

**IN THE SUPREME COURT OF PENNSYLVANIA**

**PENNSYLVANIA DEMOCRATIC :  
PARTY, et al., :**

**Petitioners, :**

**v. :**

**NO. 133 MM 2020**

**KATHY BOOCKVAR, et al., :**

**Respondents. :**

**MOTION FOR ADMISSION PRO HAC VICE FOR DANIEL T. DONOVAN**

Daniel T. Brier, Esquire of the law firm Myers, Brier & Kelly, LLP, counsel of record for Respondent Secretary of the Commonwealth of Pennsylvania Kathy Boockvar, hereby moves this Court for an order pursuant to Pa. R.C.P. 1012.1 and Rule 301 of the Pennsylvania Bar Admission Rules, admitting Daniel T. Donovan, Esquire to the bar of this Court, *pro hac vice*, for the purpose of representing Respondent Secretary of the Commonwealth Kathy Boockvar in this matter.

In support of this Motion, the undersigned counsel incorporates the Verification of Daniel T. Donovan attached as Exhibit "A" and the Verification of Admission of Daniel T. Brier attached hereto as Exhibit "B" which, it is averred, satisfies the requirements of the foregoing Rule of Civil Procedure.

In addition, in support of this Motion, undersigned counsel states as follows:

1. Respondent Boockvar, by and through her counsel of record, Daniel T. Brier, seek to admit Daniel T. Donovan, Esquire to the bar of this Court for the purpose of actively participating in this matter.

2. Mr. Donovan is a partner at Kirkland & Ellis, 1301 Pennsylvania Avenue, NW, Washington, DC 20004. Mr. Donovan is an attorney in good standing in the State of Ohio; the District of Columbia; the United States District Courts for the Southern District of Ohio, the Western District of Oklahoma, the Northern District of Ohio, and the District of Columbia; the United States Courts of Appeals for the Third Circuit, Fourth Circuit, Sixth Circuit, and District of Columbia Circuit; and the United States Supreme Court. *See* Verification of Daniel T. Donovan attached as Exhibit A.

3. Mr. Donovan has applied to the Pennsylvania IOLTA Board and paid the appropriate fee. Attached as Exhibit "C" is the fee payment certification letter from the IOLTA Board.

4. Mr. Donovan has an attorney-client relationship with Secretary Boockvar and has special skill, knowledge and experience relating to this case.

5. Mr. Donovan is familiar with Pennsylvania Bar Admission Rule 302 and has agreed to abide by the Rules of Professional Conduct application to Pennsylvania lawyers.


6. Mr. Donovan will be associated with Daniel T. Brier, Esquire of the law firm Myers, Brier & Kelly, LLP at all remaining stages of this action.

7. Daniel T. Brier will be counsel of record for Secretary Boockvar and will continue to participate fully in this litigation and accept service of all papers on Ms. Boockvar's behalf.

WHEREFORE, it is respectfully requested that this Court grant Daniel T. Donovan leave to appear as counsel *pro hac vice* for Respondent Secretary of the Commonwealth Kathy Boockvar. A proposed Order is attached.

Dated: August 27, 2020

Respectfully submitted,



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Daniel T. Brier  
Donna A. Walsh  
MYERS, BRIER & KELLY, LLP  
425 Spruce Street, Suite 200  
Scranton, PA 18503  
570-342-6100

Counsel for Respondent,  
Secretary of the Commonwealth of  
Pennsylvania Kathy Boockvar

**CERTIFICATE OF COMPLIANCE**

I hereby 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 requires filing confidential information and documents differently than non-confidential information and documents.

/s/ Daniel T. Brier  
Daniel T. Brier

Date: August 27, 2020

# Exhibit A

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**Respondents. :**

**VERIFICATION OF DANIEL T. DONOVAN  
SUPPORTING MOTION FOR ADMISSION *PRO HAC VICE***

I, Daniel T. Donovan, state the following based on my personal knowledge:

1. I am a partner in the law firm of Kirkland & Ellis LLP, 1301 Pennsylvania Avenue, N.W., Washington, DC 20004.
  
2. I have been licensed to practice law in the following jurisdictions, with the corresponding bar license number: the State of Ohio (#0067833); the District of Columbia (#459680); the United States District Courts for the Southern District of Ohio (no #), Western District of Oklahoma (no #), Northern District of Ohio (no #), District of North Dakota (no #), and District of Columbia (no #); the United States Court of Appeals for the Third Circuit (no #), Fourth Circuit (no #), Sixth Circuit (no #), and District of Columbia Circuit (no #); and the United States Supreme Court (#292601).

3. I am a member in good standing of all Bars to which I am admitted.

4. With respect to each jurisdiction identified in Paragraph 2 above, I have never been suspended, disbarred, or otherwise disciplined, or subject to any disciplinary proceedings.

5. If admitted, I will comply with and be bound by the applicable statutes, case law and procedures rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

6. I have applied for *pro hac vice* admission in three other pending cases in Pennsylvania, and none of the motions have been denied. I have also applied for *pro hac vice* admission in one pending case in Pennsylvania: *Pennsylvania Democratic Party v. Boockvar*, 407 MD 2020. That motion is currently pending. I am requesting *pro hac vice* admission in the Supreme Court of Pennsylvania in the following matter: *Pennsylvania Democratic Party v. Boockvar*, 133 MM 2020.

