

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

REPRESENTATIVE BRYAN CUTLER,
LEADER OF THE REPUBLICAN
CAUCUS OF THE PENNSYLVANIA
HOUSE OF REPRESENTATIVES,

Petitioner,

v.

LEIGH M. CHAPMAN, ACTING
SECRETARY OF THE
COMMONWEALTH, THE
PENNSYLVANIA DEPARTMENT OF
STATE, and THE BOARD OF
ELECTIONS OF ALLEGHENY
COUNTY,

Respondents.

588-MD-2022

NOTICE OF SUPPLEMENTAL INFORMATION

Proposed Intervenor-Respondent, the Pennsylvania Democratic Party (“PA Dems”), files this notice of supplemental information and avers as follows:

1. At the time the PA Dems filed its application for intervention on Thursday afternoon, the PA Dems had nominated a candidate (Joseph McAndrew) in the 32nd District relevant to this cause of action but had not completed nomination actions relevant to the 34th and 35th Districts.

2. In response to, and in reliance upon, the writs issued by Leader McClinton, and the notifications received from the Pennsylvania Department of State, the PA Dems have since taken the further relevant actions:

- a. On December 17, 2022, the relevant committee people of the Allegheny County Democratic Committee, a coordinate branch of the PA Dems, met in two separate meetings to select recommended candidates for selection as nominees of the Democratic Party in the special elections in House Districts 34 and 35.
- b. The local elected leadership selected Abigail Salisbury and Matthew Gergely as the recommended candidates for Districts 34 and 35, respectively.
- c. Beginning on December 17, and concluding on December 18, 2022, the PA Dems Executive Committee met and ratified the nominations of Ms. Salisbury and Mr. Gergely.
- d. PA Dems today filed certificates of nomination for each of Ms. Salisbury and Mr. Gergely pursuant to the Election Code.
- e. PA Dems have begun campaigning and communications in Districts 34 and 35 and have continued the efforts in District 32 begun last week.

3. Further, it has come to the attention of the PA Dems that the Pennsylvania Republican Party has filed nomination certificates for Clay Walker, Robert Pagane, and Don Nevills as Republican candidates in Districts 32, 34, and 35, pursuant to the writs issued by Leader McClinton.

The Pennsylvania Democratic Party respectfully requests that the Court consider the additional information contained herein as it considers the Petition for Intervention filed by the PA Dems.

Respectfully submitted,

GREENBERG TRAURIG, LLP

Dated: December 20, 2022

By: /s/ Kevin Greenberg

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CERTIFICATE OF COMPLIANCE

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-confidential information and documents.

/s/ Peter Elliot
Peter Elliot

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing document was served upon all counsel of record on December 20, 2022, via the following email addresses:

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/s/ Peter Elliot

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