Stocks

ORIGINAL

FILED HARRISBURG, PA

MAY 06 2002

MARYE DANDREA, CLEEK

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD VIETH, et al.,	
Plaintiffs,	
v.)	
COMMONWEALTH OF PENNSYLVANIA,) et al.,	Civil No. 1:CV-01-2439
Defendants.	
ROBERT J. MELLOW, Senator, 22nd District,	
Proposed Intervenor.)	

MOTION OF SENATOR ROBERT J. MELLOW FOR LEAVE TO INTERVENE OR, IN THE <u>ALTERNATIVE</u>, TO PARTICIPATE AS <u>AMICUS CURIAE</u>

1. Senator Robert J. Mellow, Senator, 22nd District, as leader of the Senate Democratic Caucus, asks this Honorable Court to grant him permission to

intervene in the remedial phase of this matter or, in the alternative, to participate as amicus curiae.

- 2. The reasons supporting this Motion are set forth in Senator Mellow's Memorandum, filed herewith.
- 3. Senator Mellow respectfully requests that this Court consider this Motion on an expedited basis.

Dated: May 3, 2002

Respectfully submitted,

Lawrence J. Moran

ABRAHAMSEN, MORAN &

CONABOY, P.C.

W.C. Carter Building

205-207 North Washington Ave.

Scranton, PA 18503

(570) 348-0200 (telephone)

(570) 348-0273 (facsimile)

Mark A. Packman

Lara H. Schwartz

GILBERT HEINTZ & RANDOLPH LLP

1350 I Street, NW, Suite 200

Washington, DC 20005-3324

(202) 772-2320 (telephone)

(202) 772-2322 (facsimile)

COUNSEL FOR SENATOR ROBERT J. MELLOW

ORGINAL

FILED HARRISBURG, PA

MAY, 0 6 2002

CERTIFICATE OF SERVICE

I, MARK A. PACKMAN, co-counsel for Senator Robert J. Mellow, hereby certify that on May 2, 2002, I caused to be served copies of the Motion of Senator Robert J. Mellow for Leave to Intervene or, in the Alternative, to Participate as Amicus Curiae, the Memorandum in Support of the Motion, the proposed Order, the Complaint in Intervention, and the Brief of Senator Robert J. Mellow in Support of Senate Democrats' Proposed Redistricting Plan by hand upon counsel and by facsimile and Federal Express upon the Judges listed below:

Paul M. Smith Thomas J. Perrelli Daniel Mach Brian P. Hauck JENNER & BLOCK, L.L.C. 601 Thirteenth Street, N.W. Washington, D.C. 20005 (202) 639-6000 (202) 639-6066 (fax) John P. Krill, Jr. Linda J. Shorey KIRKPATRICK & LOCKHART LLP 240 North Third Street Harrisburg, PA 17101 (717) 231-4500 (717) 231-4501 (fax)

J. Bart DeLone Senior Deputy Attorney General Office of Attorney General Appellate Litigation Section 15th Floor Strawberry Square Harrisburg, PA 17120 (717) 783-3226 (717) 772-4526 (fax)

The Honorable Richard L. Nygaard U.S. Circuit Judge 717 State Street Suite 500 Erie, PA 16501 (814) 456-2947 (fax)

Robert B. Hoffman REED SMITH, LLP 213 Market Street, 9th Floor P.O. Box 11844 Harrisburg, PA 17108 (717) 257-3042 (717) 236-3777 (fax) The Honorable William H. Yohn, Jr. U.S. District Judge 3809 U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1753 (215) 580-2161 (fax)

MARK A. PACKMAN

Co-counsel For Senator Robert J. Mellow