

In the Commonwealth Court of Pennsylvania

256 MD 2016

WILLIAM J. GREEN, IV, individually and in his official capacity as
Chairman of the School Reform Commission,
Petitioner,

v.

THOMAS W. WOLF, in his official capacity as Governor of the Commonwealth of
Pennsylvania; THE SCHOOL REFORM COMMISSION OF THE SCHOOL DISTRICT OF
PHILADELPHIA; and MARJORIE NEFF, in her official capacity as member and
putative Chair of the School Reform Commission,
Respondents.

BRIEF IN SUPPORT OF PETITIONER'S ANSWER TO GOVERNOR THOMAS W. WOLF'S NEW MATTER

On Original Jurisdiction Petition for Review

THE FAIRNESS CENTER
225 State Street, Suite 303, Harrisburg, PA 17101
844-293-1001

David R. Osborne
PA Attorney ID# 318024
david@fairnesscenter.org

Karin M. Sweigart
PA Attorney ID# 317970
karin@fairnesscenter.org

Counsel for Petitioner

July 19, 2016

TABLE OF CONTENTS

TABLE OF AUTHORITIES ii

SUMMARY OF ARGUMENT 1

ARGUMENT..... 2

 I. THE CHAIRMAN OF THE SRC IS AN “OFFICE” 2

 II. GOV. WOLF HAD NO CONSTITUTIONAL AUTHORITY TO REMOVE
 THE CHAIRMAN OF THE SRC 5

 III. GOV. WOLF HAS NO TECHNICAL GROUNDS FOR DISMISSAL..... 9

 A. Quo Warranto..... 9

 B. Mandamus..... 10

 C. Statute of Limitations 11

 D. Declaratory Relief 13

 E. Injunctive Relief 14

CONCLUSION 14

TABLE OF AUTHORITIES

Cases

<u>Arneson v. Wolf</u> , 124 A.3d 1225 (Pa. 2015)	7, 10
<u>Arneson v. Wolf</u> , 117 A.3d 374 (Pa. Cmwlt. 2015)	3
<u>Bowers v. Pennsylvania Labor Relations Bd.</u> , 167 A.2d 480 (Pa. 1961)	7, 10
<u>Burger v. Sch. Bd. of McGuffey Sch. Dist.</u> , 923 A.2d 1155 (Pa. 2007)	3
<u>Commonwealth ex rel. Hanson v. Reitz</u> , 170 A.2d 111 (Pa. 1961)	7
<u>Commonwealth ex rel. Sortino v. Singley</u> , 392 A.2d 1337 (Pa. 1978)	6, 7
<u>Commonwealth v. Ostrosky</u> , 909 A.2d 1224 (Pa. 2006)	8
<u>Commonwealth v. Shiffler</u> , 879 A.2d 185 (Pa. 2005)	4
<u>Curley v. Wetzel</u> , 82 A.3d 418 (Pa. 2013)	11, 12
<u>Gernert v. Lindsay</u> , 2 Pa. Cmwlt. 576 (1971)	10
<u>Gleason v. Borough of Moosic</u> , 609 Pa. 353, 15 A.3d 479 (2011)	11
<u>Philadelphia Fed'n of Teachers v. Sch. Dist. of Philadelphia</u> , 109 A.3d 298 (Pa. Cmwlt. 2015)	3
<u>Rendell v. Pennsylvania State Ethics Comm'n</u> , 938 A.2d 554 (Pa. Cmwlt. 2007)	14
<u>Sch. Reform Comm'n v. Philadelphia Fed'n of Teachers, Local 3, AFT, AFL-CIO</u> , 95 A.3d 269 (Pa. 2014)	3
<u>Spykerman v. Levy</u> , 421 A.2d 641 (Pa. 1980)	10, 12

<u>St. Ignatius Nursing Home v. Dep't of Pub. Welfare,</u> 918 A.2d 838 (Pa. Cmwlth. 2007).....	5
<u>Venesky v. Ridge,</u> 789 A.2d 862 (Pa. Cmwlth. 2002).....	6, 7
<u>Watson v. Pennsylvania Turnpike Comm'n,</u> 125 A.2d 354 (Pa. 1956).....	7, 10
<u>Pittsburgh Palisades Park, LLC v. Pennsylvania State Horse Racing Commission,</u> 844 A.2d 62 (Pa. Cmwlth. 2004).....	13
<u>Werner v. Zazyczny,</u> 681 A.2d 1331 (Pa. 1996).....	3

