## IN THE COMMONWEALTH COURT OF PENNSYLVANIA

C. ALAN WALKER, in his capacity as Secretary for the Department of Community	)			
and Economic Development,	)			
- ·	)			,
Petitioner	)	D 1 37 7003 D 0011		
	)	Docket No. 569 MD 2011		(**)
v.	)		3	027
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CITY OF HARRISBURG,	)		130	
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Respondent	)		二	
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COUNTY OF DATIPHIN'S APPLICATION	V EOR RE	LIEF IN THE FORM OF J	IOÏNI	)ÆR⊆ □

AND NOW comes the County of Dauphin (the "County"), by its attorneys, Mette, Evans & Woodside and Saidis, Sullivan & Rogers, and hereby files the following Application:

IN THE REQUEST FOR RELIEF FILED ON BEHALF OF THE RECEIVER

1. This is an action in this Court's original jurisdiction pursuant to a declaration of fiscal emergency made by Governor Tom Corbett on October 24, 2011 relating to the City of Harrisburg (the "City"), and the ensuing action initiated in this court by C. Alan Walker, Secretary of the Pennsylvania Department of Community and Economic Development, under the Financially Distressed Communities Act ("Act 47"), 53 P.S. §§ 11701-101 – 11701-710, to proceed with development, submission and necessary approvals for a "fiscal recovery plan" for the City.

- 2. On August 26, 2013, the Receiver of the City, the Honorable William B. Lynch, (the "Receiver") filed his plan to implement the fiscal recovery plan, labeling it the "Harrisburg Strong Plan" (the "Plan").
- 3. On September 11, 2013, the County filed an Application for Leave to Intervene and on September 19, 2013, this Honorable Court entered an Order granting, *inter alia*, the County's Application to Intervene.
- 4. A hearing on the Plan was held on September 19, 2013, and on September 23, 2013 this Honorable Court issued an Order approving the Plan.
- 5. On October 3, 2013, a Response of the Receiver to Objections to Plan of Recovery (the "Response") was filed on behalf of the Receiver in response to a document listing certain "objections" filed *pro se* by Daniel C. Miller, Controller for the City of Harrisburg (the "Objections").
- 6. The County hereby incorporates by reference the Response filed on behalf of the Receiver pursuant to Pa. R.C.P. 1019(g).
- 7. The County hereby joins in the Request for Relief made on behalf of the Receiver within the Response.

WHEREFORE, the County of Dauphin respectfully requests that this Honorable Court deny the Objections filed on behalf of Daniel C. Miller for the reasons cited in the Receiver's Response.

Date: October 4, 2013

Of Counsel:

Joseph A. Curcillo III, Esquire Chief County Solicitor County of Dauphin 3964 Lexington Street Harrisburg, Pennsylvania 17109 Respectfully submitted,

Charles B. Zwally, Esquire

Supreme Court I.D. No. 07137

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Attorneys for County of Dauphin

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CITY OF HARRISBURG,	) )
Respondent	)

## **CERTIFICATE OF SERVICE**

AND NOW, I, Charles B. Zwally, Esquire, hereby certify that I did serve a true and correct copy of the *County of Dauphin's Application for Relief in the Form of Joinder in the Request for Relief filed on Behalf of the Receiver* upon the following counsel of record by depositing, or causing to be deposited, same in the U.S. mail, postage prepaid, at Harrisburg, Pennsylvania, addressed as follows:

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