

In the Court of Common Pleas of
Northampton County, Pennsylvania

CIVIL DIVISION – LAW

C-48-CV-2024-10789

In re: General Election 2024

)
)
)

ORDER

And now, this _____ day of November, 2024, upon petition and after hearing, it is hereby ORDERED AND DECREED as follows:

The County Election Office shall immediately provide a complete updated list of Judges of Election, Majority Inspectors, and Minority Inspectors for the 2024 General Election to the Northampton County Republican Committee.

BY THE COURT:

_____, J.

COPY

In the Court of Common Pleas of
Northampton County, Pennsylvania

CIVIL DIVISION – LAW C-48-CV-2024- 10789

In re: General Election 2024)
)
)

FILED
2024 NOV -5 A 11:25
COURT OF COMMON PLEAS
CIVIL DIVISION
NORTHAMPTON COUNTY, PA

PETITION FOR RELIEF

And now comes the Petitioner, the Northampton County Republican Committee, by and through its Solicitor and counsel, Kevin Frank Danyi, Esq., and says and avers the following:

1. This Petition is brought pursuant to 25 P.S. § 3046.
2. The Petitioner is the Northampton County Republican Committee (the "NCRC"), a political party and county committee with multiple Republican candidates on the ballot in this General Election.
 - a. The NCRC is a political party as defined in 25 P.S. § 2831.
 - b. The NCRC is a county committee as defined in 25 P.S. § 2837.
 - c. The NCRC has standing to bring this Petition under the Pennsylvania Election Code, 25 P.S. § 2601, *et seq.*
3. The Respondent is the County of Northampton (the "County").
4. The County, in the ordinary course of government business and operation and management of elections, compiles and maintains a list of polling places in Northampton County. 25 P.S. § 2726.
5. The County also routinely compiles and maintains information and a list (the "List") of each "District Election Board", consisting of the Judges of Election, Majority Inspectors, and Minority Inspectors for each polling place in Northampton County. 25 P.S. § 2671.
 - a. It is believed, and is therefore averred, that the List is a public record.

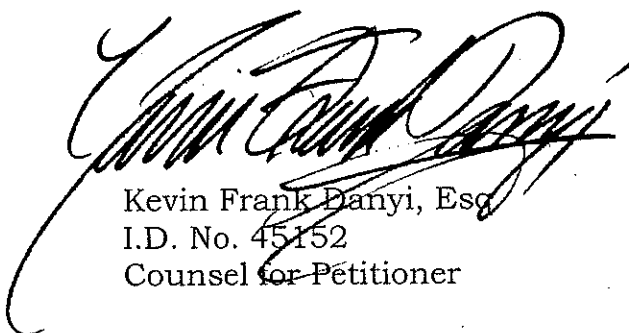
- b. The County has provided this List to the NCRC in the past, upon request by the NCRC, as recently as the 2023 General Election.
 - c. The List is used by the NCRC and political candidates for lawful Election Day purposes, poll watcher stationing, etc.
6. On October 1, 2024, Andrew Azan III, the Vice Chairman of the NCRC, sent email correspondence to Chris Comini and Amy Hess at the County Elections Office, requesting the List for the 2024 General Election. The County did not provide the List or even reply to the NCRC.
 7. On October 17, 2024, Mr. Azan again sent email correspondence to Mr. Comini and Ms. Hess. The County did not provide the List or even reply.
 8. On October 24, 2024, Mr. Azan again sent email correspondence to Mr. Comini and Ms. Hess. The County did not provide the List or even reply.
 9. On October 28, 2024, Mr. Azan again sent email correspondence to Mr. Comini and Ms. Hess. The County did not provide the List or even reply.
 10. Also on October 28, 2024, Kevin Frank Danyi, Esq. ("Attorney Danyi"), the NCRC Solicitor and General Counsel, sent email correspondence to Melissa P. Rudas, Esq. (County Solicitor) and Michael A. Vargo, Esq. (Assistant County Solicitor) requesting a response to Mr. Azan's multiple emails.
 11. Neither Attorney Rudas nor Attorney Vargo responded to Attorney Danyi.
 12. A printout of the email correspondence chain is attached hereto, made a part hereof, and called Exhibit "A".
 13. On October 30, 2024, Mr. Azan, on behalf of the NCRC, personally went to the County Election Office and requested the List from Mr. Comini. Mr. Comini refused to provide the public records to the NCRC, and referred Mr. Azan to Attorney Vargo.
 14. On November 1, 2024, Attorney Danyi telephoned Attorney Vargo and left a detailed voice message, requesting the public information and requesting that Attorney Vargo contact Attorney Danyi on Attorney Danyi's personal cell phone. Attorney Danyi also sent email

correspondence to Attorney Vargo and Attorney Rudas confirming his voice message.

