

**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. )

**CHRISTINA VALENTE'S FIRST DECLARATION IN SUPPORT OF  
PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Christina Valente, 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 a member of the Green Party of Pennsylvania ("GPPA") in 2006 and

I am currently an active member.

4. I was GPPA's 2006 nominee for Lieutenant Governor. It is my belief, based upon my review of the challenge filed against me, and the nomination petitions attached thereto, that the nomination petitions submitted on behalf of myself, Marakay Rogers, GPPA's nominee for Governor, and Carl Romanelli, GPPA's nominee for United States Senate, contained sufficient signatures to satisfy

the requirements imposed by 25 P.S. § 2911(b) and to qualify us for ballot placement.

5. Nevertheless, after a challenge was filed against me with regard to the GPPA 2006 nomination petitions, I withdrew from the race. My decision to withdraw was based entirely on the fact that I was unwilling to assume the risk of incurring litigation costs pursuant to 25 P.S. § 2937.

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

Executed on 4-28-12.

  
Christina Valente

**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. )

**BOB SMALL'S FIRST DECLARATION IN SUPPORT OF PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Bob Small, 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 have been a member of the Green Party of Pennsylvania ("GPPA")

since 2000. I am also a Co-Chair of GPPA's Delaware County chapter.

4. I was actively involved in GPPA petition drives in 2004, 2006, 2008 and 2010. In each of these years, we worked from February through the end of July, devoting thousands of volunteer hours to the effort. This included not only collecting thousands of signatures, but also all the activities necessary to a successful petition drive, such as recruiting and training volunteers, planning petition locations and times, tallying and reviewing signatures for accuracy, and related tasks.

5. In March 2012, I informed GPPA that I would not participate in any more GPPA petition drives, as long as GPPA nominees face the threat of incurring litigation costs pursuant to 25 P.S. § 2937 ("Section 2937"). I made this decision largely because GPPA's candidates have not appeared on the general election ballot since 2004, despite the significant time, resources and diligence we dedicated to our petition drives in 2006, 2008 and 2010. Instead, our nominees have been removed from the ballot and ordered to pay their challengers more than \$80,000 in costs pursuant to Section 2937 (Carl Romanelli in 2006), or they have withdrawn from the election, because they are unwilling to assume the risk of incurring such costs (Marakay Rogers and Christina Valente in 2006; Mel Packer in 2010). Based on this experience, I believe that further petitioning efforts are futile as long as GPPA's nominees must assume the risk of incurring \$80,000 or more in costs if they defend their nomination petitions when challenged pursuant to Section 2937.

6. I remain a member of GPPA and I continue to support its platform and candidates. I am therefore working with the Pennsylvania Ballot Access Coalition to reform Pennsylvania's punitive and restrictive ballot access laws. When GPPA's candidates no longer face the threat of incurring costs under Section 2937, I will resume working on GPPA petition drives.

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

Executed on 5/3/12

Bob Small  
Bob Small

**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. )

**MICHAEL ROBERTSON'S FIRST DECLARATION IN SUPPORT OF  
PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Michael Robertson, 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 Libertarian Party of Pennsylvania ("LPPA"),

the Pennsylvania state affiliate of the national Libertarian Party, from December 2006 until April 2011, and I remain an active member. The Libertarian Party is the third largest political party in the United States. It was founded in 1971 based on the principle that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever

manner they choose.

4. LPPA first gained ballot access in Pennsylvania in the 1980's, by submitting nomination petitions with the number of valid signatures required by 25 P.S. § 2911(b) ("Section 2911(b)"). Thereafter, LPPA became a qualified minor political party in 1992, 2002, 2004, and 2008, by virtue of having a candidate in the preceding general election who polled the number of votes required by 25 P.S. § 2831(a) ("Section 2831(a)").

5. Following the 2006 general election, LPPA lost its status as a qualified minor party, because every LPPA nominee either withdrew or refused to submit nomination petitions due to the threat of incurring costs pursuant to 25 P.S. § 2937 ("Section 2937"). LPPA candidates who withdrew their petitions in 2006 included United States Senate candidate Ken Krawchuk.

6. LPPA gained ballot access again in 2008 by submitting nomination petitions with at least 24,666 valid signatures, as required by Section 2911(b). No challenge was filed to the LPPA nomination petitions, possibly because then-Attorney General and current Governor Tom Corbett was conducting a criminal investigation into the misuse of taxpayer funds and resources by those who prepared the challenges to the Nader-Camejo 2004 and Green Party of Pennsylvania 2006 nomination petitions. *See* First Declaration of Hillary Kane; First Declaration of Carl Romanelli.