Statutes

1 Pa.C.S. § 1504	13
1 Pa.C.S. § 1903(a)	4
1 Pa.C.S. § 1921(a)	8
42 Pa.C.S. § 5522	11
42 Pa.C.S. § 7541(b)	13
74 Pa.C.S. § 8105(e)	2
Article VI, section 7, of the Pennsylvania Constitution	1, 5, 6, 8

SUMMARY OF ARGUMENT¹

Gov. Wolf's New Matter reveals that there are no material facts at issue and that Green is entitled to judgment as a matter of law. The basic truth, to which Respondent Governor Thomas W. Wolf ("Gov. Wolf") must surrender, is that his removal of Petitioner William J. Green, IV ("Green") was an ultra vires attack on the integrity of an independent office, and Wolf has a legal duty to correct it. To be clear, Gov. Wolf cannot deny that the Chairman of the School Reform Commission ("SRC") is a "civil office" for purposes of section 696 of the Public School Code of 1949 ("section 696"), while at the same time claiming the constitutional power to remove the Chairman as a "civil officer[] . . . remov[able] at the pleasure of the power by which they shall have been appointed," Pa. Const., Art. VI, § 7 (emphasis added). Yet, Gov. Wolf cannot successfully strip Green of the protections of that office without creating an absurd result and reducing section 696's language to mere surplusage. Finally, Gov. Wolf's arguments for technical dismissal of this case are little more than smoke and mirrors.

1. Green relies on the recitation of the background and standard of review set forth in his Brief in Support of the Amended Application for Summary Relief, filed on May 24, 2016.

ARGUMENT

Gov. Wolf's New Matter demonstrates agreement as to the material facts and Green's entitlement to relief. This Court should grant Green's Amended Application for Summary Relief ("Amended Application") and provide the relief requested in the underlying Amended Petition for Review in the Nature of a Complaint for Quo Warranto, Mandamus, Declaratory, and Injunctive Relief ("Amended Petition").

I. THE CHAIRMAN OF THE SRC IS AN "OFFICE"

Contrary to Gov. Wolf's assertions, New Matter, at ¶¶ 24, 26, the office of Chairman of the SRC falls squarely within the definition of "public office" or "civil office," entitling the holder of that office to protection under section 696. As previously demonstrated,² the General Assembly has made this conclusion unavoidable as a matter of law, in part by elsewhere referring to the position of chairman as a distinct "office." 24 P.S. § 6901.304(c); 53 P.S. § 28202(b); 55 P.S. § 697.5(f); 74 Pa.C.S. § 8105(e).

Gov. Wolf nevertheless asserts that the duties of the Chairman are not important enough and do not sufficiently involve the functions of government to

2. Green relies on his more detailed discussion on the language, history, and intent underlying section 696 in his Brief in Support of the Amended Application for Summary Relief.

merit the “public office” designation.³ This line of argument is either laughable—considering the Governor’s apparent interest in who serves as Chairman of the SRC—or it betrays a profound misunderstanding of the work of the SRC and its Chairman. Given the Pennsylvania Supreme Court’s belief that the position of school superintendent is an “office” for constitutional purposes, Burger v. Sch. Bd. of McGuffey Sch. Dist., 923 A.2d 1155 (Pa. 2007), it is difficult to imagine the head of a state-created school board as anything less.

Candidly, it is surprising to see Gov. Wolf arguing that the leader for reform of a distressed school district is doing something short of “grave and important” work involving functions of government.⁴ The Chairman of the SRC is responsible for “presid[ing] over the work of the entire SRC,” Amended Petition, at ¶ 12 & Exh. A, an institution itself armed with “sweeping powers” greater than those granted to any “ ‘other governing body of a school district in Pennsylvania.’ ” Philadelphia Fed’n of Teachers v. Sch. Dist. of Philadelphia, 109 A.3d 298, 318 (Pa. Cmwlth. 2015)

3. See Gov. Wolf’s Brief in Opposition to Petitioner’s Amended Application for Summary Relief, at pp. 11-12.

4. “A person will be deemed a public officer if the person is appointed or elected to perform duties of a grave and important character, and which involve some of the functions of government, for a definite term.” Arneson v. Wolf, 117 A.3d 374, 403-04 (Pa. Cmwlth. 2015) aff’d and adopted, 124 A.3d 1225 (Pa. 2015) (granting mandamus and declaratory relief) (quoting Werner v. Zazyczny, 681 A.2d 1331, 1337 (Pa. 1996)).

