

develop as a political party and build support for the Constitution Party principles by placing our candidates before the voters has been and continues to be severely harmed by Section 2937.

10. I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/10/2012.


Joe Murphy

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

THE CONSTITUTION PARTY OF)
PENNSYLVANIA, THE GREEN PARTY)
OF PENNSYLVANIA, THE LIBERTARIAN)
PARTY OF PENNSYLVANIA, JOE)
MURPHY, JAMES N. CLYMER, CARL J.)
ROMANELLI, THOMAS ROBERT)
STEVENS and KEN KRAWCHUK)

Plaintiffs,

Civil No. _____

CAROL AICHELE, JONATHAN M.)
MARKS and LINDA KELLY,)

Defendants.

PLAINTIFF JAMES N. CLYMER'S FIRST DECLARATION
(pursuant to 28 U.S.C. § 1746)

I, James N. Clymer, hereby declare as follows:

1. I am over the age of 18 and reside in Pennsylvania.
2. I have personal knowledge about the matters to which I attest.
3. I am national Chairman of the Constitution Party and have served in that position since September, 1999. I also serve as Treasurer of the Constitution Party of Pennsylvania ("CPPA").
4. The national Constitution Party was founded in 1992, based on seven core principles: life, liberty, family, property, the Constitution, states' rights and American sovereignty. CPPA was established in 1994.
5. CPPA was a qualified minor party in the 2006 general election, by virtue of having a candidate who polled at least 2 percent of the largest vote cast in

the state for any candidate elected in the preceding 2004 general election. 25 P.S. § 2831(a). CPPA similarly achieved minor party status in 1994, 1996, 1998, 2000, 2002 and 2004.

6. CPPA lost its status as a qualified minor party in Pennsylvania following the 2006 general election, because CPPA was unable to recruit any candidates who were willing to submit nomination petitions and thereby risk incurring litigation costs pursuant to 25 P.S. § 2937 (“Section 2937”). Instead, every CPPA nominee, including Hagan Smith, our nominee for United States Senate, Jim Panyard, our nominee for governor in 2006, and John Krupa our nominee for governor in 2010, either withdrew or refused to submit their Nomination Papers.

7. Section 2937 continues to prevent CPPA from placing candidates on Pennsylvania’s general election ballot, because CPPA nominees are unwilling to defend their nomination petitions as long as the threat of incurring litigation costs remains. Further, CPPA members and supporters are unwilling to dedicate the significant time and resources necessary to satisfy Pennsylvania’s petitioning requirements, when they know that CPPA’s nominees will not defend their nomination petitions if doing so requires assuming the risk of incurring \$80,000 or more in costs.


8. CPPA does not have the financial ability to indemnify its nominees against the threat of incurring litigation costs pursuant to Section 2937.

9. CPPA’s ability to participate in Pennsylvania’s electoral process, to grow as a political party and build support for the Constitution Party principles by

placing our candidates before the voters has been and continues to be severely harmed by Section 2937.

10. I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on 4/13/12


James N. Clymer

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

THE CONSTITUTION PARTY OF)
PENNSYLVANIA, THE GREEN PARTY)
OF PENNSYLVANIA, THE LIBERTARIAN)
PARTY OF PENNSYLVANIA, JOE)
MURPHY, JAMES N. CLYMER, CARL J.)
ROMANELLI, THOMAS ROBERT)
STEVENS and KEN KRAWCHUK)

Plaintiffs,)

Civil No. _____)

v.)

CAROL AICHELE, JONATHAN M.)
MARKS and LINDA KELLY,)

Defendants.)

HILLARY KANE'S FIRST DECLARATION IN SUPPORT OF PLAINTIFFS
(pursuant to 28 U.S.C. § 1746)

I, Hillary Kane, hereby declare as follows:

1. I am over the age of 18 and reside in Pennsylvania.
2. I have personal knowledge about the matters to which I attest.
3. I served as Chair of the Green Party of Pennsylvania ("GPPA") from

January 2008 to February 2010, and I am Statewide Petition Coordinator for 2012.

GPPA is the Pennsylvania state affiliate of the Green Party of the United States,

which was founded in 2001 based on 10 key values: Grassroots Democracy; Social

Justice and Equal Opportunity; Ecological Wisdom; Non-Violence; Decentralization;

Community Based Economics; Feminism and Gender Equity; Respect for Diversity;

Personal and Global Responsibility; and Future Focus and Sustainability.

