

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

CAROL ANN CARTER; MONICA PARRILLA;
REBECCA POYOUROW; WILLIAM TUNG;
ROSEANNE MILAZZO; BURT SIEGEL; SUSAN
CASSANELLI; LEE CASSANELLI; LYNN WACHMAN;
MICHAEL GUTTMAN; MAYA FONKEU; BRADY
HILL; MARY ELLEN BALCHUNIS; TOM DEWALL;
STEPHANIE MCNULTY; and JANET TEMIN,

Petitioners

v.

VERONICA DEGRAFFENREID, in her official capacity as
the Acting Secretary of the Commonwealth of
Pennsylvania; and JESSICA MATHIS, in her official
capacity as Director for the Pennsylvania Bureau of Election
Services and Notaries,

Respondents

No. 464 MD 2021

AND

PHILIP T. GRESSMAN; RON Y. DONAGI;
KRISTOPHER R. TAPP; PAMELA GORKIN; DAVID P.
MARSH; JAMES L. ROSENBERGER; AMY MYERS;
EUGENE BOMAN; GARY GORDON; LIZ MCMAHON,
TIMOTHY G. FEEMAN; and GARTH ISAAK,

Petitioners

v.

VERONICA DEGRAFFENREID, in her capacity as Acting
Secretary of the Commonwealth of Pennsylvania; and
JESSICA MATHIS, in her capacity as Director for the
Pennsylvania Bureau of Election Services and Notaries,

Respondents

No. 465 MD 2021

APPLICATION FOR LEAVE TO INTERVENE OF KHALIF ALI et al.

Proposed Intervenor-Petitioners Khalif Ali, Maryn Formley, Richard Rafferty, Patrick Beaty, Susan Gobreski, Barbara Hill, Judy Hines, Jodi Greene, John Thompson, Cynthia Alvarado, and Timothy L. Kauffman (together, “Applicants” or “Proposed Intervenors”) submit this Application for Leave to Intervene as co-Petitioners pursuant to Pennsylvania Rule of Appellate Procedure 1531(b) and Pennsylvania Rules of Civil Procedure 2327-2329.

I. INTRODUCTION

1. Applicants are Pennsylvania voters who have demonstrated a longstanding commitment to free and equal elections. They seek leave to intervene in order to assert the fundamental importance of neutral, nonpartisan standards for congressional redistricting. Applicants will articulate four principles for mapmaking that will protect the interests that they and all other Pennsylvanians have under the Pennsylvania Constitution in selecting members of Congress pursuant to a fair districting plan.

2. One of these principles is that a districting plan should not “subordinate . . . the neutral criteria of compactness, contiguity, minimization of the division of political subdivisions, and maintenance of population equality among congressional districts. . . . in whole or in part, to . . . gerrymandering for

unfair partisan political advantage.” *League of Women Voters v. Commonwealth*, 178 A.3d 737, 817 (Pa. 2018).

3. A second principle is that a districting plan that meets those neutral criteria should also seek to preserve communities of interest. *See id.* at 816 (“When an individual is grouped with other members of his or her community in a congressional district for purposes of voting, the commonality of the interests shared with the other voters in the community increases the ability of the individual to elect a congressional representative for the district who reflects his or her personal preferences. This approach inures to no political party’s benefit or detriment. It simply achieves the constitutional goal of fair and equal elections for all of our Commonwealth’s voters.”).

4. A third principle is that under the Pennsylvania Constitution, drawing a congressional map in order to benefit or disadvantage any particular candidates or possible candidates—incumbents and challengers alike—is no more acceptable than drawing it in order to give one party an unfair partisan political advantage.

5. A fourth principle is that to be compliant with Pennsylvania constitutional and statutory law, a congressional districting plan must treat prisoners as residents of their homes, not their cells.

6. These principles are not an exhaustive list of every factor relevant to congressional districting plans. But each of them is at risk of being overlooked in this litigation unless Applicants are granted leave to intervene.

