised in the Respondent Board’s rejected Opposition, Montgomery Board’s joinder in the Acting Secretary’s answer indicates its adoption of the Acting Secretary’s argument that the Legislative Intervenors’ Application to Intervene should be denied due to “undue delay,” even when the Legislative Intervenors filed their papers in advance of the Court’s deadline. *See* Acting Secretary’s Answer at 4–5. This not only triggers considerations of irony, but further demonstrates the abilities of the Respondents to timely file their Opposition via another attorney. There was no problem with the PACFile system.

Pennsylvania Rules of Civil Procedure, “so far as they may be applied” to original jurisdiction actions); *accord McCain v. Curione*, 527 A.2d 591, 593 (Pa. Commw. 1987) (“Generally, a pleading signed by neither a party nor an attorney-at-law is a nullity and may, upon motion, be stricken.”). The unsigned Opposition stands in stark contrast with the Application, which was signed by not one, but 6 different attorneys. Thus, even if the Opposition was not untimely, it could properly have been rejected or stricken.

By its nature, litigation in the sphere of election law requires tight turnarounds and compliance with short deadlines. Every other party who wished to file an answer to the Legislative Intervenors’ Application to Intervene did so in a timely manner, with the exception of Respondent Boards. Respondent Boards’ Application raises more questions than it answers—why an attorney whose appearance was not yet accepted for filing was selected to file the Opposition, why none of the 12 attorneys who were already “of record” attempted to do so when Ms. Eisenstein was unable to do so, why no attorney attempted to file the Opposition under an option that was available through the PACFile system, or why an unsigned document should be accepted for filing, even if it were timely filed. *Nunc pro tunc* relief is not appropriate here.

WHEREFORE, Petitioners respectfully request that this Honorable Court deny Respondent Boards’ Application for *Nunc Pro Tunc* Relief.

Respectfully submitted,

Dated: October 26, 2022

/s/ Kathleen A. Gallagher

Kathleen A. Gallagher

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** Pro hac vice application forthcoming*

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Counsel for Petitioners

IN THE SUPREME COURT OF PENNSYLVANIA

David Ball, James D. Bee, Jesse D. Daniel, : 102 MM 2022
Gwendolyn Mae DeLuca, Ross M. Farber, Lynn :
Marie Kalcevic, Vallerie Siciliano-Biancaniello, S. :
Michael Streib, Republican National Committee, :
National Republican Congressional Committee, and
Republican Party of Pennsylvania, Petitioners
v.
Leigh M. Chapman, in her official capacity as Acting
Secretary of the Commonwealth, and All 67 County
Boards of Elections, Respondents

PROOF OF SERVICE

I hereby certify that this 25th day of October, 2022, I have served the attached document(s) to the persons on the date(s)
and in the manner(s) stated below, which service satisfies the requirements of Pa.R.A.P. 121:

Ex. A

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Service

Served: Adam Craig Bonin
Service Method: eService
Email: adam@boninlaw.com
Service Date: 10/25/2022
Address: 121 S Broad St, Suite 400
Phila, PA 19107
Phone: 267-242-5014
Representing: Intervenor Democratic Congressional Campaign Committee (DCCC)
Intervenor Democratic National Committee
Amicus Curiae Democratic Senatorial Campaign Committee (DSCC)
Intervenor Pennsylvania Democratic Party

Served: Adam R. Roseman
Service Method: eService
Email: Rosemana@gtlaw.com
Service Date: 10/25/2022
Address: 1500 Locust Street, Apt. 1713
Philadelphia, PA 19102
Phone: 215--98-8-7826
Representing: Intervenor Pennsylvania Democratic Party

Served: Alice Birmingham Mitinger
Service Method: eService
Email: alice.mitinger@dentons.com
Service Date: 10/25/2022
Address: Dentons Cohen & Grigsby P.C.
625 Liberty Avenue
Pittsburgh, PA 15222
Phone: 412--29-7-4900
Representing: Intervenor Democratic National Committee
Intervenor Pennsylvania Democratic Party

