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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Cassandra Adams Jones, <i>et al.</i> ,)	
)	
)	
<i>Petitioners,</i>)	
)	
)	No. 717 MD 2018
v.)	
)	
Kathy Boockvar, <i>et al.</i> ,)	
)	
)	
<i>Respondents.</i>)	
)	

**PETITIONERS’ ANSWER TO THE PRELIMINARY
OBJECTIONS OF RESPONDENT MICHAEL C. TURZAI**

Petitioners submit this Answer to the Preliminary Objections to the
Petition for Review (“Petition”) filed by Respondent Michael C. Turzai.

RESPONSE TO PRELIMINARY STATEMENT

The Preliminary Objections filed by Speaker Turzai begin with a
“Preliminary Statement” section consisting of assertions of law in a series of
unnumbered paragraphs. These statements of law require no response under the

Pennsylvania Rules of Civil Procedure.¹ These matters will be addressed more fully during briefing.

ANSWER TO FACTUAL BACKGROUND

1. Admitted.
2. Denied. The averments in this paragraph purport to summarize the Petition. Petitioners refer to the Petition for its full and complete contents and deny anything inconsistent therewith.
3. Denied. The averments in this paragraph purport to summarize the Petition. Petitioners refer to the Petition for its full and complete contents and deny anything inconsistent therewith.

ANSWERS TO PRELIMINARY OBJECTIONS

4. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, Petitioners refer to the cited Rule for its full and complete contents and deny anything inconsistent therewith.
5. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, Petitioners

¹ Pa.R.C.P. 1029(a) (“A responsive pleading shall admit or deny each averment of *fact* in the preceding pleading or any part thereof to which it is responsive.” (emphasis added)).

refer to the cited Rule for its full and complete contents and deny anything inconsistent therewith.

ANSWER TO FIRST PRELIMINARY OBJECTION

6. Paragraphs 1-5 above are incorporated by reference as if fully set forth herein.

7. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

8. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, Petitioners refer to the cited section of the Pennsylvania Constitution for its full and complete contents and deny anything inconsistent therewith.

9. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

10. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

11. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

12. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

13. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

14. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

15. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

16. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

17. Denied. The averments in this paragraph purport to summarize the Petition. Petitioners refer to the Petition for its full and complete contents and deny anything inconsistent therewith.

18. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

19. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

WHEREFORE, Petitioners respectfully request that the Court overrule the First Preliminary Objection to the Petition for Review filed by Respondent Michael C. Turzai.

ANSWER TO SECOND PRELIMINARY OBJECTION

20. Paragraphs 1-19 above are incorporated by reference as if fully set forth herein.

21. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

WHEREFORE, Petitioners respectfully request that the Court overrule the Second Preliminary Objection to the Petition for Review filed by Respondent Michael C. Turzai.

ANSWER TO THIRD PRELIMINARY OBJECTION

22. Paragraphs 1-21 above are incorporated by reference as if fully set forth herein.

23. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

24. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

25. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

26. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

27. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

28. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

29. Admitted that ACLU-PA is an organization. Denied in all other respects. The averments in this paragraph purport to summarize the Petition. Petitioners refer to the Petition for its full and complete contents and deny anything inconsistent therewith.

30. The averments in this paragraph are conclusions of law to which no responsive pleading is required. To the extent a response is required, this paragraph is denied.

WHEREFORE, Petitioners respectfully request that the Court overrule the Preliminary Objections to the Petition for Review filed by Respondent Michael C. Turzai.

Dated: February 13, 2019

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