4. GPPA gained ballot access in 2000 by submitting nomination petitions with the number of valid signatures required by 25 P.S. § 2911(b). GPPA thereafter achieved minor party status in the 2002 and 2004 election cycles by virtue of having a candidate who polled the requisite number of votes cast in the preceding general election. 25 P.S. § 2831(a).

5. Following the 2004 election cycle, independent presidential candidate Ralph Nader (who was GPPA's presidential nominee in 2000) and his running mate Peter Miguel Camejo were ordered to pay \$81,102.19 in litigation costs to the parties who challenged their nomination petitions pursuant to 25 P.S. § 2937 ("Section 2937"). The candidates had submitted 51,273 signatures to satisfy a requirement of 25,697, but more than 30,000 signatures were struck on technical grounds. For example, 8,976 signatures were struck because qualified electors were not registered to vote when they signed (even though Pennsylvania law imposes no such requirement); 7,851 signatures were struck because data like a "2004" or a zip code had been filled in after an elector signed (with another 1,896 struck because such data was omitted); and 6,411 signatures were struck because electors' current addresses were different from their registered addresses. *See In re: Nomination Paper of Nader*, 865 A.2d 8, 18 (Pa. Commw. 2004). There was no dispute that these signatures had been signed by living, breathing Pennsylvanians who wanted the Nader-Camejo ticket on the ballot, nor that the candidates would have been on the ballot had these signatures not been struck.

6. The Commonwealth Court nonetheless characterized the Nader-Camejo nomination petitions as “fraudulent,” *see id.*, because they included a small number of phony signatures, presumably signed by pranksters or saboteurs, which is a common problem encountered by petition circulators. As Pennsylvania Supreme Court Justice Thomas Saylor found, however, such signatures accounted for only 1.3 percent of the 51,273 total, and there was “no evidence” to support the lower court’s conjecture, in dicta, that they resulted from fraud rather than pranks or sabotage. *See In Re Nomination Paper of Nader*, 860 A.2d 1, 8 n.13 (Pa. 2004) (Saylor, J. dissenting). Unfortunately, a majority of that court relied on such dicta to uphold the \$81,102.19 judgment against the candidates. *See In Re Nomination Paper of Nader*, 905 A.2d 450 (Pa. 2006).

7. The effect on GPPA of the judgment against Mr. Nader and Mr. Camejo was devastating. No candidate had ever been ordered to pay costs of any amount pursuant to Section 2937, much less more than \$80,000. Further, if these candidates could be ordered to pay such costs, despite collecting double the required number of signatures and having more than 30,000 struck on narrow technical grounds, GPPA members and supporters felt it could happen to any of them.

8. Consequently, when GPPA’s nomination petitions were challenged in the 2006 election, GPPA and its nominees for Governor and Lieutenant Governor, Marakay Rogers and Christina Valente, respectively, felt compelled to withdraw them rather than risk incurring costs pursuant to Section 2937. Only Carl

Romanelli, our nominee for United States Senate, was willing to defend the petitions. But despite submitting 93,829 signatures to satisfy a requirement of 67,070, Mr. Romanelli was denied ballot placement. GPPA therefore lost its status as a qualified minor party following the 2006 general election.

9. As Ms. Rogers, Ms. Valente and other GPPA members and supporters feared, Mr. Romanelli was ordered to pay his challengers \$80,407.56 in costs and fees. *See In re Rogers*, 959 A.2d 903 (Pa. 2008). The primary rationale offered for the judgment is that Mr. Romanelli's failure to ensure nine people were present to represent him in court each day of the challenge proceedings constituted "bad faith," but in fact, he simply lacked the funds to hire anyone, because the burden of collecting more than 90,000 signatures had completely drained his campaign's resources. Moreover, many GPPA volunteers went to extraordinary lengths to help defend the challenge – including Christopher Titus North, who camped for weeks in a state park, while donning a suit and tie to come to court each day.