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Allan Joseph Opsitnick
Service Method: eService
Email: aopsitnick@opsitnickslaw.com
Service Date: 10/25/2022
Address: 564 Forbes Avenue
#1301
Pittsburgh, PA 15219
Phone: 412-.39-1.3299
Representing: Respondent Allegheny County Board of Elections

Served: Andrew Joseph Sacco
Service Method: eService
Email: ajsacco3585@gmail.com
Service Date: 10/25/2022
Address: 160 North McKean Street
Kittanning, PA 16201
Phone: 724-543-1469
Representing: Respondent Armstrong County Board of Elections

Served: Anna Skipper Jewart
Service Method: eService
Email: ajewart@babstcalland.com
Service Date: 10/25/2022
Address: 603 Stanwix Street
6th Floor
Pittsburgh, PA 15222
Phone: 412-699-6118
Representing: Respondent Bedford County Board of Elections
Respondent Carbon County Board of Elections
Respondent Centre County Board of Elections
Respondent Columbia County Board of Elections
Respondent Dauphin County Board of Elections
Respondent Fayette County Board of Elections
Respondent Huntingdon County Board of Elections
Respondent Indiana County Board of Elections
Respondent Jefferson County Board of Elections
Respondent Lawrence County Board of Elections
Respondent Lebanon County Board of Elections
Respondent Northumberland County Board of Elections
Respondent Venango County Board of Elections
Respondent York County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Anthony V. Clarke
Service Method: eService
Email: theclarkefirm@yahoo.com
Service Date: 10/25/2022
Address: 204 Bolivar Drive
Bradford, PA 16701
Phone: 814-363-9990
Representing: Respondent McKean County Board of Elections

Served: Beaver County Board of Elections
Service Method: Email
Email: gfedeles@beavercountypa.gov
Service Date: 10/25/2022
Address:
Phone: --
Representing: Respondent Beaver County Board of Elections

Served: Cambria County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 200 South Center Street
Ebensburg, PA 15931
Phone: --
Representing: Respondent Cambria County Board of Elections

Served: Cameron County Board of Elections
Service Method: Email
Email: mlupro@cameroncountypa.com
Service Date: 10/25/2022
Address:
Phone: --
Representing: Respondent Cameron County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Casey Alan Coyle
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Email: ccoyle@babstcalland.com
Service Date: 10/25/2022
Address: Babst, Calland, Clements and Zomnir, P.C.
Two Gateway Center, 603 Stanwix Street, 6th Floor
Pittsburgh, PA 15222
Phone: 267-939-5832
Representing: Respondent Bedford County Board of Elections
Respondent Carbon County Board of Elections
Respondent Centre County Board of Elections
Respondent Columbia County Board of Elections
Respondent Dauphin County Board of Elections
Respondent Fayette County Board of Elections
Respondent Huntingdon County Board of Elections
Respondent Indiana County Board of Elections
Respondent Jefferson County Board of Elections
Respondent Lawrence County Board of Elections
Respondent Lebanon County Board of Elections
Respondent Northumberland County Board of Elections
Respondent Venango County Board of Elections
Respondent York County Board of Elections

Served: Catharine Meade Roseberry
Service Method: eService
Email: catharinerosberry@lehighcounty.org
Service Date: 10/25/2022
Address: 17 S. 7th Street
Allentown, PA 18101
Phone: 610-782-3180
Representing: Respondent Lehigh County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Christopher P. Furman
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Service Date: 10/25/2022
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Suite 200
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Representing: Respondent Clarion County Board of Elections
Respondent Susquehanna County Board of Elections
Respondent Tioga County Board of Elections

Served: Clearfield County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 212 East Locust Street
Clearfield, PA 16830
Phone: --
Representing: Respondent Clearfield County Board of Elections

Served: Clifford B. Levine
Service Method: eService
Email: clifford.levine@dentons.com
Service Date: 10/25/2022
Address: Dentons Cohen & Grigsby P.C.
625 Liberty Avenue
Pittsburgh, PA 15222-3152
Phone: 412-297-4998
Representing: Intervenor Democratic National Committee
Intervenor Pennsylvania Democratic Party