7. LPPA regained its status as a minor party following the 2008 election by polling the number of votes required by Section 2831(a).

8. In 2010, LPPA once again submitted nomination petitions to qualify our nominees for the ballot. As LPPA Chair, I firmly believed, and still believe, that our petitions included more than the 19,056 valid signatures required by Section 2911(b). Nonetheless, LPPA withdrew the petitions after three Republican voters, aided by the Pennsylvania Republican Party, challenged them pursuant to Section 2937, because the challengers' attorney explicitly threatened to seek "\$92,255 to \$106,455" in fees and costs if we did not.

9. On August 16, 2010, the challengers' attorney, Ronald L. Hicks, Jr., sent the following communication to LPPA's attorney, Marc Antony Arrigo, by email:

Marc,

Following up on our conversation earlier this evening, I do not have exact figures on what our costs will be if this signature count continues and my clients are required to complete the review and/or move forward with a hearing. However, a rough estimate would be \$92,255 to \$106,455 which would include costs such as legal fees, travel and lodging, compensable time for reviewers/support staff, process servers' fees and expenses, hearing preparation, lay and expert witness fees and costs, photocopies, meals, legal research and conference call expenses, to name a few. These costs are comparable to the costs awarded in recent years by the Commonwealth Court in similar nomination paper challenges, including *In re: Nomination Papers of Nader* and *In re: Nomination Papers of Rogers (Romanelli)* which, as you know, were assessed not only against the candidates but also their lawyers and their law firms.

Please let me know if you need any further information in order to discuss with your clients a withdrawal of their candidacy for Governor, Lieutenant

Governor and United States Senator. As I stated, the sooner that your clients agree to withdraw, the more likely my clients will agree to not pursue recovery of all their costs incurred in pursuing this matter.

Best regards,  
Ron

A copy of the foregoing email is attached hereto as Exhibit A.

10. The next day, August 17, 2010, on the advice of our attorney, LPPA submitted a petition to withdraw our 2010 nomination petitions, in spite of our belief that the petitions contained enough valid signatures to satisfy the requirements of Section 2911(b) and qualify our nominees for the ballot. We did so because Marakay Rogers, LPPA's nominee for Governor, Kat Vallely, LPPA's nominee for Lieutenant Governor, and Douglas Jamison, LPPA's nominee for United States Senate, were unable to assume the risk of incurring the costs our challengers were threatening to seek, and because LPPA lacked the financial resources to indemnify them against an award of such costs. As a result, LPPA's 2010 nominees did not appear on the ballot.

11. Because LPPA did not place any candidates on the 2010 ballot, no LPPA candidate polled the number of votes required by Section 2831(a) in the 2010 general election, and LPPA once again lost its status as a qualified minor party, which it had only regained following the 2008 election.

12. The threat that LPPA's nominees will be ordered to pay costs and fees if they defend nomination petitions when challenged pursuant to Section 2937 has had a severe impact on LPPA's efforts to establish itself as a viable minor party.



Our nominees have been forced to withdraw from elections due to our political opponents' explicit threats to seek such costs and fees, which prevents LPPA from disseminating our message during the general election, when it matters most, and from building support for LPPA's platform among the electorate. In addition, such threats deter our supporters from collecting the signatures necessary to comply with Section 2911(b), because they know our nominees may be forced to withdraw, regardless of the merits of our nomination petitions, whenever a challenge is filed pursuant to Section 2937.

13. Section 2937 also harms Pennsylvania voters, by limiting their choices. In 2010, for example, every minor party and independent candidate for statewide office withdrew their nomination petitions, rather than assuming the risk of incurring costs pursuant to Section 2937. As a result, Pennsylvanians were forced to choose between one Republican and one Democratic candidate for Governor, Lieutenant Governor and United States Senator, even though several more qualified candidates had attempted to gain ballot access.