(quoting Sch. Reform Comm’n v. Philadelphia Fed’n of Teachers, Local 3, AFT, AFL-CIO, 95 A.3d 269, 270 (Pa. 2014) (Castille, C.J., dissenting)). Practically speaking, the Chairman of the SRC is the equivalent of the President of the local board of school directors—also unquestionably an “officer”—whose duties include “execut[ing] any and all deeds, contracts, warrants to tax collectors, reports, and other papers pertaining to the business of the board, requiring the signature of the president.”⁵ 24 P.S. § 4-427.

Finally, Gov. Wolf misguidedly derides as “extraneous materials”⁶ well-accepted authority defining the terms “office” and “chairman.” Resort to such well-accepted authority is entirely appropriate, if not necessary, to plain-language analysis. See Commonwealth v. Shiffler, 879 A.2d 185 (Pa. 2005) (“In reading the plain language, ‘[w]ords and phrases shall be construed according to rules of grammar and according to their common and approved usage,’ while any words or phrases that have acquired a ‘peculiar and appropriate meaning’ must be construed according to that meaning.”) (quoting 1 Pa.C.S. § 1903(a)). After all, the General Assembly was well acquainted with the traditional authority on

5. Wolf has not seriously disputed this contention. See Gov. Wolf’s Answer and New Matter to Petitioner’s Amended Application in the Form of a Motion for Summary Relief, at p. 4, ¶ 13.

6. See Gov. Wolf’s Brief in Opposition to Petitioner’s Amended Application for Summary Relief, at pp. 10-12.

parliamentary procedure and surely intended the words enacted to be generally understood. See St. Ignatius Nursing Home v. Dep't of Pub. Welfare, 918 A.2d 838, 845 (Pa. Cmwlth. 2007) (“[I]n ascertaining the common and approved usage or meaning of a word, we may resort to the dictionary.”).

In sum, and as reflected on Green’s oath of office, which reads “Officer Title: Chairman, School Reform Commission,” Amended Petition, at ¶ 21 & Exh. E, the Chairman of the SRC is an “office” entitled to protection from no-cause removal under section 696. This Court should therefore reject Gov. Wolf’s argument that the Chairman of the SRC is not an “office.”

II. GOV. WOLF HAD NO CONSTITUTIONAL AUTHORITY TO REMOVE THE CHAIRMAN OF THE SRC

Next, Gov. Wolf argues that he has constitutional authority to remove the Chairman of the SRC, citing Article VI, section 7, of the Pennsylvania Constitution.⁷

7. Article VI, section 7, provides, in full:

All civil officers shall hold their offices on the condition that they behave themselves well while in office, and shall be removed on conviction of misbehavior in office or of any infamous crime. Appointed civil officers, other than judges of the courts of record, may be removed at the pleasure of the power by which they shall have been appointed. All civil officers elected by the people, except the Governor, the Lieutenant Governor, members of the General Assembly and judges of the courts of record, shall be removed by the Governor for reasonable cause, after

New Matter, at ¶ 26; Gov. Wolf’s Brief in Opposition to Petitioner’s Amended Application for Summary Relief, at pp. 12-14. But his argument only backfires.

First, by its own language, Article VI, section 7, applies to only “civil officers,” precisely the description of the Chairman that Gov. Wolf seeks to avoid. If Gov. Wolf invokes this constitutional provision, he must also admit that the position of Chairman is an “office” for purposes of section 696. And once Gov. Wolf admits that the position of Chairman of the SRC is an “office,” he runs inescapably into section 696’s prohibition on no-cause removal provision of SRC members “from office.” 24 P.S. § 6-696(b)(2).

Perhaps Gov. Wolf fails to fully appreciate that, notwithstanding Article VI, section 7, “[w]here the legislature creates a public office, it may impose terms and limitations as to the office’s tenure and the removal of an incumbent,” exactly what the General Assembly did here. Venesky v. Ridge, 789 A.2d 862, 864 (Pa. Cmwlth. 2002), aff’d, 809 A.2d 899 (Pa. 2002); see also Commonwealth ex rel. Sortino v. Singley, 392 A.2d 1337, 1339 (Pa. 1978) (“Whether an appointed civil officer . . . is subject to removal at the pleasure of the appointing power depends upon legislative intent, ‘to be gleaned from the statute creating or regulating the office.’

due notice and full hearing, on the address of two-thirds of the Senate.