10. The money judgments directing Mr. Nader and Mr. Romanelli to pay their challengers' costs remain outstanding, even though a grand jury investigation and criminal prosecution by then-Attorney General and current Governor Tom Corbett subsequently revealed that state employees illegally worked to prepare both challenges at taxpayer expense, leading to multiple felony convictions and guilty pleas. One state employee, Melissa Lewis, testified under oath that she personally delivered the state employees' illegally-prepared work-product to the Pittsburgh

offices of Reed Smith, LLP, the law firm that filed the Nader challenge. Ms. Lewis further testified that she gave the work-product to Reed Smith partner Efrem Grail, who had coordinated the state employees' effort to prepare the challenge, and that Attorney Grail "definitely knew" that she was employed by the now-convicted former state Rep. Michael Veon. Attorney Grail is the attorney who requested the award of \$81,102.19 in costs. He has never disputed the foregoing testimony.

11. GPPA has attempted to regain minor party status since the 2006 election, but has been unable to do so, largely because our members and supporters are reluctant to commit the significant time and resources necessary to conduct a successful petition drive, much less to submit and defend nomination petitions as GPPA nominees, when they know the result might be a substantial money judgment against the candidate who must defend the nomination petitions.

12. For example, Mel Packer, GPPA's 2010 nominee for United States Senate, withdrew his nomination petitions after a challenge was filed pursuant to Section 2937. In a letter to the court, Mr. Packer stated that he had submitted "enough signatures to certify my name as a candidate," but that the challenge gave him "no other choice," due to the "financial risks" he faced if he defended his nomination petitions. As a result, GPPA did not place any statewide candidates on the 2010 general election ballot, and could not regain its minor party status. *See First Declaration of Mel Packer.*


13. Similarly, several veteran GPPA petition drive organizers have informed the party that they will no longer work on GPPA petition drives as long as our nominees face the threat of incurring costs under Section 2937. These petitioners have concluded that Section 2937 renders petitioning futile, because the mere filing of a challenge forces GPPA nominees to assume the risk of incurring \$80,000 or more in costs, or to withdraw, regardless of the validity of the petitions. They are therefore focusing instead on efforts to achieve legislative reform.

14. For example, Delaware County Green Party Co-Chair Bob Small, who was integral to the success of GPPA petition drives from 2002 to 2010, informed GPPA in March 2012 that the local party would not participate in state-wide petitioning efforts as long as Section 2937 continues to threaten our nominees with litigation costs. Instead, Mr. Small is working with the Pennsylvania Ballot Access Coalition to enact the Voter Choice Act, which would establish reasonable ballot access requirements for all candidates.

15. Section 2937, as construed to authorize the assessment of litigation costs against candidates who defend their nomination petitions, severely burdened my ability as GPPA Chair to recruit candidates, conduct successful petition drives, and build GPPA as a viable minor party in Pennsylvania. Further, as GPPA's Statewide Petition Coordinator for 2012, I continue to encounter serious difficulty in recruiting petitioners, due to the fact that Section 2937 requires any GPPA nominee to assume the risk of incurring \$80,000 or more in costs to defend our nomination petitions.

16. I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on 4/26/12



Hilary Kane

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

THE CONSTITUTION PARTY OF)
PENNSYLVANIA, THE GREEN PARTY)
OF PENNSYLVANIA, THE LIBERTARIAN)
PARTY OF PENNSYLVANIA, JOE)
MURPHY, JAMES N. CLYMER, CARL J.)
ROMANELLI, THOMAS ROBERT)
STEVENS and KEN KRAWCHUK,)

Plaintiffs,)

Civil No. _____

v.)

CAROL AICHELE, JONATHAN M.)
MARKS and LINDA KELLY,)

Defendants.)

PLAINTIFF CARL ROMANELLI'S FIRST DECLARATION
(pursuant to 28 U.S.C. § 1746)

I, Carl Romanelli, hereby declare as follows:

1. I am over the age of 18 and reside in Pennsylvania.
2. I have personal knowledge about the matters to which I attest.
3. I am Chair of the Green Party of Pennsylvania ("GPPA") and have served

in that position since March 3, 2012. GPPA is the Pennsylvania state affiliate of the Green Party of the United States, which was founded in 2001 based on 10 key values: Grassroots Democracy; Social Justice and Equal Opportunity; Ecological Wisdom; Non-Violence; Decentralization; Community Based Economics; Feminism and Gender Equity; Respect for Diversity; Personal and Global Responsibility; and Future Focus and Sustainability.