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

Executed on 5/8/12

  
Michael Robertson

**MICHAEL ROBERTSON'S FIRST DECLARATION IN SUPPORT OF  
PLAINTIFFS EXHIBIT A**

**Email From Ronald L. Hicks, Jr. to Marc Antony Arrigo (August 16, 2010)**

----- Original Message -----

**From:** [Marc Antony Arrigo](mailto:Marc.Antony.Arrigo)

**To:** [chair@lppa.org](mailto:chair@lppa.org)

**Sent:** Wednesday, August 18, 2010 11:40 AM

**Subject:** FW: In re: Nomination of Douglas M. Jamison, No. 248 M.D. 2010

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**Subject:** In re: Nomination of Douglas M. Jamison, No. 248 M.D. 2010

**Date:** Mon, 16 Aug 2010 23:27:33 -0400

**From:** [RLH@MUSLAW.com](mailto:RLH@MUSLAW.com)

**To:** [maarrigo@msn.com](mailto:maarrigo@msn.com)

Marc,

Following up on our conversation earlier this evening, I do not have exact figures on what our costs will be if this signature count continues and my clients are required to complete the review and/or move forward with a hearing. However, a rough estimate would be \$92,255 to \$106,455 which would include costs such as legal fees, travel and lodging, compensable time for reviewers/support staff, process servers' fees and expenses, hearing preparation, lay and expert witness fees and costs, photocopies, meals, legal research and conference call expenses, to name a few. These costs are comparable to the costs awarded in recent years by the Commonwealth Court in similar nomination paper challenges, including *In re: Nomination Papers of Nader* and *In re: Nomination Papers of Rogers (Romanelli)* which, as you know, were assessed not only against the candidates but also their lawyers and their law firms.

Please let me know if you need any further information in order to discuss with your clients a withdrawal of their candidacy for Governor, Lieutenant Governor and United States Senator. As I stated, the sooner that your clients agree to withdraw, the more likely my clients will agree to not pursue recovery of all their costs incurred in pursuing this matter.

Best regards,

Ron

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Ronald L. Hicks, Jr., Esquire

[mailto:rlh@muslaw.com](mailto:mailto:rlh@muslaw.com)

Meyer, Unkovic & Scott LLP

1300 Oliver Building

Pittsburgh, PA 15222

(412) 456-2837 (Direct Dial)

(412) 456-3278 (Direct Fax)

(412) 780-7744 (Mobile)

<http://www.muslaw.com>

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**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, )

v. )

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

Defendants. )

Civil No. \_\_\_\_\_

**THOMAS ROBERT STEVENS' FIRST DECLARATION**  
**IN SUPPORT OF PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Thomas Robert Stevens, hereby declare as follows:

1. I am over the age of 18 and reside in New York.
2. I have personal knowledge about the matters to which I attest.
3. I am Chair of the Libertarian Party of Pennsylvania ("LPPA"), the

Pennsylvania state affiliate of the national Libertarian Party, and have served in that position since April 22, 2012. The Libertarian Party is the third largest political party in the United States. It was founded in 1971 based on the principle that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

4. I have served as County Chair of the Libertarian Party of Northampton County, Pennsylvania since September 21, 2011.

5. As set forth in the First Declaration of Michael Robertson, the threat of incurring costs pursuant to 25 P.S. § 2937 ("Section 2937") has had a severe impact on LPPA. As a direct result of that threat, every one of our nominees for statewide office withdrew from the 2010 election, and LPPA lost its status as a qualified minor party.

6. As current Chair of LPPA and as County Chair of the Libertarian Party of Northampton County, Pennsylvania, my duties include recruiting candidates to run for public office as LPPA's nominees, and organizing petition drives to ensure they qualify for the ballot pursuant to 25 P.S. § 2911(b).

7. Section 2937 severely burdens my ability to carry out those duties, because LPPA's nominees are unwilling to assume the risk of incurring costs under the statute, and LPPA's supporters are reluctant to commit the time and resources necessary to conduct a successful petition drive, as long as the mere threat of a challenge is sufficient to force our nominees to withdraw, regardless of the merits of their nomination petitions.

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

Executed on May 2, 2012

Thomas Robert Stevens  
Thomas Robert Stevens

**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. )  
\_\_\_\_\_

**KEN KRAWCHUK’S FIRST DECLARATION IN SUPPORT OF PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Ken Krawchuk, 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 an active member of the Libertarian Party of Pennsylvania (“LPPA”).
4. LPPA nominated me as its candidate for Governor in 1998 and 2002, and

I appeared on the ballot in both elections. In 2002, I ran LPPA’s statewide petition drive and submitted 32,236 signatures to meet a requirement of 21,028 valid signatures pursuant to 25 P.S. § 2911(b).