Served: Clinton County Board of Elections
Service Method: Email
Email: lec@crwlaw.net
Service Date: 10/25/2022
Address: --
Phone: --
Representing: Respondent Clinton County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Cody Lee Kauffman
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Service Date: 10/25/2022
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13th Floor
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Phone: (61-0) -478-6105
Representing: Respondent Berks County Board of Elections

Served: Colleen Mary Frens
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Email: hughesck@gmail.com
Service Date: 10/25/2022
Address: 313 W. Market Street
West Chester, PA 19382
Phone: 484-319-7842
Representing: Respondent Chester County Board of Elections

Served: Crawford County Board of Elections
Service Method: Email
Email: kbutton@shaferlaw.com
Service Date: 10/25/2022
Address: --
Phone: --
Representing: Respondent Crawford County Board of Elections

Served: Daniel Donovan Grieser
Service Method: eService
Email: ddgrieser@buckscounty.org
Service Date: 10/25/2022
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DOYLESTOWN, PA 18901
Phone: 215-348-6548
Representing: Respondent Bucks County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Donald Kenneth Zagurskie
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Service Date: 10/25/2022
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PO Box O
Mifflin, PA 17058
Phone: 717-436-8044
Representing: Respondent Juniata County Board of Elections

Served: Elizabeth A. Dupuis
Service Method: eService
Email: bdupuis@babstcalland.com
Service Date: 10/25/2022
Address: 330 Innovation Boulevard
Suite 302
State College, PA 16803
Phone: 814--86-7-8055
Representing: Respondent Bedford County Board of Elections
Respondent Carbon County Board of Elections
Respondent Centre County Board of Elections
Respondent Columbia County Board of Elections
Respondent Dauphin County Board of Elections
Respondent Fayette County Board of Elections
Respondent Huntingdon County Board of Elections
Respondent Indiana County Board of Elections
Respondent Jefferson County Board of Elections
Respondent Lawrence County Board of Elections
Respondent Lebanon County Board of Elections
Respondent Northumberland County Board of Elections
Respondent Venango County Board of Elections
Respondent York County Board of Elections

Served: Elizabeth Pidcock Lester-Abdalla
Service Method: eService
Email: elester-abdalla@attorneygeneral.gov
Service Date: 10/25/2022
Address: 1600 Arch Street
Suite 300
Philadelphia, PA 19103
Phone: 215-970-0933
Representing: Respondent Acting Secretary Leigh M. Chapman

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Elk County Board of Elections
Service Method: Email
Email: twagner@mwbklaw.com
Service Date: 10/25/2022
Address:
Phone: --
Representing: Respondent Elk County Board of Elections

Served: Elliott Bernard Sulcove
Service Method: eService
Email: elliottsulcove@blackanddavisson.com
Service Date: 10/25/2022
Address: 1110 Kennebec Drive
Chambersburg, PA 17201
Phone: 717-264-5194
Representing: Respondent Franklin County Board of Elections

Served: Emma Frances Elizabeth Shoucair
Service Method: eService
Email: emma.shoucair@dentons.com
Service Date: 10/25/2022
Address: 625 Liberty Ave
Pittsburgh, PA 15222
Phone: 412-417-1889
Representing: Intervenor Democratic National Committee
Intervenor Pennsylvania Democratic Party

Served: Erie County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: Erie County Courthouse
140 West 6th Street
Room 112
Erie, PA 16501
Phone: --
Representing: Respondent Erie County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Faith Anne Mattox-Baldini
Service Method: eService
Email: fmattoxaldini@chesco.org
Service Date: 10/25/2022
Address: 313 W. Market Street
Suite 6702
West Chester, PA 19380
Phone: 610-344-6195
Representing: Respondent Chester County Board of Elections

Served: Forest County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 526 Elm Street - Unit #3
Tionesta, PA 16353
Phone: --
Representing: Respondent Forest County Board of Elections

