



paragraph. The substance of the Petition for Review constitutes a conclusion of law to which no responsive pleading is required, accordingly, it is denied. To the extent a response is required, it is specifically denied that the impeachment proceedings are unlawful and it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

2. Admitted in part; denied in part. It is admitted that the Petition for Review seeks the declaration described in this paragraph. The substance of the declaration regarding the lawfulness of the pending impeachment proceedings constitutes a conclusion of law to which no responsive pleading is required, accordingly, it is denied. To the extent a response is required, it is specifically denied that the impeachment proceedings are unlawful and it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

3. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that

Petitioner has averred legally sufficient claims that entitle him to any relief.

4. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

5. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

6. Admitted in part; denied in part. Sentences one and two constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. The third sentence is specifically denied as more than two impeachment proceedings have occurred in the General Assembly. The allegation regarding the impeachment of a judge in the early 1800s is admitted. After reasonable investigation, Respondent is without knowledge or information sufficient to form a

belief about truth of the averment regarding the basis for the impeachment (sedition) as alleged. The final sentence of this paragraph is admitted.

7. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. To the extent a response is required, it is specifically denied that the impeachment proceedings are unlawful and it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

8. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

9. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

10. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

### **JURISDICTION**

11. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, Respondent specifically denies this Court has subject matter jurisdiction because Petitioner has failed to join one or more indispensable parties.

### **PARTIES**

12. Admitted.

13. Admitted in part; denied in part. Sentences one and two are admitted. It is further admitted that the Interim President Pro Tempore of the Senate presides over the Senate until the next legislative session begins on January 3, 2023. The balance of sentence three is specifically denied.

14. Admitted.

15. Admitted.

16. Admitted.

17. Denied. It is specifically denied that any members of the Senate Impeachment Committee yet exist, accordingly, there are no actual names to list or members to be named as “John Does” or otherwise. The balance of the allegations in this paragraph concern Senate Resolution 386, which, being in writing, speaks for itself, and all characterizations thereof are denied.

### **STATEMENT OF FACTS**

18. Admitted in part; denied in part. The first two sentences are admitted. After reasonable investigation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment in the third sentence.

19. After reasonable investigation, Respondent is without knowledge or information sufficient to form a belief about the truth of the averment in sentence one.. Further, sentences two and three rely on writings (which are not attached), such writings speak for themselves, and all characterizations thereof are denied.

20. Admitted.

21. HR 240, being in writing speaks for itself, and all characterizations thereof are denied.

22. Denied as stated. It is admitted that the House did not vote on HR 240, Printer's Number 3607; it is denied that the House did not vote on HR 240 at all, as Printer's Number 3634 of the same received a vote on November 16, 2022.

23. Admitted.

24. Admitted.

25. Admitted.

26. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, HR 240, being in writing speaks for itself, and all characterizations thereof are denied.

27. HR 240, being in writing speaks for itself, and all characterizations thereof are denied.

28. Admitted.

29. Denied as stated. Nine Representatives did not vote on HR 240, including both Republican and Democrat Representatives.

30. The press release (which is not attached), being in writing, speaks for itself, and all characterizations thereof are denied.

31. Admitted in part; denied in part. The first sentence of this paragraph is admitted. As to the remaining paragraphs regarding SR 240, it being in writing speaks for itself, and all characterizations thereof are denied.

32. Admitted in part; denied in part. The first sentence of this paragraph is admitted. As to the remaining paragraphs regarding SR 387, it being in writing speaks for itself, and all characterizations thereof are denied.

33. Admitted in part; denied in part. The first sentence of this paragraph is admitted. As to the remaining paragraphs regarding SR 388, it being in writing speaks for itself, and all characterizations thereof are denied.

34. Admitted.

35. Admitted.

36. Admitted.

### **CLAIMS FOR DECLARATORY JUDGMENT**

37. Admitted in part; denied in part. It is admitted that the Petition for Review concerns the subject matter described in this paragraph. By way of further response, it is specifically denied that

Petitioner has averred legally sufficient claims that entitle him to any relief, including declaratory relief.

38. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief, including declaratory relief.

39. After reasonable investigation, Respondent is without knowledge or information sufficient to form a belief about the truth of the averment as to what rights or filings Petitioner may pursue in this matter. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

### **CLAIM I**

40. Senator Ward incorporates the foregoing paragraphs as if set forth herein at length.

41. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

42. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

43. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

44. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

45. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

46. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

47. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

48. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

49. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

50. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

WHEREFORE, Senator Ward requests that the Court dismiss the Petition for Review with prejudice and enter judgment in her favor.

## **CLAIM II**

51. Senator Ward incorporates the foregoing paragraphs as if set forth herein at length.

52. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

53. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

54. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

55. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

56. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

57. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

58. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied

59. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

60. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

61. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

WHEREFORE, Senator Ward requests that the Court dismiss the Petition for Review with prejudice and enter judgment in her favor.

### **CLAIM III**

62. Senator Ward incorporates the foregoing paragraphs as if set forth herein at length.

63. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

64. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

65. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

66. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

67. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

68. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

69. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

70. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

71. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

72. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

73. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

74. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

75. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

76. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

77. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

78. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied.

79. The allegations in this paragraph constitute conclusions of law to which no responsive pleading is required, accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

WHEREFORE, Senator Ward requests that the Court dismiss the Petition for Review with prejudice and enter judgment in her favor.

### **PRAYER FOR RELIEF**

The allegations in this paragraph, including parts A-E, constitute conclusions of law to which no responsive pleading is required,

accordingly, they are denied. By way of further response, it is specifically denied that Petitioner has averred legally sufficient claims that entitle him to any relief.

### **NEW MATTER**

80. The claims in the Petition for Review should be dismissed for lack of subject matter jurisdiction due to Petitioner's failure to join indispensable parties.

81. The claims in the Petition for Review should be dismissed because they are legally insufficient.

82. The claims in the Petition for Review should be dismissed because they are not ripe, in whole or in part.

83. The claims in the Petition for Review should be dismissed because they present non-justiciable political questions.

WHEREFORE, Senator Ward requests that the Court dismiss the Petition for Review with prejudice and enter judgment in her favor.

Respectfully submitted,

Dated: December 12, 2022

/s/ Matthew H. Haverstick

Matthew H. Haverstick (No. 85072)

Joshua J. Voss (No. 306853)

Shohin H. Vance (No. 323551)

Samantha G. Zimmer (No. 325650)

Francis G. Notarianni (No. 327461)

KLEINBARD LLC

Three Logan Square

1717 Arch Street, 5<sup>th</sup> Floor

Philadelphia, PA 19103

Ph: (215) 568-2000

Fax: (215) 568-0140

Eml: mhaverstick@kleinbard.com

jvoss@kleinbard.com

svance@kleinbard.com

szimmer@kleinbard.com

fnotarianni@kleinbard.com

*Attorneys for Senator Kim Ward  
Committee*

**VERIFICATION**

I hereby verify that the statements made in the foregoing Answer and New Matter are true and correct based upon my personal knowledge or information and belief. I understand that false statements therein are subject to penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Dated: 12/12/2022



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Senator Kim Ward