7. Applicants will additionally argue that in addition to reviewing filed proposed districting plans, the Court should assign to a special master the task of drafting a potential remedial districting plan via a transparent process that includes preannounced criteria, the release of one or more draft maps, and opportunity for public input and comment before a final map is adopted.

8. Pennsylvania has a troubling recent history of enacting unconstitutional congressional districting plans. Following the 2000 Census, a three-judge panel in federal court invalidated Pennsylvania's initial congressional plan because it violated the U.S. Constitution's one-person-one-vote standard. *Vieth v. Pennsylvania*, 195 F. Supp. 2d 672 (M.D. Pa. 2002). And following the 2010 Census, Pennsylvania enacted a congressional plan that "subordinate[d] the traditional redistricting criteria in service of achieving unfair partisan advantage, and, thus, violate[d] the Free and Equal Elections Clause of the Pennsylvania Constitution." *League of Women Voters v. Commonwealth*, 178 A.3d 737, 821 (Pa. 2018). Prompt action by the Court can ensure that Pennsylvania will not extend this unfortunate streak by another decade.

II. THE PROPOSED INTERVENORS

9. Proposed Intervenor Khalif Ali was born and raised in Pittsburgh and has spent the last five years living in the Hazelwood neighborhood of Pittsburgh. Since 2001 Mr. Ali has been registered to vote in Pennsylvania and has voted in every congressional primary and general election, and he plans to do so again in 2022. Since November of 2020, Mr. Ali has served as the Executive Director of Common Cause Pennsylvania, a nonpartisan nonprofit organization dedicated to upholding the core values of American democracy, including working to create open, honest, and accountable government that serves the public interest; promote equal rights, opportunity, and representation for all; and empower all people to make their voices heard in the political process. Common Cause Pennsylvania has approximately 35,000 members and supporters across the state, including members in every congressional district. As Executive Director, Mr. Ali has been heavily involved in advocating for a fair, transparent, and representative redistricting process, including by submitting testimony to the relevant committees, lobbying individual members of the legislature and executive branch, as well as organizing and educating activists across Pennsylvania to make their voices heard in the process. He is also heavily involved in his community in the Hazelwood neighborhood of Pittsburgh and he believes his community should be fully and fairly represented in any congressional districting plan.

10. Proposed Intervenor Maryn Formley is a resident of Allegheny County and has been a registered voter in Pennsylvania for approximately 23 years. Since 2004, she has voted in every election, including congressional primaries and general elections and intends to continue to do so in 2022. Ms. Formley is the founder and executive Chair for the Voter Empowerment Education and Enrichment Movement (“VEEEM”), a non-profit organization dedicated to increasing voter turnout in Allegheny County. As founder and Executive Chair for VEEEM, she understands that representation is the core of our democracy and works to educate and empower voters, particularly Black voters, to make their voices heard. She believes that free and fair redistricting is important because our elected officials have to be representative and accountable to the people in their district, regardless of registration status. She believes that communities should be counted with districts that are similar to them so that the officials will serve them as their constituents. Ms. Formley is also a member and elder at Bidwell Presbyterian Church and a member of Zeta Phi Beta Sorority, Inc Gamma Alpha Tau Zeta Chapter in Penn Hills, PA.

11. Proposed Intervenor Richard Rafferty is a voter in Lafayette Hill, Montgomery County, and has been consistently voting in congressional primary and general elections there for some 30 years. After retiring as an IT Director five years ago, Mr. Rafferty joined Fair Districts PA as a volunteer. In 2019, he became

the Montgomery County Local Lead for Fair Districts PA, and in that capacity he leads organizing and advocacy across the county in support of transparent, impartial, and fair redistricting. Although he is a Republican voter, he has been disappointed in the General Assembly's majority party's non-transparency and slow-footedness in carrying out the current congressional redistricting process. He believes that Montgomery County has frequently been a victim of poor redistricting practices, and he believes his community in Lafayette Hill and Montgomery County should be fully and fairly represented in any congressional districting plan.

