IN THE COMMONWEALTH COURT OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA DEPARTMENT OF STATE, and VERONICA DEGRAFFENREID, Acting Secretary of the Commonwealth of Pennsylvania, Petitioners, v. SENATOR CRIS DUSH, SENATOR JAKE CORMAN, and THE PENNSYLVANIA STATE SENATE INTERGOVERNMENTAL OPERATIONS COMMITTEE, Respondents.	No. ___ MD 2021

NOTICE TO PLEAD

To: Senator Cris Dush, Senator Jake Corman, and the Pennsylvania State Senate Intergovernmental Operations Committee.

You are hereby notified to file a written response to the enclosed petition within thirty (30) days from service hereof, in accordance with Pennsylvania Rule of Appellate Procedure 1516(b), or a judgment may be entered against you.

Dated: September 23, 2021

Josh Shapiro
$WWRUQH\ *HQHUDO
&RPPRQZHDOWK RI 3HQQV\O

/s/ Michael J. Fischer

Michael J. Fischer (Bar. No. 322311)
&KLHI &RXQVHO DQG ([HFXW
$WWRUQH\ *HQHUDO
Aimee D. Thomson (Bar. No. 326328)
Jacob B. Boyer (Bar. No. 324396)
'HSXW\ $WWRUQH\V *HQHUD
Stephen R. Kovatis (Bar No. 209495)
6HQLRU 'HSXW\ $WWRUQH\
PENNSYLVANIA OFFICE OF
ATTORNEY GENERAL
1600 Arch Street, Suite 300
Philadelphia, PA 19103
mfischer@attorneygeneral.gov
athomson@attorneygeneral.gov
jboyer@attorneygeneral.gov
215.560.2171

Keli M. Neary (Bar. No. 205178)
([HFXWLYH 'HSXW\ $WWRUQ
Karen M. Romano (Bar. No. 88848)
&KLHI 'HSXW\ $WWRUQH\ *H
Stephen Moniak (Bar. No. 80035)
6HQLRU 'HSXW\ $WWRUQH\
PENNSYLVANIA OFFICE OF
ATTORNEY GENERAL
15th Floor
Strawberry Square
Harrisburg, PA 17120

John C. Dodds (Bar. No. 44423)
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Place
Philadelphia, PA 19103
john.dodds@morganlewis.com
215.963.5000

Susan Baker Manning
(SUR KDF YLFH IRUWKFRPLQJ)
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
susan.manning@morganlewis.com
202.739.3000

Aaron Scherzer
(SUR KDF YLFH IRUWKFRPLQJ)
Christine P. Sun
(SUR KDF YLFH IRUWKFRPLQJ)
STATES UNITED
DEMOCRACY CENTER
572 Valley Road, No. 43592
Montclair, NJ 07043
aaron@statesuniteddemocracy.org
862.367.6480
christine@statesuniteddemocracy.org
615.574.9108

$WWRUQH\V IRU 3HWLWLRQHU 3HQQV\OYDQLD
'HSDUWPHQW RI 6WDWH DQG 3HWLWLRQHU
$FWLQJ 6HFUHWDU\ RI WKH &RPPRQZHDOWK
9HURQLFD 'HJUDIIHQUHLG

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within thirty (30) days after this complaint and notice are served, in accordance with Pennsylvania Rule of Appellate Procedure 1516(b), by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THESE OFFICES MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

MidPenn Legal Services
213-A North Front Street
Harrisburg, PA 17101
(717) 232-0581

Dauphin County Lawyer Referral Service
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA DEPARTMENT OF STATE, and VERONICA DEGRAFFENREID Acting Secretary of the Commonwealth, Petitioners, v. SENATOR CRIS DUSH, SENATOR JAKE CORMAN, and THE PENNSYLVANIA SENATE INTERGOVERNMENTAL OPERATIONS COMMITTEE, Respondents.	No. ___ MD 2021

PETITION FOR REVIEW IN THE NATURE OF A COMPLAINT IN EQUITY AND FOR DECLARATORY JUDGMENT

Introduction

1. Pennsylvania citizens have constitutionally guaranteed rights to free and fair elections and to the protection of their personal information. Both fundamental rights are threatened by the abuse of power at the center of this case.

2. The Commonwealth of Pennsylvania, the Department of State, and Acting Secretary of the Commonwealth Veronica Degraffenreid bring this action to protect nine million Pennsylvania voters from an unlawful attempt to subpoena—and share with unknown third parties—their private information.

3. The Pennsylvania State Senate's Intergovernmental Operations Committee has demanded voters' private information from the Pennsylvania Department of State, not to conduct a good-faith investigation or to further secure Pennsylvania's elections but instead to pursue a disproven narrative designed to undermine faith in the results of Pennsylvania's 2020 presidential election.

4. As has been repeatedly demonstrated, Pennsylvania's 2020 general election was free, fair, and secure.

5. More than that, it was a model of civic engagement. A record number of voters participated. In the face of unprecedented challenges, Pennsylvania's election workers, Republican, Democratic, and Independent, did their jobs. They conducted the election fairly and followed the law.

6. Pennsylvania voters elected candidates from both parties. They awarded their presidential electors to the Democratic candidate and elected a Democratic Attorney General, while simultaneously electing Republicans to the offices of Auditor General and State Treasurer. They also elected a congressional delegation evenly divided between the parties and maintained Republican majorities in the State House and State Senate.

7. Yet for the first time in our nation's modern history, the losing candidate for president refused to accept the outcome of the election. From before the polls closed, former President Trump claimed, without evidence, that there

would be widespread fraud in Pennsylvania and other states. Undaunted by facts disproving his wild allegations, former President Trump continued spreading that message after Election Day.

8. This claim, of course, was a lie. Two separate audits of the results confirmed that President Biden won Pennsylvania. Despite the unprecedented attention that Pennsylvania has received since last November, there is no evidence of widespread fraud in connection with the 2020 election. In fact, a later report on the election found that just three individual cases of fraud in all of Pennsylvania had been identified.

9. Judges across the Commonwealth, in federal and state courts, rejected the barrage of legal cases brought by the former President and his allies.

10. But the notion that the 2020 election was corrupted in some way has persisted, not simply because former President Trump has continued to repeat it, but because his partisans, including those in Pennsylvania, have perpetuated his false claims.

11. To further the false claims, the Intergovernmental Operations Committee, now chaired by Senator Cris Dush and acting at the direction of Senator Jake Corman, is purporting to conduct an investigation into supposed election irregularities—even though the Intergovernmental Operations Committee has no experience, authority, or jurisdiction to oversee election matters.

7KLV HIIRUW KDV EHHQ XQGHU GLVFXVVLRQ

KDV EHHQ FDOOHG E\ GLIIHUHQW QDPHV OHG E\ G

DQG IRFXVHG RQ GLIIHUHQW VXSSRVHG DOOHJDWL

7KURXJKRXW WKH SXUSRVH KDV UHPDLQHG

3UHVLGHQW 7UXPS DQG KLV SROLWLFDO EDVH DQG

DYRLGLQJ WKH HPEDUUDVVPHQW WKDW KDV UHVXO

HYLGHQFH RI YRWHU IUDXG WKDW GRHV QRW H[LV

1RZ LQ IXUWKHUDQFH RI WKLV REJHFWLYH