7. If admitted, I will submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and missions occurring during the appearance in the matter for which this admission *pro hac vice* is being sought. I consent to the appointment of my sponsor as the agent upon whom service of process shall be made for all

actions, including disciplinary actions, that may arise out of the practice of law in the matter for which admission *pro hac vice* is sought.

8. It is respectfully submitted that there is good cause for my admission *pro hac vice* based upon my personal knowledge.

I declare under penalty and perjury that the foregoing is true and correct. I understand that false statements herein are subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: August 27, 2020



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Daniel T. Donovan



# Exhibit B

**VERIFICATION OF DANIEL T. BRIER, ESQUIRE**

I, Daniel T. Brier, declare and state as follows:

1. This statement is submitted in support of the application for admission *pro hac vice* of Daniel T. Donovan as co-counsel for Secretary of the Commonwealth Kathy Boockvar in the above-captioned matter.

2. I am a Partner at Myers, Brier & Kelly, LLP, 425 Spruce Street, Suite 200, Scranton, PA 18503.

3. I am licensed to practice law before the courts of record and general jurisdiction, and I am admitted to practice before the following:

<b>Jurisdiction</b>	<b>Year Admitted</b>	<b>Bar No.</b>
Pennsylvania	11/16/1988	53248
U.S. Supreme Court	06/26/1998	
U.S. Tax Court	09/19/1994	
U.S. District Court for the Eastern District of Pennsylvania	11/16/1988	
U.S. District Court for the Middle District of Pennsylvania	11/23/1988	
U.S. District Court for the Western District of Pennsylvania	08/17/2020	
U.S. District Court for the Northern District of Illinois	05/29/2014	
U.S. Court of Appeals for the Third Circuit	10/16/1995	

U.S. Court of Appeals for the  
Seventh Circuit

05/10/2017

State of New York

12/02/2015

4. I am a member in good standing of the Bar of the Commonwealth of Pennsylvania.
5. I hereby certify and affirm that after reasonable investigation and based on personal knowledge, I believe that Daniel T. Donovan is a reputable and competent attorney and I am in a position to recommend this candidate *pro hac vice* admission for practice in the Commonwealth of Pennsylvania.
6. I also sponsored Mr. Donovan for admission *pro hac vice* in the matter *Commonwealth of Pennsylvania v. Chesapeake Energy Corporation, et al.*, No. 82 MAP 2019, Supreme Court of PA.
7. If applicable, at the conclusion of this matter, I affirm that the proceeds from any settlement related to this cause of action in which Daniel T. Donovan is granted admission *pro hac vice*, shall be received, held, distributed and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including IOLTA provisions thereof, if applicable.

I declare under penalty of perjury that the foregoing is true and correct. I understand that false statements herein are subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Daniel T. Brier

Dated: August 27, 2020

# Exhibit C



SUPREME COURT OF PENNSYLVANIA  
PENNSYLVANIA INTEREST ON  
LAWYERS TRUST ACCOUNT BOARD

August 24, 2020

DANIEL T. DONOVAN, Esq.  
KIRKLAND & ELLIS LLP  
1301 PENNSYLVANIA AVENUE, N.W.  
DISTRICT OF COLUMBIA, DC 20004

SENT TO KRISTEN K FARNSWORTH VIA Email: KRISTEN.FARNSWORTH@KIRKLAND.COM

Dear Attorney DONOVAN:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$375.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as Pennsylvania Democratic Party v. Boockvar, no. 407 MD 2020, filed in the Commonwealth Court of Pennsylvania.

You should refer to Pa Rule of Civil Procedure 1012.1, local court rules, and other regulations of 204 Pa Code §81.501 et. seq. concerning additional requirements related to seeking *pro hac vice* admission.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie S. Libhart".

Stephanie S. Libhart  
Executive Director

cc: DANIEL THOMAS BRIER, Esq.

dbrier@mbklaw.com

Pennsylvania Judicial Center  
601 Commonwealth Ave., Ste. 2400  
PO Box 62445, Harrisburg, PA 17106-2445  
717/238-2001 · 888/PA-IOLTA (724-6582) · 717/238-2003 FAX  
paiolta@pacourts.us · www.paiolta.org

Administering Pennsylvania's Interest On Lawyers Trust Account (IOLTA) Program

**PROOF OF SERVICE**

I, Daniel T. Brier, hereby certify that I am this day serving the foregoing Motion for Admission Pro Hac Vice upon all counsel of record via PACFile eService, which service satisfies the requirements of Pa. R.A.P. 121.

Date: August 27, 2020

/s/ Daniel T. Brier  
Daniel T. Brier

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ORDER

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2020, IT IS HEREBY  
ORDERED THAT the Motion for Admission *Pro Hac Vice* of Daniel T. Donovan  
is hereby GRANTED.

BY THE COURT:

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