12. Proposed Intervenor Patrick Beaty is a voter in Huntingdon Valley, Montgomery County. Mr. Beaty has been registered to vote in Pennsylvania since the 1970s, and he consistently votes in congressional primary and general elections and plans to do so again in 2022. Mr. Beaty is a retired attorney who served for many years in state government. For the last five years, he has volunteered as the Legislative Director for Fair Districts PA, which is a nonpartisan, statewide coalition of organizations and individuals working to create a process for redistricting that is transparent, impartial, and fair. As a leader of Fair Districts PA, he has been heavily involved in the coalition's efforts to educate and mobilize Pennsylvanians around ending gerrymandering, and he has given testimony in both houses of the General Assembly regarding congressional redistricting. He believes

his community in Huntingdon Valley and Montgomery County should be fully and fairly represented in any congressional districting plan.

13. Proposed Intervenor Susan Gobreski is a voter in Philadelphia and has been consistently voting in congressional primary and general elections there for 34 years. Ms. Gobreski currently serves on the Board of Directors for the League of Women Voters of Pennsylvania. As the League's Board Director for Government Policy, she works to protect voting rights. In that capacity she testified before the Pennsylvania House State Government Committee on Congressional Redistricting on October 19, 2021. There she advocated for a fair process and a fair outcome including that the congressional map follow the imperatives stated in the Pennsylvania Constitution; that the geography of the map make sense, with minimal division of existing governance structures such as townships and municipalities; and that there be no discriminatory effect (intended or not) on voters on the basis of their political affiliation or preferences.

14. Proposed Intervenor Barbara Hill is a voter in Stroudsburg, Monroe County. For over fifty years, Ms. Hill has been a registered voter and regularly votes in congressional primary and general elections. For the last seven years, Ms. Hill has been a registered Pennsylvania voter in Monroe County and has regularly voted in primary and general elections there. Ms. Hill has been a member of the League of Women Voters for decades, joining chapters of the League wherever she

lived. Three years ago Ms. Hill joined the Monroe County League of Women Voters. As a volunteer, Ms. Hill has worked on publishing their Voters Guide and their Government Directory. Ms. Hill has been concerned with gerrymandering for some time now, including supporting candidates who have campaigned against gerrymandering. She believes a fair congressional map is fundamental to democracy and that every voter should have the opportunity to be adequately represented. Ms. Hill is a Board Vice President for Monroe County Habitat for Humanity and is particularly concerned that Latino, Black, and Asian communities of interest be respected in redistricting.

15. Proposed Intervenor Judy Hines is a resident of Mercer in Mercer County. She has been a registered voter in Pennsylvania for 54 years, and has voted in nearly every election, including congressional primary and general elections, and plans to do so again in 2022. Ms. Hines is an active member of the League of Women Voters of Mercer County, where she has regularly participated in advocating for a more fair and representative congressional redistricting process. She also has served as the membership chair of the Mercer County NAACP and has been active in political campaigns. Ms. Hines also serves her community by participating in Mercer Area Library Summer Programs and packing and distributing food to members of the community in need. She is concerned that the next congressional districting plan should fully and fairly represent her community.

16. Proposed Intervenor Jodi Greene is a resident of Birdsboro in Berks County and has been continuously registered to vote for 26 years. She votes in every election, including congressional primary and general elections, and intends to do so in 2022 as well. Ms. Greene is a professor of history at Reading Area Community College and is active in her community, including serving as President of the League of Women Voters of Berks County for a year. She has regularly advocated for a fair, representative and transparent redistricting process, including organizing in Berks County to ensure residents understand the impact of redistricting on their daily lives. She believes that every community, but particularly those communities that have historically been left out of the redistricting process, should be able to have their voices heard and that any future congressional districting plan should be fair and representative.