Served: Fulton County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 116 West Market Street
Suite 205
McConnellsburg, PA 17233
Phone: --
Representing: Respondent Fulton County Board of Elections

Served: George M. Janocsko
Service Method: eService
Email: george.janocsko@allegHENYcounty.us
Service Date: 10/25/2022
Address: 300 Fort Pitt Commons Building
445 Fort Pitt Boulevard
Pittsburgh, PA 15219
Phone: 412--35-0-1132
Representing: Respondent Allegheny County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: H. William White III
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Service Date: 10/25/2022
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Representing: Respondent Butler County Board of Elections

Served: Jacob Biehl Boyer
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Address: 1600 Arch Street
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Served: James Manly Parks
Service Method: eService
Email: JMParks@duanemorris.com
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Address: 30 south 17th street
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Phone: 215--97-9-1342
Representing: Respondent Delaware County Board of Elections

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Stroudsburg, PA 18360
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Representing: Respondent Monroe County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

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Service Date: 10/25/2022
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Newtown, PA 18940
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Served: John Amos Marlatt
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Address: 197 Sycamore Drive
SAYRE, PA 18840
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Representing: Respondent Bradford County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Joseph David Smith
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Williamsport, PA 17701
Phone: 570-326-5131
Representing: Respondent Lycoming County Board of Elections

Served: Joseph Matthias Cosgrove
Service Method: eService
Email: jmcosgro@msn.com
Service Date: 10/25/2022
Address: 114 N. Franklin Street
Wilkes Barre, PA 18701
Phone: 570--31-3-4172
Representing: Respondent Luzerne County Board of Elections

Served: Joshua D. Shapiro
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Service Date: 10/25/2022
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IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Kathleen A. Gallagher
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Email: kag@glawfirm.com
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Address: 436 Seventh Avenue
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Pittsburgh, PA 15219
Phone: 412-717-1900
Representing: Petitioner David Ball
Petitioner Gwendolyn Mae Deluca
Petitioner James D. Bee
Petitioner Jesse D. Daniel
Petitioner Lynn Marie Kalcevic
Petitioner National Republican Congressional Committee
Petitioner Republican National Committee
Petitioner Republican Party of Pennsylvania
Petitioner Ross M. Farber
Petitioner S. Michael Streib
Petitioner Vallerie Siciliano-Biancaniello

Served: Kathleen Marie Kotula
Service Method: eService
Email: kkotula@pa.gov
Service Date: 10/25/2022
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401 North Street
Harrisburg, PA 17120-0500
Phone: (71-7) -783-0736
Representing: Participant Department of State

Served: Kevin Michael Greenberg
Service Method: eService
Email: greenbergk@gtlaw.com
Service Date: 10/25/2022
Address: 1717 Arch Street
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Philadelphia, PA 19103
Phone: 215--98-8-7800
Representing: Intervenor Pennsylvania Democratic Party

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Lackawanna County Board of Elections
Service Method: Email
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Phone: --
Representing: Respondent Lackawanna County Board of Elections

Served: Lauren Lynn Mathews
Service Method: eService
Email: lmathews@vorys.com
Service Date: 10/25/2022
Address: 500 Grant Street
Suite 4900
Pittsburgh, PA 15219
Phone: 724-825-0329
Representing: Respondent Washington County Board of Elections

Served: Lisa G. Michel
Service Method: eService
Email: lmichel@jblmlaw.com
Service Date: 10/25/2022
Address: 564 Forbes Avenue
Pittsburgh, PA 15219
Phone: 412-391-8713
Representing: Respondent Allegheny County Board of Elections

Served: Matthew Robert Cravitz
Service Method: eService
Email: mcraivtz@snydercounty.org
Service Date: 10/25/2022
Address: 503 North Market Street
Selinsgrove, PA 17870
Phone: 570-374-5070
Representing: Respondent Snyder County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Maureen E. Herron
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Service Date: 10/25/2022
Address: PO BOX 311
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Norristown, PA 19404
Phone: 610-278-3033
Representing: Respondent Montgomery County Board of Elections