”). Indeed, section 696’s clear prohibition easily distinguishes this case from Venesky, 789 A.2d at 866, where this Court held that the Governor could remove a game commissioner without cause. Unlike section 696, the statute at issue in Venesky was devoid of any restrictions on removal of a commissioner, had no provision staggering the terms of commissioners, and vested all appointments with the Governor. Id. at 865.

Yet even if section 696 were less than clear, Gov. Wolf fails to meaningfully distinguish Pennsylvania Supreme Court precedent limiting executive removal powers in similar situations.⁸ See New Matter, at ¶ 26. Section 696 creates fixed terms staggered with other members and with the Governor’s term, provides structural and functional independence of the SRC from the Governor’s office, and prohibits SRC members from engaging in political activity—all evidence of intent to insulate officers from no-cause removal. Knowing the weakness of his arguments

8. See, e.g., Arneson v. Wolf, 124 A.3d 1225 (Pa. 2015); Singley, 392 A.2d 1337 (holding that a mayor cannot remove members of Redevelopment Authority during their terms absent cause); Bowers v. Pennsylvania Labor Relations Bd., 167 A.2d 480 (Pa. 1961) (holding that the Governor could not remove Pennsylvania Labor Relations Board member during his term absent cause); Commonwealth ex rel. Hanson v. Reitz, 170 A.2d 111 (Pa. 1961) (holding that a mayor lacked authority to remove member of Urban Redevelopment Authority absent cause); Watson v. Pennsylvania Turnpike Comm’n, 125 A.2d 354 (Pa. 1956) (holding that Governor could not remove member of Turnpike Commission during his term absent cause).

and inability to distinguish this precedent, Gov. Wolf is forced to admit that he simply disagrees with the Pennsylvania Supreme Court’s reasoning.⁹

Ultimately, the Governor’s insistence that section 696 lacks restrictions on removal of the Chairman, *New Matter*, at ¶¶ 26, 28, hinges on his unsupported theory that the General Assembly unnecessarily added the words “from office” to section 696(b)(2).¹⁰ However, “[t]he legislature . . . is presumed not to intend any statutory language to exist as mere surplusage and, accordingly, courts must construe a statute so as to give effect to every word.” *Commonwealth v. Ostrosky*, 909 A.2d 1224, 1232 (Pa. 2006); see 1 Pa.C.S. § 1921(a) (“Every statute shall be construed, if possible, to give effect to all of its provisions.”).

It follows that, even if Gov. Wolf invokes Article VI, section 7, of the Pennsylvania Constitution, he remains bound by the General Assembly’s limitation of removal on the Chairman of the SRC. Accordingly, this Court should reject the Governor’s argument for constitutional removal authority and grant Green’s requests for relief.

9. See Gov. Wolf’s Brief in Opposition to Petitioner’s Amended Application for Summary Relief, at 14 n.10 (“We believe that Arneson was wrongly decided by this Court and by the Supreme Court . . .”).

10. See Gov. Wolf’s Brief in Opposition to Petitioner’s Amended Application for Summary Relief, at 11-12.

III. GOV. WOLF HAS NO TECHNICAL GROUNDS FOR DISMISSAL

Gov. Wolf devotes the bulk of his New Matter duplicitously attempting to invoke various technical grounds for dismissal. He seeks to avoid mandamus relief by suggesting that quo warranto relief is appropriate, to avoid quo warranto relief on the ground that only mandamus is proper, and to avoid declaratory relief on the grounds that both quo warranto and mandamus relief are available. He also suggests that a statute of limitations prevents a ruling on the merits, despite the fact that Green's causes of action are not subject to a statute of limitations analysis. This Court should reject Gov. Wolf's attempts to avoid a ruling on the merits.

