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

RICHARD VIETH, *et al.*,)
)
)
 Plaintiffs,)
)
 v.)
)
 COMMONWEALTH OF)
 PENNSYLVANIA, *et al.*,)
)
 Defendants.)
)
 ROBERT J. MELLOW, Senator,)
 22nd District,)
)
 Proposed)
 Intervenor.)

FILED
HARRISBURG, PA

SEP 09 2002

MARY E. D'ANDREA, CLERK
Per [Signature]

Civil No. 1:CV-01-2439

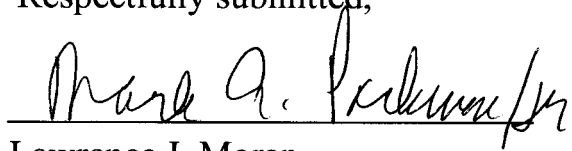
SENATOR ROBERT J. MELLOW'S JOINDER IN PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION TO ADD NECESSARY PARTY

Senator Robert J. Mellow joins in Plaintiffs' response to Defendants' Motion to Add Necessary Party.¹

¹ On May 6, 2002, Senator Mellow moved, on behalf of the Democrats in the Pennsylvania Senate, for leave to intervene in the remedial phase of this matter or, in the alternative, to participate as *amicus curiae*. In support of his motion, Senator Mellow demonstrated that he has satisfied all four of the criteria for mandatory

(Continued ...)

Respectfully submitted,



Lawrence J. Moran
ABRAHAMSEN, MORAN & CONABOY,
P.C.

W.C. Carter Building
205-207 North Washington Ave.
Scranton, PA 18503
(570) 348-0200 (telephone)
(570) 348-0273 (facsimile)

Mark A. Packman
GILBERT HEINTZ & RANDOLPH LLP
1100 New York Avenue, NW, Suite 700
Washington, DC 20005
(202) 772-2320 (telephone)
(202) 772-2322 (facsimile)

COUNSEL FOR
SENATOR ROBERT J. MELLOW

Dated: September 9, 2002

(... Continued)

intervention under Fed. R. Civ. P. 24(a), as well as the criteria for permissive intervention under Fed. R. Civ. P. 24(b) and for participation as *amicus curiae*. Senator Mellow's motion is still pending. Senator Mellow submits this brief as a proposed intervenor or, in the alternative, as *amicus curiae*.

Robert B. Hoffman
REED SMITH, LLP
213 Market Street, 9th Floor
P.O. Box 11844
Harrisburg, PA 17108
(717) 257-3042
(717) 236-3777 (fax)

The Honorable William H. Yohn, Jr.
U.S. District Judge
3809 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1753
(215) 580-2161 (fax)



MARK A. PACKMAN

Co-counsel For Senator Robert J. Mellow