Served: Melissa Ann Guiddy
Service Method: eService
Email: mguidylaw@outlook.com
Service Date: 10/25/2022
Address: 527 Austin Street
Greensburg, PA 15601
Phone: 724-244-7200
Representing: Respondent Westmoreland County Board of Elections

Served: Melvin Eugene Newcomer
Service Method: eService
Email: melvinn@epix.net
Service Date: 10/25/2022
Address: 339 North Duke Street
PO Box 539
Lancaster, PA 17608
Phone: 717--39-3-7885
Representing: Respondent Lancaster County Board of Elections

Served: Mercer County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 130 North Pitt Street
Suite B
Mercer, PA 16137
Phone: --
Representing: Respondent Mercer County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Michael John Fischer
Service Method: eService
Email: mfischer@attorneygeneral.gov
Service Date: 10/25/2022
Address: 1600 Arch St., Suite 300
Philadelphia, PA 19103
Phone: 215--56-0-2171
Representing: Respondent Acting Secretary Leigh M. Chapman

Served: Mifflin County Board of Elections
Service Method: Email
Email: ssnook@bmzlaw.com
Service Date: 10/25/2022
Address:
Phone: --
Representing: Respondent Mifflin County Board of Elections

Served: Molly Ruth Mudd
Service Method: eService
Email: mmudd@adamscounty.us
Service Date: 10/25/2022
Address: 111 Baltimore Street
Gettysburg, PA 17325
Phone: 717--33-7-5911
Representing: Respondent Adams County Board of Elections

Served: Montour County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 435 East Front Street
Danville, PA 17821
Phone: --
Representing: Respondent Montour County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Nathaniel Justus Schmidt
Service Method: eService
Email: contact@theschmidtlawfirm.com
Service Date: 10/25/2022
Address: 315 Second Avenue
Suite 704
Warren, PA 16365
Phone: 814--72-3-8665
Representing: Respondent Warren County Board of Elections

Served: Nicholas J. Stevens
Service Method: eService
Email: nicholas.stevens@dbr.com
Service Date: 10/25/2022
Address: 400 Amanda Lane
Media, PA 19063
Phone: 610-451-3166
Representing: Respondent Chester County Board of Elections

Served: Nicholas Michael Centrella Jr.
Service Method: eService
Email: NMCentrella@duanemorris.com
Service Date: 10/25/2022
Address: 30 South 17th St.
12th Floor
Philadelphia, PA 19103
Phone: 215--97-9-1850
Representing: Respondent Delaware County Board of Elections

Served: Northampton County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 669 Washington Street
Lower Level
Easton, PA 180427408
Phone: --
Representing: Respondent Northampton County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Perry County Board of Elections
Service Method: Email
Email: flavery@laverylaw.com
Service Date: 10/25/2022
Address:
Phone: --
Representing: Respondent Perry County Board of Elections

Served: Peter Poggi Elliot
Service Method: eService
Email: elliotp@gtlaw.com
Service Date: 10/25/2022
Address: 1717 Arch Street, Suite 400
Philadelphia, PA 19103
Phone: 215-972-5921
Representing: Intervenor Pennsylvania Democratic Party

Served: Pike County Board of Elections
Service Method: Email
Email: dhersca@farleyweed.com
Service Date: 10/25/2022
Address:
Phone: --
Representing: Respondent Pike County Board of Elections

Served: Potter County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 1 North Main Street
Coudersport, PA 16915
Phone: --
Representing: Respondent Potter County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Robert Andrew Wiygul
Service Method: eService
Email: rwiygul@hangley.com
Service Date: 10/25/2022
Address: Hangley Aronchick Segal Pudlin & Schiller
One Logan Square, 27th Floor
Philadelphia, PA 19103
Phone: 215--49-6-7042
Representing: Respondent Acting Secretary Leigh M. Chapman
Respondent Jessica Mathis

Served: Robert Eugene Grimm
Service Method: eService
Email: lawyergrimm@hotmail.com
Service Date: 10/25/2022
Address: P.O. BOX 430
2698 MORGANTOWN ROAD
SMITHFIELD, PA 15478
Phone: 724--56-9-2819
Representing: Respondent Greene County Board of Elections

