#### IN THE COMMONWEALTH COURT OF PENNSYLVANIA

CAROL ANN CARTER; et al.,	) CASES CONSOLIDATED
Petitioners,	) )
v.	) NO. 464 M.D. 2021
LEIGH M. CHAPMAN; et al.,	)
Respondents.	)
PHILLIP T. GRESSMAN; et al.,	)
Petitioners,	)
v.	) NO. 465 M.D. 2021
LEIGH M. CHAPMAN; et al.,	) ) )
Respondents.	)

# APPLICATION FOR LEAVE OF COURT TO HAVE EXPERT WITNESS TESTIFY BY VIDEO

AND NOW comes the Senate Democratic Caucus Intervenors, by and through the undersigned counsel, and file this Application For Leave Of Court To Have Expert Witness Testify By Video and offer the following in support thereof:

- 1. Senate Democratic Caucus Intervenors intend to call Dr. Devin Caughey ("Dr. Caughey") to testify as an expert witness at the evidentiary hearing, which is scheduled for January 27 and January 28, 2022.
- 2. Dr. Caughey is a political science professor at the Massachusetts Institute of Technology and resides in the Boston area.

- 3. A major snowstorm is expected late this week for the New England area and will have an impact for the mid-Atlantic and central Appalachians as well. See Accuweather.com news article "Next Winter Storm could be a 'huge snowstorm for New England'" <a href="https://www.accuweather.com/en/winter-weather/another-snowstorm-is-in-the-cards-for-the-east-coast/1130340/amp">https://www.accuweather.com/en/winter-weather/another-snowstorm-is-in-the-cards-for-the-east-coast/1130340/amp</a> (last visited 8:45am January 26, 2022)).
- 4. Dr. Caughey is currently the sole childcare provider for two minor children.
- 5. The snowstorm expected for late this week could easily impact travel to Harrisburg and will most likely impact return home travel following the hearing.
- 6. The January 6, 2022 hearing on proposed intervenors and the January 25, 2022 status conference in this matter were conducted by video.
- 7. Due to the foregoing, Senate Democratic Caucus respectfully requests that Dr. Caughey be permitted to testify by video at the upcoming evidentiary hearing.

WHEREFORE, Senate Democratic Caucus Intervenors respectfully request this Honorable Court permit Dr. Caughey to testify by video at the January 27 and January 28, 2022 evidentiary hearing.

Respectfully submitted,

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Dated: January 26, 2022

CERTIFICATION REGARDING PUBLIC ACCESS POLICY

I certify that this filing complies with the provisions of the Public Access Policy

of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and

Trial Courts that require filing confidential information and documents differently

than non-confidnetial information and documents.

January 26, 2022

/s/ Marco S. Attisano Marco S. Attisano

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	2022, upon consideration of the Senate ation For Leave Of Court To Have Expert <b>RANTED</b> .
28, 2022 evidentiary hearing. Counsel f	t witness for the Senate Democratic by by video at the January 27 and January for Senate Democratic Caucus Intervenors <u>apacourts.us</u> to coordinate the logistics for
$\overline{P}$	ATRICIA A. McCULLOUGH, Judge