

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

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JUDICIAL DISCIPLINE
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In Re:

Andrew M. Hladio :
Magisterial District Judge :
Magisterial District 36-1-01 :
36th Judicial District :
Beaver County : 6 JD 2016

RESPONDENT'S AMENDED PRE-TRIAL MEMORANDA

AND NOW , this 18th day of September, 2017, comes the respondent by his counsel, Heidi F.

Eakin, Costopoulos, Foster and Fields, and respectfully files this amended pre-trial memornada per Order of Court.

A. NAMES AND ADDRESSES OF ANTICIPATED WITNESSES: Respondent may call some or all of the following witnesses at trial. Moreover, respondent reserves the right to supplement this witness list:

Judge Andrew Hladio. 664 Merchant Street, Ambridge, PA 15003.

Tony Berosh, former ADA. 380 Sunset Hills, Baden, PA15005. Mr. Berosh will testify regarding Parts A and B of the Board Complaint.

Thereasa Ferris Dukovich, 901 Broadhead Rd., Aliquippa, PA 15001. Ms. Dukovich will testify regarding Parts A and B of the Board Complaint, and as a character witness.

Jen Popowich. Beaver County District Attorney's Office, Third Street, Beaver, PA 15009. Ms. Popowich will testify regarding Parts A and B of the Board

Rich Absey Beaver County District Attorney's Office, Third Street, Beaver, PA 15009. Mr. Absey will testify regarding Parts A and B of the Board Complaint.

Frank Pagnaie. Beaver County Public Defender's Office, Third Street, Beaver, PA 15009. Mr. Pagnaie will testify regarding Parts A and B of the Board Complaint.

Simone Temple. Beaver County Courthouse, Third Street, Beaver, PA 15009. Ms. Temple will testify regarding Parts A and B of the Board Complaint.

William Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Orysia Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness

Father Richard Hladio. 664 Merchant Street, Ambridge, PA 15003. Character witness

Andrew Novomir Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness

Nina Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Yuri Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Mary Neville, 664 Merchant Street, Ambridge, PA 15003. Character witness

Kevin Neville, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Daniel Neville, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Peter Neville, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Patty Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Paul Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Lisa Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Nick Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Roman Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Alex Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Anna Hladio, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Pete Macios, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Anne Macios, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Luke Macios, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Hannah Macios, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Mark Macios, 664 Merchant Street, Ambridge, PA 15003. Character witness.

Pam Spencer, Staff person, at 36-1-01; 650 11th Street, Ambridge, PA. 15003. Ms. Spencer will

testify as to Part B of the Board Complaint.

John Kutzko, Beaver County Sheriff, 1750 Hillsdale, Economy, PA 15003. Mr. Kutzko will testify as to part B of the Board Complaint.

Robert Mellnicki, Attorney, Beaver County. Mr. Mellnicki will testify regarding part B of the Board Complaint.

B. Proposed Exhibits

Respondent has reviewed the Board's exhibits and at this time avers as follows:

Respondent will agree/or not agree to the authenticity and admissibility of the following exhibits contained in the Boards Pre-trial Memorandum as follows:

1. Accepted
2. Rejected.
3. Accepted.
4. Rejected.
5. Accepted.
6. Accepted.
7. Accepted.
8. Accepted.
9. Accepted.
10. Accepted.
11. Rejected.
12. Rejected.
13. Rejected.
14. Accepted.

15. Accepted.
16. Rejected.
17. Rejected.
18. Rejected.
19. Rejected.
20. Accepted.
21. Accepted.
22. Accepted.
23. Accepted.
24. Rejected.
25. Accepted.
26. Accepted.
27. Accepted.
28. Accepted.
29. Accepted.
30. Rejected.
31. Rejected.
32. Rejected.
33. Accepted.
34. Accepted.
35. Accepted.
36. Accepted.
37. Accepted.

38. Accepted.
39. Accepted.
40. Accepted.
41. Accepted.
42. Accepted.
43. Accepted.
44. Accepted.
45. Accepted.
46. Accepted.
47. Accepted.
48. Accepted.
49. Accepted.
50. Accepted.
51. Accepted.
52. Accepted.
53. Accepted.
54. Accepted.
55. Rejected.
56. Rejected.
57. Rejected.
58. Accepted.
59. Accepted.
60. Rejected.

61. Rejected.
62. Rejected.
63. Rejected.
64. Rejected.
65. Accepted.
66. Rejected.
67. Rejected.
68. Rejected.
69. Accepted.
70. Rejected.
71. Rejected.
72. Accepted.
73. Accepted.
74. Accepted.
75. Accepted.
76. Accepted.
77. Rejected.
78. Accepted.

C. Stipulations

After review of the Stipulations proposed by the Board, Respondent agrees or does not agree to the following stipulations of fact as follows:

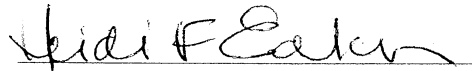
1. Accepted as a matter of law.
2. Accepted.

3. Accepted.
4. Accepted.
5. Accepted.
6. Accepted.
7. Accepted.
8. Accepted.
9. Accepted.
10. Accepted.
11. Rejected.
12. Accepted.
13. Accepted.
14. Accepted.
15. Accepted.
16. Accepted.
17. Accepted.
18. Accepted.
19. Accepted.
20. Accepted.
21. Accepted.
22. Accepted.
23. Accepted.
24. Accepted.
25. Accepted.

26. Accepted.
27. Accepted.
28. Accepted.
29. Accepted.
30. Accepted.
31. Refused.
32. Accepted.
33. Accepted.
34. Accepted.
35. Accepted subject to the tolerance level contained in 75 P.S. 4982, 4981.
36. Accepted.
37. Accepted.
38. Accepted.
39. Accepted subject to introduction of the entire letter.

D. Respondent certifies that he has furnished the other with the materials required to be exchanged under C.J.D.R.P. NO. 401(E).

Respectfully submitted,

A handwritten signature in black ink, reading "Heidi F. Eakin", written over a horizontal line.

Heidi F. Eakin

Costopoulos, Foster and Fields

831 Market Street

Lemoyne, PA 17043

Supreme Court # 43893

717-761-2121

Counsel Hon. Andrew Hladio

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VERIFICATION

I, Heidi F. Eakin, Attorney for the Honorable Andrew M. Hladio, verify that the statements herein are made subject to the penalties of 18 Pa.C.S.A. 4904, relating to unsworn falsification to authorities.

Respectfully submitted,



Heidi F. Eakin
Costopoulos, Foster & Fields
831 Market Street
Lemoyne, Pennsylvania 17403-0222
Sup. Ct. # 43893
(717) 761-2121
Cell: 717-602-0581
Supreme Ct. ID 43893
Counsel for Hon. Andrew M. Hladio

September 18 , 2017

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Proof of Service

In compliance with Rule 122(D) of the Court of Judicial Discipline Rule of Procedure, on or about January 10, 2017, a copy of this Amended Pre-Trial Memorandum was hand delivered to the following:

Court of Judicial Discipline
Pennsylvania Judicial Center
601 Commonwealth Avenue.
Harrisburg, PA 17106

Elizabeth A. Flaherty
Deputy Counsel
Judicial Conduct Board
601 Commonwealth Avenue.
Harrisburg, PA 17106

Respectfully submitted,



Heidi F. Eakin
Costopoulos, Foster & Fields
831 Market Street
Lemoyne, Pennsylvania 17403-0222
Sup. Ct. # 43893
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Counsel for Hon. Andrew M. Hladio

September 18 , 2017