

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE:

Andrew T. LeFever, Esquire	:	
Magisterial District Judge	:	7 JD 2020
Magisterial District 02-2-04	:	
2nd Judicial District	:	
Lancaster County	:	

**PRE-TRIAL MEMORANDUM OF RESPONDENT,
MAGISTERIAL DISTRICT JUDGE ANDREW T. LEFEVER**

NOW COMES Magisterial District Judge Andrew T. LeFever, Respondent herein, by and through his counsel, Robert A. Graci and Saxton & Stump, and files this Pre-trial Memorandum pursuant to the Order of May 3, 2021, as follows:

A. Names and Addresses of Witness and Subjects of Their Testimony

The following persons or some of them may be called to testify at the trial of this matter:

1. Magisterial District Judge Andrew T. LeFever
796A New Holland Avenue
Lancaster PA 17602

Judge LeFever will testify about the charges against him and his intent to comply with the Rules Governing Standards of Conduct of Magisterial District Judges. He will also provide background information regarding his personal and professional life and career. He will accept responsibility for his conduct leading up to his resignation as a member of the Lancaster City Democratic Committee and will

describe the research he conducted leading to his decision as to when he had to resign his position as a committee person.

2. Joseph McMahon, Esquire
8 North Queen Street
Lancaster, PA 17603

Attorney McMahon will provide character and reputation testimony relevant to the charges filed by the Judicial Conduct Board (Board) against Judge LeFever as well as to any sanction that the Court might impose if it finds that Judge LeFever violated any of the rules or constitutional provisions which the Board has charged. He will testify regarding Judge LeFever's character and reputation for being truthful and principled. He will also testify concerning his knowledge of Judge LeFever as fair-minded lawyer.

3. Jared Hinsey, Assistant Counsel
1800 Elmerton Avenue
Harrisburg, PA 17110

Attorney Hinsey will provide character and reputation testimony relevant to the charges filed by the Judicial Conduct Board (Board) against Judge LeFever as well as to any sanction that the Court might impose if it finds that Judge LeFever violated any of the rules or constitutional provisions which the Board has charged. He will testify regarding Judge LeFever's excellent character and reputation for being truthful, honest, peaceful and law abiding. He will also testify concerning his knowledge of Judge LeFever as an knowledgeable, hardworking, and diligent lawyer and judge.

4. Patricia Spotts, Esquire
53 North Duke Street
Lancaster, PA 17602

Attorney Spotts will provide character and reputation testimony relevant to the charges filed by the Judicial Conduct Board (Board) against Judge LeFever as well as to any sanction that the Court might impose if it finds that Judge LeFever violated any of the rules or constitutional provisions which the Board has charged. She will testify regarding Judge LeFever's excellent character and reputation for being trustworthy, knowledgeable, and fair. She will also testify concerning her knowledge of Judge LeFever as an excellent lawyer and judge.

5. Sharon Watson-Frias
834 North Reservoir Street
Lancaster, PA 17602

Ms. Watson-Frias attended the meeting of the Lancaster City Democratic Committee held on February 11, 2019. She will testify that she is not sure if Judge LeFever, as a Committee Person, voted to endorse the candidates for City Council and School Board Director during that meeting.

6. Laureen Edgell
221 East Ross Street
Lancaster, PA 17602

Ms. Edgell attended the meeting of the Lancaster City Democratic Committee held on February 11, 2019. She will testify that Judge LeFever, as a Committee Person, did not vote to endorse the candidates for City Council and School Board Director during that meeting.

7. Alan Silverman
37 West Roseville Road
Lancaster, PA 17601

Mr. Silverman attended the meeting of the Lancaster City Democratic Committee held on February 11, 2019. He will testify that he does not remember or recall if Judge LeFever, as a Committee Person, voted to endorse the candidates for City Council and School Board Director during that meeting.

8. Lauren Slesser
33 Coral Street
Lancaster, PA 17603

Ms. Slesser attended the meeting of the Lancaster City Democratic Committee held on February 11, 2019. She will testify that she does not remember or recall if Judge LeFever, as a Committee Person, voted to endorse the candidates for City Council and School Board Director during that meeting.

B. List of All Exhibits Intended to be Introduced at Trial

Judge LeFever has no objections to the admission of the Exhibits listed in the Board's Pre-trial Memorandum. In addition to those Exhibits, Judge LeFever may introduce the following Exhibits:

1. Character Letter of Joseph McMahon, Esquire
2. Character Letter of Jared Hinsey, Esquire
3. Character Letter of Patricia Spotts, Esquire

C. List of Stipulations

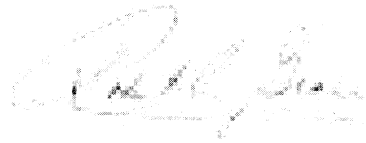
On March 23, 2021, the parties filed Joint Stipulations of Fact Pursuant to C.J.D.R.P. No. 502(D)(2). In addition to the Joint Stipulations of Fact, it is reasonably expected that Board Counsel will agree to stipulate to the following:

1. The admission of the Character Letter of Joseph McMahon, Esquire.
2. The admission of the Character Letter of Jared Hinsey, Esquire.
3. The admission of the Character Letter of Patricia Spotts, Esquire.
4. At his March 12, 2020 deposition, Judge LeFever testified that he could not circulate the nominating petitions of the non-judicial candidates who had been endorsed by the Lancaster City Democratic Committee because such circulation could be seen as and endorsement of those candidates which he was prohibited from doing by the Rules Governing Standards of Conduct of Magisterial District Judges.

D. Materials Required to be Exchanged Pursuant to C.J.D.R.P. No. 401(D)(1)

Undersigned counsel for Judge LeFever hereby certifies that he has provided statements from Attorneys McMahon, Hinsey and Spotts in the form of Character Letters addressed to the Judges of the Court of Judicial Discipline to Judicial Conduct Board Deputy Counsel Colby J. Miller.

Respectfully submitted,



Robert A. Graci, Esquire
Supreme Court ID No. 26722
Saxton & Stump, LLC
4250 Crums Mill Road
Harrisburg, Pa 17112
Phone: 717-216-5511
Cell: 717-585-3684
Fax: 717-547-1900
rag@saxtonstump.com

Date: June 3, 2021

**COMMONWEALTH OF PENNSYLVANIA
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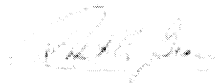
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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Case Records and Public Access Policy of the Unified Judicial System of Pennsylvania that require filing of confidential information and documents differently than non-confidential information and documents.

Submitted by: Counsel for Andrew T. LeFever



Signature: _____

Name: Robert A. Graci, Esquire

Attorney ID Number: 26722

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PROOF OF SERVICE

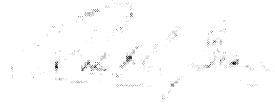
In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on the date below a copy of the Pre-trial Memorandum of Respondent, Magisterial District Judge Andrew T. LeFever, was mailed and emailed to Colby J. Miller, Judicial Conduct Board Deputy Counsel, at the following addresses:

Colby J. Miller, Deputy Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106

and

Colby.Miller@jcbpa.org

Respectfully submitted,



Robert A. Graci, Esquire
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4250 Crums Mill Road
Harrisburg, Pa 17112
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