4. As set forth in the First Declaration of Hillary Kane, the judgment directing 2004 independent presidential candidate Ralph Nader and his running mate Peter Miguel Camejo to pay \$81,102.19 in litigation costs pursuant to 25 P.S. § 2937 (“Section 2937”) had a devastating impact on GPPA. The immediate result was that, when a challenge was filed to GPPA’s nomination petitions in 2006, we were forced to assume the risk of incurring similar costs if we defended them. GPPA and its nominees for Governor and Lieutenant Governor, Marakay Rogers and Christina Valente, respectively, therefore withdrew. I remained in the race as the GPPA nominee for United States Senate.

5. I agreed to defend the GPPA 2006 nomination petitions because I firmly believed that the 93,829 total signatures we submitted included more than enough valid signatures to satisfy the 67,070 required by 25 P.S. § 2911(b). The court concluded otherwise, however, and I was denied ballot placement. I was then ordered to pay my challengers \$80,407.56 in costs and fees. *See In re Rogers*, 959 A.2d 903 (Pa. 2008).

6. In July 2008, following a criminal investigation by then-Attorney General and current Governor Tom Corbett into the misappropriation of taxpayer funds and resources for private political purposes, a grand jury found that dozens of Pennsylvania House Democratic Caucus staffers had illegally worked at taxpayer expense to prepare the challenges to the Nader-Camejo 2004 and GPPA 2006 nomination petitions. The grand jury called the challenge efforts “two of the most

outstanding examples of misappropriation of taxpayer resources” uncovered by its wide-ranging investigation. Ultimately, ten defendants were convicted of or pleaded guilty to multiple felony counts of criminal conspiracy, theft and conflict of interest, including two supervisors who admitted to heading the illegal challenge efforts.

7. Despite the revelation that state employees illegally worked to prepare the challenge to GPPA’s 2006 nomination petitions at taxpayer expense, the judgment directing me to pay my challengers \$80,407.56 in costs and fees is still outstanding. The primary rationale offered for the judgment is that my failure to ensure nine people were present on my behalf in court each day of the challenge proceedings constituted “bad faith,” but in fact, I simply lacked the funds to hire anyone, because the burden of collecting more than 90,000 signatures had completely drained my campaign’s resources. Unlike my challengers, I did not rely on the assistance of dozens of state employees illegally working at taxpayer expense. Instead, I relied on such dedicated GPPA volunteers as Christopher Titus North, who camped for weeks in a state park, while donning a suit and tie to come to court each day. By contrast, sign-in sheets from the proceedings confirm that at least one of my challengers’ representatives was state employee Karen Steiner, who testified before the grand jury that she knew “from the interview on” that political campaign work would be part of her job. *See* Visitors Log for September 15, 2006 (attached as Exhibit A).

8. In view of these facts, I find it inexplicable that my name and reputation have been tarred, while my challengers remain free to pursue a judgment against me for costs and fees they claim to have incurred. Meanwhile, neither my challengers nor their attorneys (Clifford B. Levine, Alice B. Mitinger and Shawn Gallagher, formerly of the law firm Thorp, Reed & Armstrong) have ever been required to address, on a public record, whether they knew that dozens of state employees illegally worked to prepare their challenge at taxpayer expense – and if not, how they could have failed to discover such rampant criminality. This fundamental unfairness is perhaps the most painful aspect of this ordeal for me personally. I am a retired officer of the Pennsylvania state courts. When I retired, Judge Chester B. Muroski entered an Order, on March 14, 2001, commending me for my “nineteen years of exemplary service to Luzerne County and its citizens,” and retiring my state identification number in recognition thereof. To my knowledge, this had never been done before. The suggestion that I would bring dishonor upon myself by acting with “bad faith” toward the courts I served with loyalty and distinction for 19 years is unfathomable.

9. This experience has also taken a tremendous psychological toll on my family. I am of limited financial means. Enforcement of the \$80,407.56 judgment would place me in financial jeopardy. It would almost certainly lead to bankruptcy and the possible loss of my home. Under these circumstances, knowing my

challengers might institute collections proceedings at any time has been excruciating.