Served: Russell David Giancola
Service Method: eService
Email: rdg@glawfirm.com
Service Date: 10/25/2022
Address: Gallagher Giancola LLC
436 Seventh Avenue, 31st Floor
Pittsburgh, PA 15219
Phone: 412-717-1921
Representing: Petitioner David Ball
Petitioner Gwendolyn Mae Deluca
Petitioner James D. Bee
Petitioner Jesse D. Daniel
Petitioner Lynn Marie Kalcevic
Petitioner National Republican Congressional Committee
Petitioner Republican National Committee
Petitioner Republican Party of Pennsylvania
Petitioner Ross M. Farber
Petitioner S. Michael Streib
Petitioner Vallerie Siciliano-Biancaniello

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Schuylkill County Board of Elections
Service Method: First Class Mail
Service Date: 10/25/2022
Address: 420 North Centre Street
Pottsville, PA 17901
Phone: --
Representing: Respondent Schuylkill County Board of Elections

Served: Somerset County Board of Elections
Service Method: Email
Email: mpbarbera@barberalaw.com
Service Date: 10/25/2022
Address: --
Phone: --
Representing: Respondent Somerset County Board of Elections

Served: Sullivan County Board of Elections
Service Method: Email
Email: krllaw@epix.net
Service Date: 10/25/2022
Address: --
Phone: --
Representing: Respondent Sullivan County Board of Elections

Served: Thomas E. Breth
Service Method: eService
Email: tbreth@dmkcg.com
Service Date: 10/25/2022
Address: 128 West Cunningham Street
Butler, PA 16001
Phone: (72-4) -283-2200
Representing: Petitioner David Ball
Petitioner Gwendolyn Mae Deluca
Petitioner James D. Bee
Petitioner Jesse D. Daniel
Petitioner Lynn Marie Kalcevic
Petitioner National Republican Congressional Committee
Petitioner Republican National Committee
Petitioner Republican Party of Pennsylvania
Petitioner Ross M. Farber
Petitioner S. Michael Streib
Petitioner Vallerie Siciliano-Biancaniello

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Thomas W. King III
Service Method: eService
Email: tking@dmkcg.com
Service Date: 10/25/2022
Address: 128 West Cunningham Street
Butler, PA 16001
Phone: (72-4) -283-2200
Representing: Petitioner David Ball
Petitioner Gwendolyn Mae Deluca
Petitioner James D. Bee
Petitioner Jesse D. Daniel
Petitioner Lynn Marie Kalcevic
Petitioner National Republican Congressional Committee
Petitioner Republican National Committee
Petitioner Republican Party of Pennsylvania
Petitioner Ross M. Farber
Petitioner S. Michael Streib
Petitioner Vallerie Siciliano-Biancaniello

Served: Union County Board of Elections
Service Method: Email
Email: jdewald@mpvhlaw.com
Service Date: 10/25/2022
Address: --
Phone: --
Representing: Respondent Union County Board of Elections

Served: Wayne County Board of Elections
Service Method: Email
Email: WKay@waynecountypa.gov
Service Date: 10/25/2022
Address: --
Phone: --
Representing: Respondent Wayne County Board of Elections

Served: Wyoming County Board of Elections
Service Method: Email
Email: krllaw@epix.net
Service Date: 10/25/2022
Address: --
Phone: --
Representing: Respondent Wyoming County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Zachary Gene Strassburger
Service Method: eService
Email: zachary.strassburger@phila.gov
Service Date: 10/25/2022
Address: 1515 Arch St
Philadelphia, PA 19102
Phone: 215--68-3-2998
Representing: Respondent Philadelphia County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Courtesy Copy

Served: Brian Patrick Gallagher
Service Method: eService
Email: briangallagher2588@gmail.com
Service Date: 10/25/2022
Address: District Attorney's Office
301 Main Street
Towanda, PA 18848
Phone: 215-.58-4.6398
Representing: Amicus Curiae Bradford County Republican Committee and Friends of the Committee