15. Attorney Vargo failed to respond to Attorney Danyi.
16. The NCRC believes, and therefore avers, that the List of Judges of Election, Majority Inspectors, and Minority Inspectors is information freely available to the public and, as the County has not even deigned to reply to the NCRC's repeated requests, that the County is deliberately withholding this information from the NCRC.
17. The County Executive, Lamont G. McClure, is a Democrat, as are the appointed senior government officials in the County.
18. The NCRC believes, and therefore avers, that the County is acting in a manner that is obdurate, dilatory, vexatious, partisan, and with the intent of putting the NCRC and Republican candidates at a disadvantage on Election Day.

Wherefore, the Petitioner prays that this Honorable Court enter an Order directing the County to immediately provide to the NCRC the list of Judges of Election, Majority Inspectors, and Minority Inspectors for every polling place in Northampton County and granting such other relief as the Court deems appropriate under the circumstances.

Respectfully submitted,



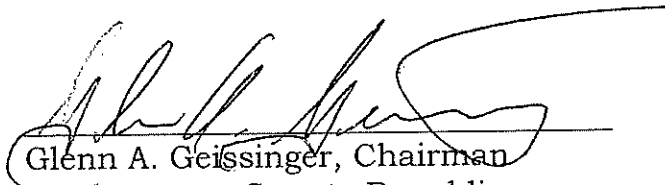
Kevin Frank Danyi, Esq.
I.D. No. 45152
Counsel for Petitioner

DANYI LAW, P.C.
133 East Broad Street
Bethlehem, Pennsylvania 18018
(610) 691-2800
Kevin@DanyiLaw.com

VERIFICATION

I, Glenn A. Geissinger, Chairman of the Northampton County Republican Committee, hereby verify that the averments set forth in this Petition are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: November 4, 2024


Glenn A. Geissinger, Chairman
Northampton County Republican
Committee

Subject: FW: 3rd Request: Judge of Elections
Date: Monday, October 28, 2024 at 11:59:21 AM Eastern Daylight Time
From: Kevin F. Danyi <kevin@danyilaw.com>
To: MVargo@northamptoncounty.org <MVargo@northamptoncounty.org>, Mrudas@northamptoncounty.org <Mrudas@northamptoncounty.org>
Attachments: image001.jpg

Dear Attorney Rudas and Attorney Vargo:

Please be advised that I represent the Northampton County Republican Committee ("NCRC"). The NCRC has been trying, without success for the past four weeks, to obtain the list of Judges of Election and Majority Inspectors for the upcoming election (see the email chain, below). This has not been an issue in the past.

I request your assistance in this matter.

Very truly yours,
K. F. Danyi

Kevin Frank Danyi, Esq.
JD, LLM (Taxation)
Accredited Estate Planner®

DANYI LAW, P.C.
133 East Broad Street | Bethlehem, Pennsylvania 18018
(610) 691-2800
www.DanyiLaw.com

Exhibit
A

From: Andrew Azan 3rd <andrewazan3rd@rcn.com>
Date: Monday, October 28, 2024 at 9:09 AM
To: andrewazan3rd@rcn.com <andrewazan3rd@rcn.com>, ccommini@norcopa.gov <ccommini@norcopa.gov>
Cc: ahess@norcopa.gov <ahess@norcopa.gov>, 'Glenn Geissinger' <glenn@pivotadvertising.com>, Kevin F. Danyi <kevin@danyilaw.com>
Subject: RE: 3rd Request: Judge of Elections

Chris

Friendly reminder please provide us with Judge of Elections and Majority Inspector list. Thank you,

Andrew

From: Andrew Azan 3rd <andrewazan3rd@rcn.com>
Sent: Thursday, October 24, 2024 10:48 AM

To: ccomini@norcopa.gov

Cc: ahess@norcopa.gov; 'Glenn Geissinger' <glenn@pivotadvertising.com>; kevin@danyilaw.com; andrewazan3rd@rcn.com

Subject: 3rd Request: Judge of Elections

Chris

Understandably you are very busy but please provide us with Judge of Elections and Majority Inspector list for Northampton County polling locations. Thank you very much,

Andrew

From: Andrew Azan 3rd <andrewazan3rd@rcn.com>

Sent: Thursday, October 17, 2024 1:42 PM

To: andrewazan3rd@rcn.com; ccomini@norcopa.gov

Cc: ahess@norcopa.gov; 'Glenn Geissinger' <glenn@pivotadvertising.com>

Subject: Judge of Elections

Chris and Amy

As you provided us last election cycle requesting Judge of Elections and Majority Inspector list. Thank you very much,

Andrew

From: Andrew Azan 3rd <andrewazan3rd@rcn.com>

Sent: Tuesday, October 1, 2024 8:35 AM

To: ccomini@norcopa.gov

Cc: ahess@norcopa.gov; Glenn Geissinger <glenn@pivotadvertising.com>; andrewazan3rd@rcn.com

Subject: Judge of Elections

Chris and Amy

We would like a list of Judge of Elections and Majority Inspector covering Northampton County Precincts as you have provide us in the past. Please let us know if you are still in need of any election workers or canvassers for opening mail ins or post elections.