5. LPPA nominated me to run as its candidate for United States Senate in 2006, but I declined to do so, due to the fact that 2004 independent presidential candidate Ralph Nader and his running mate, the late Peter Miguel Camejo, had


recently been ordered to pay \$81,102.19 in costs to the parties who challenged their nomination petitions pursuant to 25 P.S. § 2937 ("Section 2937").

6. Although I remain an active member of LPPA, I will no longer run for statewide office as a nominee of LPPA, as long as I must assume the risk of incurring costs pursuant to Section 2937 in order to do so. I did run as the LPPA candidate for Abington Township commissioner in 2005, but I only needed to submit a nomination petition with 10 signatures, and I submitted one with 20 signatures. No challenge was filed. Had a challenge been filed, I would have withdrawn from the race, because I am unwilling to be penalized financially as a result of my participation in Pennsylvania's electoral process.

7. I remain the last minor party or independent candidate for Governor to appear on Pennsylvania's ballot. Several LPPA members have asked me to run for Governor as LPPA's nominee again in 2014, but I refuse to do so as long as Section 2937 continues to pose a threat to candidates who defend nomination petitions they are required by law to submit. Instead, I am focusing my efforts on reforming Pennsylvania's ballot access laws, as LPPA's delegate to the Pennsylvania Ballot Access Coalition.

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

Executed on May 2, 2012

  
\_\_\_\_\_  
Ken Krawchuk

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

THE CONSTITUTION PARTY OF )  
PENNSYLVANIA, THE GREEN PARTY )  
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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. )

**DOUGLAS JAMISON'S FIRST DECLARATION IN SUPPORT OF**  
**PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Douglas Jamison, 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 an active member of the Libertarian Party of Pennsylvania ("LPPA").
4. LPPA nominated me as its candidate for United States Senate in 2010.
5. Three Republicans, supported by the Pennsylvania Republican Party, challenged LPPA's 2010 nomination petitions pursuant to 25 P.S. § 2937 ("Section 2937"). Although I felt confident that the petitions contained more than enough signatures to satisfy the 19,056 valid signatures required by 25 P.S. § 2911(b)



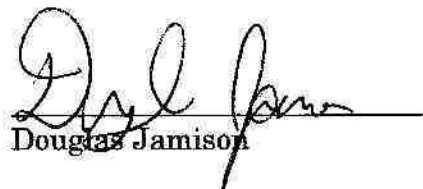
("Section 2911(b)"), I withdrew from the election rather than defending the petitions.

6. I withdrew from the 2010 election because the challengers' attorney explicitly threatened to seek up to \$106,455 in costs and fees if I did not. See Declaration of Michael Robertson. I would not have withdrawn from the election if I had not received this threat.

7. Although I remain an active member of LPPA, I will no longer run for office as a nominee of LPPA, as long as I must assume the risk of incurring costs pursuant to Section 2937 in order to do so.

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

Executed on 05/04/2012

  
Douglas Jamison

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

THE CONSTITUTION PARTY OF )  
PENNSYLVANIA, THE GREEN PARTY )  
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STEVENS and KEN KRAWCHUK )

Plaintiffs, )

Civil No. \_\_\_\_\_ )

v. )

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

Defendants. )

**MARAKAY ROGERS' FIRST DECLARATION IN SUPPORT OF  
PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Marakay Rogers, 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 an active member of the Libertarian Party of Pennsylvania ("LPPA").
4. LPPA nominated me as its candidate for Governor in 2010.
5. Three Republicans, supported by the Pennsylvania Republican Party, challenged LPPA's 2010 nomination petitions pursuant to 25 P.S. § 2937 ("Section 2937"). Although I felt confident that the petitions contained more than enough signatures to satisfy the 19,056 valid signatures required by 25 P.S. § 2911(b)

("Section 2911(b)"), I withdrew from the election rather than defending the petitions.

6. I withdrew from the 2010 election because the challengers' attorney explicitly threatened to seek up to \$106,455 in costs and fees if I did not. See Declaration of Michael Robertson. I would not have withdrawn from the election if I had not received this threat.

7. I remain an active member of LPPA, and have been nominated to run as LPPA's candidate for Attorney General in the 2012 election. LPPA members are currently circulating nomination petitions to qualify me for the ballot, as required by Section 2911(b).

