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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

)	
League of Women Voters of Pennsylvania, <i>et al.</i> ,)	
)	
<i>Petitioners,</i>)	
)	
)	No. 261 MD 2017
v.)	
)	
The Commonwealth of Pennsylvania, <i>et al.</i> ,)	
)	
)	
<i>Respondents.</i>)	
)	

**PETITIONERS' ANSWER TO THE APPLICATION TO INCLUDE
RICK SACCONI AS AN INTERVENOR**

Petitioners submit this Answer to the Application to Include Rick Saccone as an Intervenor.

RESPONSE TO APPLICATION

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted that 25 P.S. § 2779 includes the quoted language.

Petitioners refer to 25 P.S. § 2779 for its full and complete contents and deny anything inconsistent therewith.

5. Admitted.
6. Admitted.

7. The first sentence is admitted. After reasonable investigation, Petitioners are without knowledge or information sufficient to form a belief as to the truth of the statements in the second sentence, and they are therefore denied.

8. Denied. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied. By way of further response, Petitioners do not and will not seek any relief whatsoever with respect to the March 13, 2018 Special Election. The winner of the Special Election will serve for the remainder of the current 115th Congress; this lawsuit concerns the plan that will be in effect beginning with

the May 2018 primary and November 2018 election for the 116th Congress.

Proposed Intervenor Saccone does not articulate any reason other than the Special Election (which this litigation will not affect) as to why his interests are any different from or are not adequately represented by the existing Intervenors.

9. Admitted.

10. Admitted.

11. Admitted.

12. Denied. In light of the highly expedited schedule for this matter, the addition of any new parties will demand new expenditures of time by the Court and by counsel, which is prejudicial and which creates a risk of undue delay.

13. Denied. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied. By way of further response, the relevant interests in a redistricting case are the interests of voters, not the interests of candidates. *See Erfer v. Commonwealth*, 794 A.2d 325, 330 (Pa. 2002); *Albert v. 2001 Legislative Reapportionment Comm’n*, 790 A.2d 989, 994-95 (Pa. 2002) (“[I]t is the right to vote and the right to have one’s vote counted that is the subject matter of a reapportionment challenge.”).

CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the Court deny the Application to Include Rick Saccone as an Intervenor.

Dated: November 20, 2017

Respectfully submitted,

/s/ Benjamin D. Geffen

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League of Women Voters of Pennsylvania, *et al.*,
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v.

The Commonwealth of Pennsylvania, *et al.*,
Respondents.

AND NOW, this _____ day of _____, 20____, upon consideration of the Application to Include Rick Saccone as an Intervenor, and the Answer of Petitioners thereto, it is hereby ORDERED that the Application is DENIED.

J.