### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, et al.,

Plaintiffs,

No. 17-cv-5137

v.

THE COMMONWEALTH OF PENNSYLVANIA, et al., Defendants.

#### EMERGENCY MOTION TO WITHDRAW NOTICE OF REMOVAL

Defendant Senator Joseph B. Scarnati, III hereby requests that the Court deem withdrawn the Notice of Removal in the above matter, and remand this action back to the Pennsylvania Supreme Court. Prior to the filing of the Notice of Removal, Defendant understood from Defendant Representative Michael Turzai's counsel that he consented to removal. This afternoon, we have been advised from counsel that Defendant Turzai does not now consent to the Notice as filed. Accordingly, this matter should be remanded.

Repsectfully submitted,

s/ Matthew H. Haverstick Matthew H. Haverstick (No. 85072) Mark E. Seiberling (No. 91256) KLEINBARD LLC One Liberty Place, 46th Floor 1650 Market Street Philadelphia, PA 19103 Ph: (215) 568-2000/Fax: (215) 568-0140

Joshua J. Voss (No. 306853) KLEINBARD LLC 115 State Street, 2nd Floor Harrisburg, PA 17101 Ph: (717) 836-7492/Fax: (215) 568-0140

Attorneys for Defendant Sen. Joseph B. Scarnati, II

# **CERTIFICATE OF SERVICE**

I hereby certify that I caused the foregoing Motion to be served on counsel via the Court's CM/ECF system.

Repsectfully submitted,

s/ Matthew H. Haverstick
Matthew H. Haverstick (No. 85072)
Mark E. Seiberling (No. 91256)
KLEINBARD LLC
One Liberty Place, 46th Floor
1650 Market Street
Philadelphia, PA 19103
Ph: (215) 568-2000/Fax: (215) 568-0140

Attorneys for Defendant Sen. Joseph B. Scarnati, II

# IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, et al.,  Plaintiffs, | : : : : : No. 17-cv-5137 |
|--|--------------------------|
| V.   | :                        |
| THE COMMONWEALTH OF PENNSYLVANIA, et al.,<br>Defendants.     | :<br>:<br>:              |

## **ORDER**

Upon consideration of Defendant Senator Joseph B. Scarnati, III's Emergency Motion to Withdraw Notice of Removal, the MOTION is hereby GRANTED and it is further ORDERED that this matter is REMANDED back to the Pennsylvania Supreme Court, all parties to bear their own costs.

|  | Baylson |  |
|--|---------|--|