A. Quo Warranto

First, Gov. Wolf argues that quo warranto is an inappropriate means by which Green can establish his right to the office of Chairman of the SRC, apparently preferring that Green bring a mandamus action.¹¹ New Matter, at ¶¶ 10-12. However, this Court has explained that

[t]he distinction between mandamus and quo warranto is not always susceptible to precise definition

11. Gov. Wolf also makes the bizarre argument that Green's quo warranto claim fails because Green is not challenging Gov. Wolf's right to office. New Matter, at ¶ 13. It should be clear from the pleadings that Green is not seeking Gov. Wolf's office but includes Gov. Wolf as a respondent based on his role in appointing Neff to the office of Chairman. Gov. Wolf unilaterally removed Green from, appointed Neff to, and continues to deprive Green of the office of Chairman of the SRC.

and demarcation. Where a public office is contested, the applicability of one remedy or the other is largely dependent on the operative circumstances of the case.

Gernert v. Lindsay, 2 Pa. Cmwlth. 576, 579 (1971). “Historically, Pennsylvania courts have held that the quo warranto action is the sole and exclusive method to try title or right to public office.” Spykerman v. Levy, 421 A.2d 641, 648 (Pa. 1980).

As the Amended Petition makes clear, at ¶¶ 31-39, Gov. Wolf unlawfully appointed Respondent Marjorie Neff (“Neff”) to the office of Chairman of the SRC, simultaneously purporting to remove Green. Green seeks the removal of Neff as putative Chair of the SRC, a request within this Court’s power to grant through writ of quo warranto. Gov. Wolf’s argument to the contrary should be rejected.

B. Mandamus

Second, Gov. Wolf argues that mandamus is inappropriate because Green should have sought quo warranto relief. But the Pennsylvania Supreme Court has long endorsed the use of mandamus in situations closely analogous to that created by Gov. Wolf here. See, e.g., Arneson, 124 A.3d 1225; Bowers, 167 A.2d 480; Watson, 125 A.2d 354; see also Gernert, 2 Pa. Cmwlth. at 580 (“If he properly holds the office of a member of the Board according to the law, then mandamus is the proper remedy to effectuate such reinstatement.”). As demonstrated in the Amended Petition and Amended Application, Gov. Wolf has a duty to reinstate

Green to office and has failed to observe that duty. Gov. Wolf's argument should be rejected.

C. Statute of Limitations

Next, Gov. Wolf argues that Green's claims against Gov. Wolf are time-barred, despite the fact that neither mandamus nor quo warranto claims are subject to a statute of limitations analysis. *New Matter*, at ¶¶ 3-8. Contrary to Gov. Wolf's assertions, the Pennsylvania Supreme Court has unanimously rejected the notion that a six-month statute of limitations applies to actions in mandamus, Curley v. Wetzel, 82 A.3d 418 (Pa. 2013).

And for good reason: Gov. Wolf's failure to act in accordance with the law is a continuing harm not subject to a statute of limitations; as then-Chief-Justice Castille remarked in concurring with the Pennsylvania Supreme Court in Curley:

[E]ven assuming the action sounded in mandamus, the Commonwealth Court incorrectly invoked the six-month statute of limitations found in 42 Pa.C.S. § 5522 to bar this action. The Commonwealth Court relied upon Gleason v. Borough of Moosic, 609 Pa. 353, 15 A.3d 479 (2011), for the proposition that, "In a request for mandamus, the statute of limitations begins to run when the cause of action accrues, i.e., when the injury is inflicted and the right to institute a suit for damages arises." Curley [v. Smeal], 41 A.3d 916, 919 (Pa. Cmwlth. 2012)]. In fact, however, Gleason neither involved a mandamus action, nor did that decision endorse a particular statute of limitations for mandamus actions. Indeed, it is difficult to

see how an action properly sounding in mandamus would lend itself to a period of limitations analysis: since a mandamus action alleges a failure to act, there is no action to trigger a specific limitations period.

Curley, 82 A.3d at 419 (Castille, C.J., concurring). Green does not merely assert that his removal was unlawful; he argues that Wolf has a legal duty to reinstate him as Chairman of the SRC. Wolf failed to do that yesterday.

The same rationale would apply with equal force to Green’s claims for quo warranto and declaratory relief. With respect to his quo warranto claim, “[a] quo warranto is addressed to preventing a continued exercise of authority unlawfully asserted, rather than to correct what has already been done under the authority.” See Spykerman v. Levy, 421 A.2d 641, 648 (Pa. 1980) (emphasis added). Likewise, it is difficult to imagine how a declaratory judgment claim concerning continued inaction or exercise of authority could be time-barred.