Thank you very much.

Andrew Azan 3rd

Mobile: (484) 259-7740

Email: andrewazan3rd@rcn.com

PO Box 3278
Bethlehem, PA 18017

Confidentiality Notice: This message is solely for the use of the intended recipient(s) to which it is addressed. It may contain information that is private, confidential, and exempt from disclosure under law. If the reader of this message is not the intended recipient, you are notified that any unauthorized review, dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, please notify me immediately by reply e-mail and shred or destroy all copies of the original message. I will appreciate it!

Electronic Mail Notice: The recipient(s) of this message release(s) the sender of this electronic transmission of any liability for any errors or omissions in the contents of this message that might arise because of this e-mail transmission. Electronic transmissions are not secure or error-free. Transmissions can be intercepted, lost, corrupted, and incomplete, arrive late, or contain viruses. Should you require verification, request a hard copy of this message.

In the Court of Common Pleas of
Northampton County, Pennsylvania

CIVIL DIVISION – LAW

C-48-CV-2024-10789

In re: General Election 2024

)
)
)

NOTICE OF PRESENTATION OF PETITION

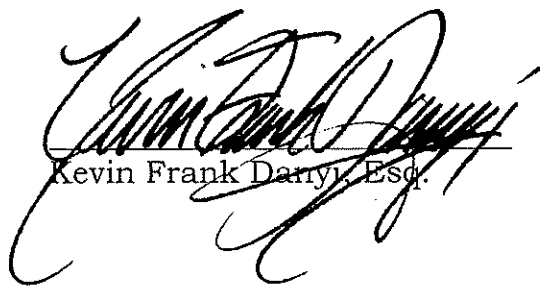
TO: Melissa P. Rudas, Esq., County Solicitor
Michael A. Vargo, Esq., Assistant County Solicitor

FROM: Kevin Frank Danyi, Esq., Counsel for Petitioner

DATE: November 4, 2024

Please be advised that the enclosed Petition will be presented to the Judge sitting on duty for the General Election at Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania, on:

Tuesday, November 5, 2024 at 11:00 AM.



Kevin Frank Danyi, Esq.

Supreme Court of Pennsylvania

Court of Common Pleas
Civil Cover Sheet



County

For Prothonotary Use Only:

Docket No:
C-48-CV-2024-10789

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- Complaint Writ of Summons Petition
 Transfer from Another Jurisdiction Declaration of Taking

COURT OF COMMON PLEAS
 NORTHAMPTON COUNTY
 DIVISION OF COURT ADMINISTRATION
 APR 11 2024 11:20 AM
 FILED

Lead Plaintiff's Name: *Northampton County Republican Committee*

Lead Defendant's Name: *County of Northampton*

Are money damages requested? Yes No

Dollar Amount Requested: within arbitration limits
 outside arbitration limits (check one)

Is this a Class Action Suit? Yes No

Is this an MDJ Appeal? Yes No

Name of Plaintiff/Appellant's Attorney: *Kevin Frank Danyi, Esq.*

Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

- TORT (do not include Mass Tort)**
- Intentional
 - Malicious Prosecution
 - Motor Vehicle
 - Nuisance
 - Premises Liability
 - Product Liability (does not include mass tort)
 - Slander/Libel/ Defamation
 - Other: _____

- CONTRACT (do not include Judgments)**
- Buyer Plaintiff
 - Debt Collection: Credit Card
 - Debt Collection: Other _____
 - Employment Dispute: Discrimination
 - Employment Dispute: Other _____
 - Other: _____

- CIVIL APPEALS**
- Administrative Agencies
 - Board of Assessment
 - Board of Elections
 - Dept. of Transportation
 - Statutory Appeal: Other _____
 - Zoning Board
 - Other: _____

- MASS TORT**
- Asbestos
 - Tobacco
 - Toxic Tort - DES
 - Toxic Tort - Implant
 - Toxic Waste
 - Other: _____

- REAL PROPERTY**
- Ejectment
 - Eminent Domain/Condemnation
 - Ground Rent
 - Landlord/Tenant Dispute
 - Mortgage Foreclosure: Residential
 - Mortgage Foreclosure: Commercial
 - Partition
 - Quiet Title
 - Other: _____

- MISCELLANEOUS**
- Common Law/Statutory Arbitration
 - Declaratory Judgment
 - Mandamus
 - Non-Domestic Relations Restraining Order
 - Quo Warranto
 - Replevin
 - Other: *Election*

- PROFESSIONAL LIABILITY**
- Dental
 - Legal
 - Medical
 - Other Professional: _____