10. Finally, Section 2937, as construed to authorize the assessment of litigation costs against candidates who defend their nomination petitions, has made it practically impossible for GPPA to build on our initial success in establishing a viable minor party in Pennsylvania. Many GPPA members and supporters are simply unwilling to focus their limited time and resources on petition drives that may result in GPPA candidates being penalized financially for attempting to run for public office. *See First Declaration of Hillary Kane.* Further, GPPA does not have the financial ability to indemnify our nominees against the threat of incurring costs pursuant to Section 2937.

11. To date, I remain the last minor party or independent candidate for statewide office to defend nomination petitions after being challenged pursuant to Section 2937. Since 2006, every other such candidate has withdrawn, often due to a challenger's explicit threat of seeking fees and costs. *See First Declaration of Michael Robertson.* As a result, GPPA has been unable to regain its status as a qualified minor party, which it lost following the 2006 election.

12. I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on April 27, 2012


Carl Romanelli

PLAINTIFF CARL ROMANELLI'S FIRST DECLARATION EXHIBIT A

**GPPA 2006 Nomination Petition Challenge Proceedings Visitors Log
(September 15, 2006)**

VISITOR LOG

DATE	NAME	ORGANIZATION	TIME ARRIVED	TIME DEPARTED	PHONE # / EMAIL ADDRESS
9-15	Charles Sherrisse	Green	8:25	3:45	
9-15	Ed Boren	Green	8:25	3:45	
9-15	Joseph P. Burton	Green	8:30	3:45	
9-15	David Colwell	DEM	8:45		
9-15	Frank Gorman	DEM	8:30		
9-15	Ricco Peonessi	DEM	9:00		
9-15	Karen Steiner	DEM	9:00		
9-15	ERIN WILSON	DEM	8:30	2:45	
9-15	TAZIA STEIN	DEM	8:30	3:45	
9-15	KELLY COFFERD	Green	8:30	3:45	
9-15	Alex Reber	DEM	8:30		
9-15	Mike Roskens	Green	10:40	3:45	
9-15	Esther Craft	Green	10:40	3:45	
9-15	MIKE VEROTT	DEM	2:25		

Exhibit C

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

THE CONSTITUTION PARTY OF)
PENNSYLVANIA, THE GREEN PARTY)
OF PENNSYLVANIA, THE LIBERTARIAN)
PARTY OF PENNSYLVANIA, JOE)
MURPHY, JAMES N. CLYMER, CARL J.)
ROMANELLI, THOMAS ROBERT)
STEVENS and KEN KRAWCHUK,)

Plaintiffs,)

Civil No. _____)

v.)

CAROL AICHELE, JONATHAN M.)
MARKS and LINDA KELLY,)

Defendants.)

MELVIN J. PACKER'S FIRST DECLARATION IN SUPPORT OF
PLAINTIFFS
(pursuant to 28 U.S.C. § 1746)

I, Melvin J. Packer, hereby declare as follows:

1. I am over the age of 18 and reside in Pennsylvania.
2. I have personal knowledge about the matters to which I attest.
3. I was nominated by the Green Party of Pennsylvania ("GPPA") as its candidate for United States Senate in the 2010 general election.
4. On August 2, 2010, I timely filed nomination petitions with the Secretary of the Commonwealth of Pennsylvania. The nomination petitions included over 20,000 signatures – more than enough to satisfy the requirement of 19,056 pursuant to 25 P.S. § 2911(b).

5. On August 12, 2010, I was served with a challenge to my nomination petitions, which Democrat Joe Sestak filed pursuant to 25 P.S. § 2937 ("Section 2937").

6. I have no doubt that my nomination petitions included more than enough valid signatures to qualify me for the ballot, but I felt compelled to withdraw from the race, because I could not afford to have costs assessed against me pursuant to Section 2937. I based my decision to withdraw on the fact that Carl Romanelli, GPPA's 2006 senatorial candidate, had been ordered to pay more than \$80,000 in costs pursuant to Section 2937 following the 2006 election, as had independent presidential candidate Ralph Nader and his running mate, the late Peter Miguel Camejo, following the 2004 election.