Moreover, to impose statutes of limitations in this context would create absurd results. A Commonwealth Court judge who is not a member of the bar should not be allowed to remain on the bench simply because he avoided suit for a period of time—he continues to decide cases. Public officials illegally holding office and exercising governmental authority should not be able to continue to do so simply because they were able to get away with it for six months—they continue

to govern. This Court cannot attach a point at which the statute would start to run, because the illegal action—or failure to act—persists.

D. Declaratory Relief

Gov. Wolf next argues that declaratory relief is unavailable because Green could successfully regain office through writs of quo warranto or mandamus. *New Matter*, at ¶¶ 19-22. This argument plainly conflicts with what Gov. Wolf has already asserted, but it is also certainly wrong.

In advancing his argument, Gov. Wolf misconstrues Pittsburgh Palisades Park, LLC v. Pennsylvania State Horse Racing Commission, which stands for the entirely uncontroversial proposition that, “[w]here another remedy has already been sought in a pending proceeding, a declaratory judgment action should not ordinarily be entertained.” 844 A.2d 62, 67 (Pa. Cmwlth. 2004) (emphasis added). In fact, the Declaratory Judgments Act itself expressly provides that “[t]he availability of declaratory relief shall not be limited by the provisions of 1 Pa.C.S. § 1504 (relating to statutory remedy preferred over common law) and the remedy provided by this subchapter shall be additional and cumulative to all other available remedies except [in enumerated circumstances].” 42 Pa.C.S. § 7541(b).

And contrary to Gov. Wolf’s reasoning, the relief requested by Green would not require from this Court equivalent of an “advisory opinion.” *New Matter*, at ¶

21. To the contrary, Green requests that this Court reach a decision “based on [a] specific set[] of established facts.” Rendell v. Pennsylvania State Ethics Comm’n, 938 A.2d 554, 559 (Pa. Cmwlth. 2007).

E. Injunctive Relief

Finally, Gov. Wolf’s footnoted contention that Green has waived his request for permanent injunctive relief is without foundation. *New Matter*, at ¶ 22 n.5. In fact, Green, in his Amended Application, at p. 8, and Amended Petition, at ¶ 30, n.7, & p. 16, continues to request a permanent injunction as equitable relief.¹² The reason is simple: without a permanent injunction, there would be nothing to stop Gov. Wolf from removing Green in the future.

CONCLUSION

Accordingly, Green is entitled to relief on the uncontested facts. Gov. Wolf violated section 696(b)(2) in removing Green from office without cause, continues

12. Moreover, Gov. Wolf is estopped from arguing that including the request for a permanent injunction only in the Amended Petition’s “statement of the relief sought” and “prayer for relief” sections has any preclusive effect. Gov. Wolf previously argued that Green should not have stated a standalone claim for permanent injunctive relief, because it is “not a cause of action.” Gov. Wolf’s Answer and *New Matter* to initial petition for review, filed May 3, 2016, at ¶ 23; Gov. Wolf’s Preliminary Objections to initial petition for review, filed May 18, 2016, at ¶ 45. Green moved the request to a less prominent position in the application to seek to satisfy Gov. Wolf’s previous concern and clearly did not waive the request or remove it in its entirety.

to ignore his legal duty to restore Green to office, and now attempts to escape that obligation. This Court should reject the arguments advanced in Gov. Wolf's New Matter and grant the relief Green requested.

Respectfully submitted,

THE FAIRNESS CENTER

A handwritten signature in black ink, appearing to read "David R. Osborne", is written over a horizontal line.

David R. Osborne

PA Attorney ID#: 318024

Karin Sweigart

PA Attorney ID#: 317970

225 State Street, Suite 303

Harrisburg, PA 17101

844-293-1001

david@fairnesscenter.org

karin@fairnesscenter.org

July 19, 2016

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has on this date been served on Respondents, addressed as follows:

Kenneth L. Joel, Esq.
PA Office of the Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120
Counsel for Governor Wolf

Miles H. Shore, Esq.
School District of Philadelphia Office of General Counsel
440 N. Broad Street, Suite 313
Philadelphia, PA 19130
Counsel for School Reform Commission and Marjorie Neff

Date: July 19, 2016



David R. Osborne

PA Attorney ID#: 318024

Karin M. Sweigart

PA Attorney ID#: 317970

225 State Street, Suite 303

Harrisburg, PA 17101

844-293-1001

david@fairnesscenter.org

karin@fairnesscenter.org