8. I accepted LPPA's nomination and wish to run as LPPA's 2012 candidate for Attorney General. If a challenge is filed to LPPA's nomination petitions pursuant to Section 2937, however, I will be forced once again to withdraw from the election immediately, because I cannot afford to incur the costs that may be assessed against candidates who defend their petitions.

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

Executed on 5/2/12

  
Marakay Rogers

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

\_\_\_\_\_  
THE CONSTITUTION PARTY OF )  
PENNSYLVANIA, THE GREEN PARTY )  
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MURPHY, JAMES N. CLYMER, CARL J. )  
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STEVENS and KEN KRAWCHUK )

Plaintiffs, )

Civil No. \_\_\_\_\_

v. )

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

Defendants. )  
\_\_\_\_\_

**KAT VALLELEY'S FIRST DECLARATION IN SUPPORT OF PLAINTIFFS**  
**(pursuant to 28 U.S.C. § 1746)**

I, Kat Valleley, hereby declare as follows:

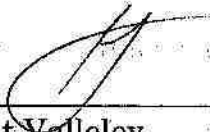
1. I am over the age of 18 and reside in Pennsylvania.
2. I have personal knowledge about the matters to which I attest.
3. I am an active member of the Libertarian Party of Pennsylvania ("LPPA").
4. LPPA nominated me as its candidate for Lieutenant Governor in 2010.
5. Three Republicans, supported by the Pennsylvania Republican Party, challenged LPPA's 2010 nomination petitions pursuant to 25 P.S. § 2937 ("Section 2937"). Although I felt confident that the petitions contained more than enough signatures to satisfy the 19,056 valid signatures required by 25 P.S. § 2911(b)

("Section 2911(b)"), I withdrew from the election rather than defending the petitions. I withdrew from the 2010 election because the challengers' attorney explicitly threatened to seek up to \$106,455 in costs and fees if I did not. See Declaration of Michael Robertson. I would not have withdrawn from the election if I had not received this threat.

6. Although I remain an active member of LPPA, I will no longer run for office as a nominee of LPPA, as long as I must assume the risk of incurring costs pursuant to Section 2937 in order to do so.

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

Executed on 5/9/12

  
\_\_\_\_\_  
Kat Valleley

**EXHIBIT B**

**25 P.S. § 2937**

**25 P.S. § 2937**Purdon's Pennsylvania Statutes and Consolidated Statutes Currentness

Title 25 P.S. Elections &amp; Electoral Districts

Chapter 14. Election Code

▪ Article IX. Nomination of Candidates

▪ (c) Objections; Withdrawals; Certifications

▪ **§ 2937. Objections to nomination petitions and papers**

All nomination petitions and papers received and filed within the periods limited by this act shall be deemed to be valid, unless, within seven days after the last day for filing said nomination petition or paper, a petition is presented to the court specifically setting forth the objections thereto, and praying that the said petition or paper be set aside. A copy of said petition shall, within said period, be served on the officer or board with whom said nomination petition or paper was filed. Upon the presentation of such a petition, the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition or paper, and specifying the time and manner of notice that shall be given to the candidate or candidates named in the nomination petition or paper sought to be set aside. On the day fixed for said hearing, the court shall proceed without delay to hear said objections, and shall give such hearing precedence over other business before it, and shall finally determine said matter not later than fifteen (15) days after the last day for filing said nomination petitions or papers. If the court shall find that said nomination petition or paper is defective under the provisions of section 976, [\[FN1\]](#) or does not contain a sufficient number of genuine signatures of electors entitled to sign the same under the provisions of this act, or was not filed by persons entitled to file the same, it shall be set aside. If the objections relate to material errors or defects apparent on the face of the nomination petition or paper, the court, after hearing, may, in its discretion, permit amendments within such time and upon such terms as to payment of costs, as the said court may specify. In case any such petition is dismissed, the court shall make such order as to the payment of the costs of the proceedings, including witness fees, as it shall deem just. If a person shall sign any nomination petitions or papers for a greater number of candidates than he is permitted under the provisions of this act, if said signatures bear the same date, they shall, upon objections filed thereto, not be counted on any petition or paper and if they bear different dates, they shall be counted in the order of their priority of date, for only so many persons as there are candidates to be nominated or elected. The office of the Prothonotary of the Commonwealth Court and the office of the Secretary of the Commonwealth and the various offices of prothonotary of the court of common pleas shall be open between the hours of eight-thirty o'clock A.M. and five o'clock P.M. on the last day to withdraw after filing nomination petitions and on the last day to file objections to nomination petitions.