7. On August 13, 2010, I submitted a letter to the Commonwealth Court of Pennsylvania, stating my intent to withdraw from the election. In the letter, I stated that I had "no other choice" but to withdraw, due to the "financial risks" I faced if I defended my nomination petitions. A true and correct copy of the letter is attached hereto as Exhibit A.

8. I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on Aug 24, 2012.



Melvin J. Packer

MELVIN J. PACKER'S FIRST DECLARATION IN SUPPORT OF PLAINTIFFS
EXHIBIT A

Melvin J. Packer Withdrawal Letter (August 13, 2010)

August 13, 2010

To:
Chief Clerk of the Pennsylvania Judicial Center,
Suite 2100
601 Commonwealth Avenue
P.O. Box 69185
Harrisburg, PA 17106-9185

Re: Docket # 646 M.D. 2010
Concerning: Nomination Paper of Melvin J. Packer as a Candidate of the Green Party for
The United States Senate in the General Election of November 2, 2010
Objection of: Joseph A. Sestak, Jr.

To Commonwealth Court and Other Interested Parties:

On Monday, August 2, 2010, I, and other Green Party members and supporters presented to the Commonwealth of PA signed petitions with enough signatures to certify my name as a candidate of the US Senate as noted above.

On Monday, August 9, 2010, I learned via late night newswire service reports that Joseph Sestak had filed a challenge to those petitions shortly before the deadline permitting such challenge expired.

On Thursday, Aug 12, 2010, at 4:23 PM, I was visited by a process server who delivered copies of that challenge and exhibits appropriate to the objection filed. . This delivery was made 37 minutes prior to the expiration of the deadline imposed on the Objector, Joseph Sestak, by the Court.

Earlier that afternoon and prior to the arrival of the process server, I was contacted by phone by Mr Jared Solomon who identified himself as counsel of Joseph Sestak. Mr Solomon wished to know if I had employed legal counsel and did I intend to do so. All of this occurred despite the fact that I had not yet been legally served NOR had any chance to review the objection.

Clearly, such challenge now imposes both time and financial obligations upon me. I embarked on the campaign and petition drive to attain ballot status as a member of the Green Party knowing full well that unlike the major parties (Democratic and Republican) there were no financial resources available to us via the Green Party. I did this out of principle, being convinced that democracy is better served with more than the traditional two choices and my own political beliefs that our nation is rooted in the tradition of open debate being welcomed in the political arena and that such debate must occur if we are to remain a democracy with all views being respectfully aired.

Unlike major party candidates such as my challenger, Joe Sestak, I do not enjoy the luxury of large campaign contributions, no remuneration that provides me with the

privilege of controlling my own schedule on a day-to-day basis.

I must, from financial necessity, continue to remain employed in a local Emergency Department and do not have the privilege of changing my work schedule which is done six weeks in advance. My family still at home, which includes my wife and one child still in college, agreed with the decision to become a candidate with the understanding that this would impose a financial burden on our household and, in fact, it has certainly done so. Our estimate is that my family has now absorbed (yes, by choice), a financial loss of \$10,000-\$15,000 dollars at this point due to downgrading my employment status with accompanying loss of benefits in order to obtain a somewhat more flexible schedule that would allow participating in my own campaign.

Now, I must consider whether or not I will contest the challenge to my petitions that is clearly designed to disallow my state-certified ballot status. While considering this, it becomes abundantly clear that the costs entailed of hiring legal counsel, travel time/expenses, and possible further loss of income is prohibitively burdensome for minority party candidates including myself.

Further, as has been demonstrated in the past in ballot challenges involving both Carl Romanelli and Ralph Nader, should I defend against the petition challenge by Joe Sestak and lose, I could very well then find a suit filed against me for fees and legal costs paid the legal firm employed by Joe Sestak. At 65 years of age, with retirement looming, I could hardly afford to endanger my family savings nor my daughter's college education.

Therefore, please be informed that I have no intention of legally defending the petition challenge filed in Pennsylvania Commonwealth Court, Docket #646M.D.2010. If there are further forms I must fill out, please inform me.

I feel I have no other choice given the above financial risks to the future of my family.

Respectfully and with regrets,

Melvin J. Packer, Pennsylvania Green Party Candidate for U.S. Senate
623 Kirtland St
Pittsburgh, PA 15208
Ph: 412.243.4545
Email: melpacker@aol.com