17. Proposed Intervenor John Thompson is a lifelong Philadelphian. From 1980 to 2016, Mr. Thompson was incarcerated in a series of Pennsylvania State Correctional Institutions, most recently in SCI Smithfield. Immediately upon his release from prison in 2016, Mr. Thompson returned home to Philadelphia and registered to vote. He consistently votes in congressional primary and general elections and plans to do so again in 2022. Since 2020, Mr. Thompson has been employed as a social and political organizer with the Abolitionist Law Center, primarily working and advocating to eliminate death by incarceration, solitary

confinement, and the release of all aging and geriatric prisoners. He is heavily involved in his community in the Lawncrest neighborhood and across the City of Philadelphia, and he believes his community should be fully and fairly represented in any congressional districting plan.

18. Proposed Intervenor Cynthia Alvarado grew up in and still lives in Philadelphia. From 2008 to 2020, Ms. Alvarado was incarcerated in the State Correctional Institution at Muncy, in Lycoming County, where she had no community ties outside the prison's walls. As a young person growing up in the deeply impoverished Badlands section of Philadelphia, Ms. Alvarado felt politically disempowered and did not vote or engage in electoral politics. But during her time in prison, she had a political awakening, and she is now an outspoken member of her community, promoting criminal-justice reform at the federal, state, and local levels. She recently registered to vote for the first time in her life and looks forward to voting in the 2022 congressional primary and general elections. Based on her experience with political organizing among current and recently released prisoners, she is particularly concerned that counting prisoners as residents of their prisons, which are typically far from their home communities, discourages them from civic involvement after their release. She believes the Badlands and all of Philadelphia should be fully and fairly represented in any congressional districting plan.

19. Proposed Intervenor Timothy L. Kauffman was born in Lancaster City and graduated from JP McCaskey High School. He attended Gettysburg College and joined the Reserve Officer Training Corps in 1968. Dr. Kauffman served in the United States Army Reserves for 39 years, during which time he regularly encouraged his military associates to register and vote. He currently resides in Manheim Township in Lancaster County. He is a registered voter in Pennsylvania and has regularly voted in congressional primary and general elections and plans to do so again in 2022. Dr. Kauffman is active in his community, including serving on several community boards as well as regularly participating in activism around democracy and environmental issues. He is concerned that the future enacted congressional districting plan fairly and adequately represent his community so that he has an equal opportunity to elect representatives who share his concerns about environmental protection and other issues.

III. APPLICANTS ARE ENTITLED TO INTERVENE

20. Parties are entitled to intervene if they “could have joined as an original party in the action or could have been joined therein” or “the determination of such action may affect any legally enforceable interest of such person whether or not such person may be bound by a judgment in the action.” Pa.R.C.P. 2327(3)-(4). An application may be refused only if “(1) the claim or defense of the petitioner is not in subordination to and in recognition of the

propriety of the action; or (2) the interest of the petitioner is already adequately represented; or (3) the petitioner has unduly delayed in making application for intervention or the intervention will unduly delay, embarrass or prejudice the trial or the adjudication of the rights of the parties.” Pa.R.C.P. 2329. Thus, “a grant of intervention is mandatory where the intervenor satisfies one of the four bases set forth in Rule No. 2327 unless there exists a basis for refusal under Rule No. 2329.” *Allegheny Reprod. Health Ctr. v. Pa. Dep’t of Human Servs.*, 225 A.3d 902, 908 (Pa. Commw. Ct. 2020).

21. Applicants satisfy the requirements of two of the subsections of Pa.R.C.P. 2327, namely Rules 2327(3) and 2327(4). Either of these alone is an adequate basis for granting this Application.

22. There is no basis for denying intervention under Pa.R.C.P. 2329.

23. The Court should therefore grant this Application for Leave to Intervene.

A. Applicants Could Have Joined as an Original Party in the Action

24. Pa.R.C.P. 2327(3) directs that an applicant “shall be permitted to intervene . . . if . . . such person could have joined as an original party in the action.”

25. Like all of the Petitioners in both *Carter* and *Gressman*, each of the Applicants is a Pennsylvania citizen and voter who resides in a congressional

district that will be malapportioned and otherwise constitutionally flawed should a new congressional districting plan not be in effect in time for the 2022 Primary.