Served: Curtis Michael Schube
Service Method: eService
Email: cschube@dhillonlaw.com
Service Date: 10/25/2022
Address: 211 Evergreen Dr.
Marysville, PA 17053
Phone: 936-524-8629
Representing: Amicus Curiae Citizens United
Amicus Curiae Citizens United Foundation
Amicus Curiae Presidential Coalition

Served: Jennifer L. Gilliland-Vanasdale
Service Method: eService
Email: jennifer@gvlawoffice.com
Service Date: 10/25/2022
Address: 1667 Route 288
Suite 300
Cranberry Township, PA 16066
Phone: 724-.74-1.0536
Representing: Amicus Curiae Butler County Republican Committee
Amicus Curiae Butler County Republican Committee

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Joel L. Frank
Service Method: eService
Email: jfrank@lambmcerlane.com
Service Date: 10/25/2022
Address: 24 E. Market Street
PO Box 565
West Chester, PA 19380
Phone: 610-430-8000
Representing: Amicus Curiae The Honest Elections Project

Served: Linda Ann Kerns
Service Method: eService
Email: linda@lindakernslaw.com
Service Date: 10/25/2022
Address: 1420 Locust Street, Suite 200, false, Suite 200, Suite 200
Suite 200
Philadelphia, PA 19102
Phone: 215-731-1400
Representing: Amicus Curiae Lawyers Democracy Fund

Served: Walter S. Zimolong III
Service Method: eService
Email: wally@zimolonglaw.com
Service Date: 10/25/2022
Address: 353 West Lancaster Avenue
Suite 300
Wayne, PA 19087
Phone: 215-665-0842
Representing: Amicus Curiae Thomas More Society

IN THE SUPREME COURT OF PENNSYLVANIA

PROOF OF SERVICE

(Continued)

Served: Witold J. Walczak
Service Method: eService
Email: vwalczak@aclupa.org
Service Date: 10/25/2022
Address: P.O. Box 23058
Pittsburgh, PA 15222
Phone: 412-681-7864
Representing: Amicus Curiae Black Political Empowerment Project
Amicus Curiae Common Cause Pennsylvania
Amicus Curiae Make the Road Pennsylvania
Amicus Curiae Philadelphians Organized to Witness, Empower and Rebuild
Amicus Curiae The League of Women Voters of Pennsylvania
Amicus Curiae The NAACP Pennsylvania State Conference

Served: Zachary Michael Wallen
Service Method: eService
Email: zwallen@chalmersadams.com
Service Date: 10/25/2022
Address: Chalmers & Adams LLC
301 South Hills Village Drive, Suite LL200-420
Pittsburgh, PA 15241
Phone: 412-200-0842
Representing: Possible Intervenor Bryan Cutler
Possible Intervenor Jake Corman
Possible Intervenor Kerry Benninghoff
Possible Intervenor Kim Ward
Possible Intervenor Pennsylvania House Republican Caucus
Possible Intervenor Pennsylvania Senate Republican Caucus

/s/ Nathan W. Karn

(Signature of Person Serving)

Person Serving: Karn, Nathan W.
Attorney Registration No: 086068
Law Firm:
Address: 401 Allegheny St
Po Box 415
Hollidaysburg, PA 166482011
Representing: Respondent Blair County Board of Elections

IN THE SUPREME COURT OF PENNSYLVANIA

**CERTIFICATE OF COMPLIANCE
WITH PUBLIC ACCESS POLICY**

I certify that this filing complies with the provisions of the *Public Access Policy of the United 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.

GALLAGHER GIANCOLA LLC

Dated: October 26, 2022

/s/ Kathleen A. Gallagher

Kathleen A. Gallagher

Russell D. Giancola

Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2022, I caused a true and correct copy of this document to be served on all counsel of record via PACFile.

GALLAGHER GIANCOLA LLC

Dated: October 26, 2022

/s/ Kathleen A. Gallagher

Kathleen A. Gallagher

Russell D. Giancola

Counsel for Petitioners