

197 MM 2014

Filed in Supreme Court

DEC 23 2014

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IN THE SUPREME COURT OF PENNSYLVANIA  
HARRISBURG DISTRICT

IN RE:

THE THIRTY-FIVE STATEWIDE  
INVESTIGATING GRAND JURY

SUPREME COURT OF  
PENNSYLVANIA NO. 176 M.D.  
MISC. DKT. 2012

MONTGOMERY COUNTY  
COMMON PLEAS  
M.D. 2644-2012

MOTION TO FILE  
APPLICATION FOR LEAVE TO FILE  
ORIGINAL PROCESS AND  
*QUO WARRANTO* ACTION  
UNDER SEAL

NOTICE OF MOTION

MOTION TO FILE UNDER SEAL

Attorney General Kathleen G. Kane, by and through her counsel, Amil M. Minora, Esq., hereby moves to file the enclosed Application for Leave to File Original Process and *Quo Warranto* Action under seal.

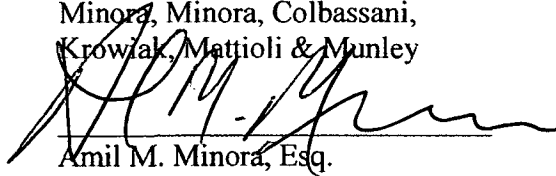
1. Attorney General Kane's *Quo Warranto* action asks that this Court quash the appointment of Thomas E. Carluccio, Esq. as Special Prosecutor for the 35<sup>th</sup> Statewide Investigating Grand Jury.
2. The subject of this challenge, the grand jury proceeding in which Special Prosecutor Thomas E. Carluccio, Esq. was appointed, is under seal. All challenges arising out of this proceeding should remain under seal.
3. The annexed Attorney Verification is respectfully submitted in support of this Application.

Received in Supreme Court

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Minora, Minora, Colbassani,  
Krowiak, Mattioli & Munley



Amil M. Minora, Esq.

*Attorney for Attorney General Kathleen G. Kane*

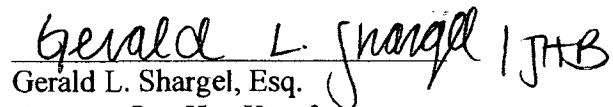
Attorney ID: 22703

700 Vine Street

Scranton, PA 18510

(570) 961-1616

Winston & Strawn, LLP



Gerald L. Shargel, Esq.

*Attorney Pro Hac Vice for*

*Attorney General Kathleen G. Kane*

200 Park Avenue

New York, NY 10166

(212) 294-2637

Dated: December 22, 2014  
New York, New York

To: Clerk of Court

Thomas E. Carluccio  
*Special Prosecutor*

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

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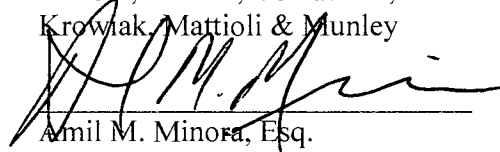
**MOTION TO FILE APPLICATION FOR  
LEAVE TO FILE ORIGINAL PROCESS AND  
*QUO WARRANTO* ACTION UNDER SEAL  
  
ATTORNEY VERIFICATION**

I, Amil M. Minora, Esq., hereby verify the following:

1. I am an attorney duly admitted to practice in Pennsylvania and before this Court.
2. My office, Minora, Minora, Colbassani, Krowiak, Mattioli & Munley is located at 700  
Vine Street Scranton, PA 18510.
3. I represent Attorney General Kathleen G. Kane in this matter, and as such, am fully  
familiar with the facts and circumstances of this case.
4. This Verification is respectfully submitted in support of Attorney General Kane's motion  
to file the enclosed Application for Leave to File Original Process and *Quo Warranto*  
Action under seal.
5. I hereby state that the facts set forth in this motion are true and correct (or are true and  
correct to the best of my knowledge, information and belief) and that I expect to be able  
to prove the same at a hearing held in this matter. I understand that the statements herein  
are made subject to the penalties of 18 Pa. C.S. § 4904.

Dated: December 22, 2014  
New York, New York

Minora, Minora, Colbassani,  
Krowiak, Mattioli & Munley

A handwritten signature in black ink, appearing to read "Amil M. Minora", written over a horizontal line.

Amil M. Minora, Esq.

*Attorney for Attorney General Kathleen G. Kane*

Attorney ID: 22703

700 Vine Street

Scranton, PA 18510

(570) 961-1616

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MOTION TO FILE APPLICATION FOR  
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PROOF OF SERVICE

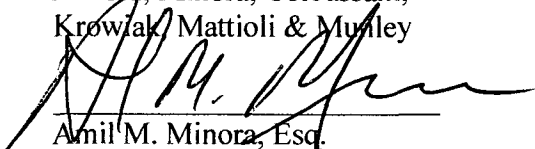
I hereby certify that I am this day causing the service of the foregoing Motion to File Application for Leave to File Original Process and *Quo Warranto* Action Under Seal upon the persons and in the manner indicated below, which satisfies the requirements of Pa. R.A.P. 121:

Service by Federal Express addressed as follows:

Thomas E. Carluccio  
Special Prosecutor  
(484) 674-2899  
Law Office of Thomas E. Carluccio  
1000 Germantown Pike, Suite D-3  
Plymouth Meeting, PA 19462

Date: December 22, 2014

Minora, Minora, Colbassani,  
Krowiak, Mattioli & Munley



Amil M. Minora, Esq.  
Attorney for Attorney General Kathleen G. Kane  
Attorney ID 22703  
700 Vine Street  
Scranton, PA 18510  
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