26. Each Applicant could thus have joined as an original party in the action.

B. The Determination of This Action May Affect a Legally Enforceable Interest of the Applicants

27. Pa.R.C.P. 2327(4) directs that an applicant “shall be permitted to intervene . . . if . . . the determination of such action may affect any legally enforceable interest of such person.”

28. Applicants have an interest in the determination of this action that is legally enforceable, because it is “substantial, direct, and immediate,” *see Markham v. Wolf*, 136 A.3d 134, 139 (Pa. 2016). Specifically, Applicants have a substantial, legally cognizable interest in protecting their right to vote under a congressional districting plan that comports with the Pennsylvania Constitution.

29. A districting plan that is drawn to benefit one party over another or one candidate over another at the expense of voters violates each Applicant’s right to free and equal elections. *See, e.g., 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.”); *see also Baker v. Carr*, 369 U.S. 186, 206 (1962) (“[V]oters who

allege facts showing disadvantage to themselves as individuals have standing to sue.”).

30. In this redistricting cycle, for the first time ever, home address information is available for state prisoners, making it possible to draw a districting plan based on prisoners’ home addresses instead of their cell addresses, thus rectifying the problem of “prison-based gerrymandering.” The Legislative Reapportionment Commission has already chosen to use prisoner-adjusted data for redrawing the State Senate and State House maps, and Applicants have a legally enforceable interest in ensuring these prisoner-adjusted data are also used as the basis for Pennsylvania’s new congressional districting plan. All Applicants have an interest in ensuring that the congressional districting plan correctly accounts for prisoners’ residences as part of the plan’s compliance with the equipopulation requirement. And as former prisoners and current members of communities that are disproportionately underrepresented because of prison-based gerrymandering, Applicants John Thompson and Cynthia Alvarado have an especially strong interest in the choice of address data for Pennsylvania’s congressional districting plan.

C. Applicants' Interests are not Adequately Represented

31. There is no basis for denying the Application under Pa.R.C.P. 2329(1), because it is not the case that “the claim or defense of the petitioner is not in subordination to and in recognition of the propriety of the action.”

32. Nor is there basis for denying the Application under Pa.R.C.P. 2329(2), because Applicants' interests are not already adequately represented.

33. The existing parties in the litigation do not adequately represent Applicants' interests because those interests “may diverge” from those of the Petitioners, Respondents, and other potential intervenors. *Larock v. Sugarloaf Twp. Zoning Hearing Bd.*, 740 A.2d 308, 314 (Pa. Commw. Ct. 1999). Since no party currently in the litigation “unequivocally share[s] [Applicants]' interest[s],” the Application for Leave to Intervene should be granted. *Id.*

34. Political parties, their leaders, and candidates for election or reelection do not necessarily share Applicants' interests in ensuring that maps are drawn according to neutral criteria, as opposed to criteria that may serve to benefit one party or one or more individual candidates. Through their advocacy and organizing for fair maps and for an end to gerrymandering as active staff or volunteers with organizations and coalitions including Common Cause Pennsylvania, the League of Women Voters of Pennsylvania, and Fair Districts Pennsylvania, Proposed Intervenors Khalif Ali, Maryn Formley, Richard Rafferty, Patrick Beaty, Susan

Gobreski, Barbara Hill, Judy Hines, Jodi Greene, and Timothy L. Kauffman have devoted years of hard work to advancing the cause of free, fair, and nonpartisan redistricting for the Commonwealth.

35. No party currently in this case is focused like Applicants John Thompson and Cynthia Alvarado on the issue of prison gerrymandering. Mr. Thompson and Ms. Alvarado spent a combined total of nearly fifty years in State Correctional Institutions. Today they live in, and regularly work or volunteer in, communities that are among the hardest-hit by the reduced representative power that flows from prison-based gerrymandering.

36. For these reasons, Applicants provide a perspective that would otherwise be missing from this litigation.

D. The Application is Timely

37. There is no basis for denying the Application under Pa.R.C.P. 2329(3). Applicants have speedily filed this Application just fourteen days after the Petitions for Review were filed in these consolidated matters. And they have filed this Application within the timeframe established by the Court's Order dated December 20, 2021.

