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IN THE UNITED STATES DISTRICT COURT FILED FOR THE MIDDLE DISTRICT OF PENNSYLVANIAARRISBURG, PA

RICHARD VIETH and NORMA JEAN VIETH,

MAY 2 0 2002

Plaintiffs

MARY E DADDREA, CL

THE COMMONWEALTH OF PENNSYLVANIA,

NO. CV-01-243

et al.,

v.

(JUDGE RAMBO

Defendants

DEFENDANTS GOVERNOR SCHWEIKER, SECRETARY WEAVER, AND COMMISSIONER FILLING'S JOINDER IN THE RESPONSE OF DEFENDANTS LT. GOVERNOR JUBELIRER AND SPEAKER RYAN TO SENATOR MELLOW'S MOTION TO INTERVENE OR, IN THE ALTERNATIVE, TO PARTICIPATE AS AMICUS CURIAE

Defendants Governor Schweiker, Secretary Weaver and Commissioner Filling, through their undersigned counsel hereby joins in the Response of Defendants Lt. Governor Jubelirer and Speaker Ryan to Senator Mellow's Motion to Intervene or, in the Alternative, to Participate as *Amicus Curiae*, filed on May 17, 2002 in the above-captioned action.

Respectfully submitted,

D. MICHAEL FISHER Attorney General

BY:

BART DeLONE

Senior Deputy Attorney General

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DATED: May 20, 2002

JOHN G. KNORR, III Chief Deputy Attorney General Chief, Appellate Litigation Section

CERTIFICATE OF SERVICE

I, J. BART DeLONE, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on May 20, 2002, I caused to be served a copy of the foregoing document entitled Defendants Governor Schweiker, Secretary Weaver, and Commissioner Filling's Joinder in the Response of Defendants Lt. Governor Jubelirer and Speaker Ryan to Senator Mellow's Motion to Intervene or, in the Alternative, to Participate as Amicus Curiae, upon the following:

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The Hon. Richard L. Nygaard U.S. Circuit Judge 717 State Street, Suite 500 Erie, PA 16501 The Hon. William H. Yohn, Jr. U.S. District Judge 3809 U.S. Courthouse 601 Market Street Philadelphia, PA 19106-1753

BART DeLONE

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