

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DEB WHITEWOOD, SUSAN :
WHITEWOOD, FREDIA HURDLE, :
LYNN HURDLE, EDWIN HILL, DAVID :
PALMER, HEATHER POEHLER, KATH :
POEHLER, FERNANDO CHANG-MUY, :
LEN RIESER, DAWN PLUMMER, : No. 1:13-CV-1861
DIANA POLSON, ANGELA GILLEM, :
GAIL LLOYD, HELENA MILLER, : (Judge Jones)
DARA RASPBERRY, RON :
GEBHARDTSBAUER, GREG WRIGHT, :
MARLA CATTERMOLLE, JULIA :
LOBUR, MAUREEN HENNESSEY, A.W., :
K.W., DEB WHITEWOOD *and* SUSAN :
WHITEWOOD : Electronically Filed
Plaintiffs :
v. :
THOMAS W. CORBETT, MICHAEL :
WOLF, KATHLEEN KANE, MARY JO :
POKNIS *and* DONALD PETRILLE, JR., :
Defendants :

**DEFENDANT KATHLEEN KANE'S MOTION TO
DISMISS THE COMPLAINT FOR
DECLARATORY AND INJUNCTIVE RELIEF**

Defendant Kathleen Kane, through her counsel, hereby moves to dismiss the Complaint against her for lack of standing and for failure to state a claim upon which relief may be granted pursuant to Fed. R. Civ. P. 12(b)(1) and (6). In support of this motion, a brief will be filed in accordance with Local Rule 7.5 and the scheduling Orders of this Court.

Respectfully submitted,

**KATHLEEN G. KANE
Attorney General**

By: s/ M. Abbegael Giunta

**M. ABBEGAEL GIUNTA
Deputy Attorney General
Attorney ID 94059**

**Office of Attorney General
15th Floor, Strawberry Square
Harrisburg, PA 17120
Phone: (717) 787-1179
Fax: (717) 772-4526
mgiunta@attorneygeneral.gov**

**GREGORY R. NEUHAUSER
Chief Deputy Attorney General
Chief, Civil Litigation Section**

Date: September 30, 2013

Counsel for Defendant Kane

CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE

I, M. Abbegael Giunta, Deputy Attorney General hereby certify that I have sought concurrence in the within motion from all parties to the case. Plaintiffs do not concur. Defendants Poknis and Petrille take no position on the Attorney General's motion. Defendants Governor Corbett and Secretary Wolf do concur in the within motion.

s/ M. Abbegael Giunta
M. ABBEGAEL GIUNTA
Deputy Attorney General

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GAIL LLOYD, HELENA MILLER,	:	Judge Jones
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Plaintiffs	:	
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	:	
v.	:	
	:	
	:	
THOMAS W. CORBETT, MICHAEL	:	
WOLF, KATHLEEN KANE, MARY JO	:	
POKNIS <i>and</i> DONALD PETRILLE, JR.,	:	
	:	
Defendants	:	

CERTIFICATE OF SERVICE

I, M. Abbegael Giunta, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on September 30, 2013, I caused to be served a true and correct copy of the foregoing document titled Defendant Kathleen Kane's Motion to Dismiss the Complaint for Declaratory and Injunctive Relief to the following:

VIA ELECTRONIC FILING

Dylan J. Steinberg, Esquire
One Logan Square, 27th Floor
Philadelphia, PA 19103
Counsel for Plaintiffs

James D. Esseks, Esquire
Leslie Cooper, Esquire
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004
jesseks@aclu.org
lcooper@aclu.org
Counsel for Plaintiffs

John S. Stapleton, Esquire
Mark A. Aronchick, Esquire
Hangley Aronchick Segal & Pudlin
One Logan Square, 27th Floor
Philadelphia, PA 19103-6933
maronchick@hangley.com
Counsel for Plaintiffs

Mary Catherine Roper, Esquire
Milly M. Tack-Hooper, Esquire
American Civil Liberties Union
P.O. Box 40008
Philadelphia, PA 19106
mroper@aclupa.org
mtack-hooper@aclupa.org
Counsel for Plaintiffs

Rebecca S. Melley, Esquire
Segal Pudlin & Schiller
One Logan Square, 27th Floor
Philadelphia, PA 19103
rsantoro@hangley.com
Counsel for Plaintiffs

Seth F. Kreimer, Esquire
3400 Chestnut Street
Philadelphia, PA 19144
skreimer@law.upenn.edu
Counsel for Plaintiffs

Witold J. Walczak, Esquire
American Civil Liberties Union
313 Atwood Street
Pittsburgh, PA 15213
vwalczak@aclupa.org
Counsel for Plaintiffs

William H. Lamb, Esquire
Lamb McErlane, PC
24 East Market Street
P.O. Box 565
West Chester, PA 19381-0565
wlamb@chescolaw.com
Counsel for Defendants Corbett and Wolf

Robert J. Grimm, Esquire
Thomas J. Jezewski, Esquire
Swartz Campbell, LLC
4750 US Steel Tower
600 Grant Street
Pittsburgh, PA 15219
rgrimm@swartzcampbell.com
tjezewski@swartzcampbell.com
Counsel for Defendant Poknis

Nathan D. Fox, Esquire
Begley Carlin & Mandio, LLP
680 Middletown Boulevard
Langhorne, PA 19047
nfox@begleycarlin.com
Counsel for Defendant Petrille

s/ M. Abbegael Giunta
M. ABBEGAEL GIUNTA
Deputy Attorney General