IV. RELIEF REQUESTED

38. Pursuant to Pa.R.C.P. 2328(a), Applicants adopt certain of the *Gressman* Petitioners' allegations. Specifically, Applicants adopt by reference

these paragraphs of the *Gressman* Petition for Review: 1 (first sentence), 2-6, 9, 23-27, 29, 30, 31 (first two sentences), 35, 38-40, 42-47, 49-52, and Prayer for Relief.

39. Applicants seek the same ultimate relief as the *Gressman* Petitioners, to wit, declaratory and injunctive relief barring use in Primary and General Elections in 2022 and beyond of Pennsylvania's current congressional districting plan; and, should the General Assembly and Governor not enact a constitutionally compliant map in time for the 2022 Primary to proceed as statutorily scheduled, for the Court to direct the use of a legally compliant remedial plan. However, Applicants will not advance identical arguments to the *Gressman* and *Carter* Petitioners, but will instead advocate on at least one topic entirely absent from both Petitions for Review, namely using adjusted address data to account for prisoners' residences; and Applicants will present argument different from the *Gressman* and *Carter* Petitioners in numerous other respects, including expressly arguing against the consideration of candidates' residences, and arguing that any special-master process for adopting a map should be transparent and include opportunity for public input and comment before a final map is adopted.

V. CONCLUSION

40. For the reasons stated above, the Court should grant this Application for Leave to Intervene.

Respectfully submitted,

/s/ Benjamin D. Geffen

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Counsel for Proposed Intervenor-Petitioners

Dated: December 31, 2021

VERIFICATION

I, **Khalif Ali**, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.


Khalif Ali

Dated: December __31__, 2021

VERIFICATION

I, **Maryn Formley**, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.



Dated: December 31, 2021

VERIFICATION

I, Richard Rafferty, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

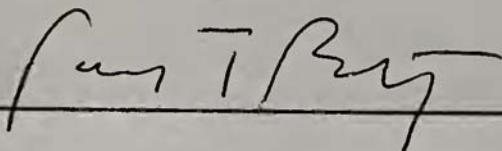
A handwritten signature in cursive script, reading "Richard J. Rafferty", written over a horizontal line.

Dated: December 31, 2021

VERIFICATION

I, Patrick Beaty, hereby state:

- 1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and**
- 2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.**



Dated: December 31, 2021

VERIFICATION

I, Susan Gobreski, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Susan Gobreski

12/31/2021

Dated: December 31, 2021

VERIFICATION

I, Barbara Hill, hereby state:

1. The statements made in the foregoing Petition to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

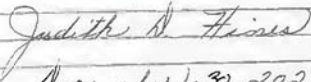


Dated: December 31, 2021

VERIFICATION

I, **Judy Hines**, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

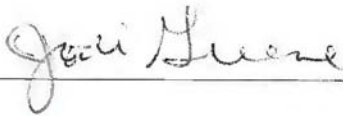

December 30, 2021

Dated: December 30, 2021

VERIFICATION

I, Jodi Greene, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

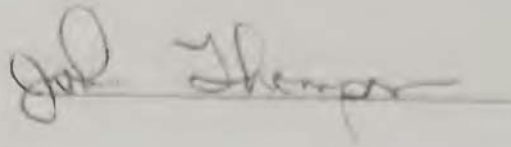


Dated: December 31, 2021

VERIFICATION

I, John Thompson, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief, and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read "John Thompson", written over a horizontal line.

Dated: December 31, 2021

VERIFICATION

I, Cynthia Alvarado, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

/s/ Cynthia Alvarado _____

Dated: December 31, 2021

VERIFICATION

I, **Timothy L. Kauffman**, hereby state:

1. The statements made in the foregoing Application for Leave to Intervene are true and correct to the best of my own personal knowledge, information, and belief; and
2. I understand that false statements herein are subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

_____electronically signed Timothy L. Kauffman_____

Dated: December __31__, 2021