
PETITION FOR INTERVENTION

Philadelphia Democratic City Committee petitions this Court for leave to intervene, pursuant to Pa. R.C.P. 2327-2330, as an additional Respondent on behalf of its members and voters who would be disenfranchised by Petitioner Woodruff's requested relief, and its nominated candidates who would lose those voters. In support thereof, the Philadelphia Democratic City Committee states as follows:

1. Petitioner Philadelphia Democratic City Committee is the local affiliate of the Democratic Party with its offices at 218 Spring Garden Street, Philadelphia, PA 19123.

2. Philadelphia Democratic City Committee is recognized as the official affiliate of the Pennsylvania Democratic Party in Philadelphia. Over 850,000 registered voters who reside in Philadelphia are members of the Democratic Party. Philadelphia Democratic City Committee brings this action for itself, the Democratic Party, all of its members, all registered Democratic voters, and all nominated Democratic candidates in the City and County of Philadelphia.

3. On October 30, 2020, Hugh J. Woodruff ("Petitioner Woodruff"), a minority poll inspector in Philadelphia, filed an Amended Complaint in the Nature of an Action for Mandamus and simultaneously filed an Amended Emergency Petition for a Writ of Mandamus ("Petition").

4. The Petition seeks a writ of mandamus ordering the Philadelphia Board of Elections and its Commissioners (collectively, "Respondents") to (1) disqualify mail-in and absentee ballots processed after 5:00 p.m. on Tuesday, October 27, 2020, (2) notify all electors who submitted an absentee ballot application after this time of their opportunity to vote in person on November 3,

2020 and, (3) issue provisional ballots for these voters instead of regular ballots at their usual polling location.

5. Petitioner Woodruff filed the Amended Complaint and Petition because “reports” indicated that Respondents accepted mail-in and absentee ballot applications from voters who were in line before 5:00 p.m. on October 27, 2020, but did not turn in the completed form until after 5:00 p.m., allegedly in violation of the Election Code.

6. Should Petitioner’s suggested writ of mandamus be granted, an unknown number of voters would be disenfranchised in the November 3, 2020 election because their mail-in ballots would be voided without sufficient time to notify said voters that their ballot was discarded.

7. On October 30, 2020, Respondents filed a response in opposition requesting that the Court deny Petitioner’s application in full.

8. Applicant Philadelphia Democratic City Committee (“Applicant”), shares the interests of Respondents in this action. Respondents have opposed Petitioner Woodruff’s request to void the legitimate votes of the citizens of Philadelphia. Both the Board of Elections and the Philadelphia Democratic City Committee have a vested interest in conducting a free and fair election that maximizes the franchise of Philadelphians within the bounds of the Election Code.

9. Applicant desires to intervene in this action as an additional Respondent and to participate fully in the proceedings, including any hearing on Petitioner Woodruff’s request for a writ of mandamus in order to protect the franchise of its voters.

10. With the addition of the paragraphs set forth above in this Petition, Applicant adopts by reference Respondents’ Response in Opposition.

11. The relief sought by Applicant is the same relief sought by Respondents in its Response in Opposition.

12. Applicant could have been joined in this action as an original respondent and the determination issued in this action may affect legally enforceable interests of Applicant and its members, voters and candidates.

13. The claims and requests for relief of Applicant are consistent with and recognize the propriety of the Response in Opposition filed by Respondents.

14. While the interests of Applicant are similar to the interests of Respondents, Applicant has its own particular interests, members, and legal counsel and desire to be independently represented.

15. Applicant has not unduly delayed in making this Petition for Intervention, and the Petition, if granted, will not unduly delay or prejudice the rights of any other parties.

16. The undersigned counsel for Applicant can represent to the Court that Respondent Philadelphia Board of Elections has no objection to this Petition for Intervention.

17. Attached to this Petition as Exhibit "A" is Applicant's Response in Opposition to Petitioner Woodruff's request for a writ of mandamus.

WHEREFORE, Applicant respectfully request that this Court grant this Petition for Intervention and permit Philadelphia Democratic City Committee to participate fully as an additional Respondent in this action.

Respectfully submitted,

/s/ Adam C. Bonin

ADAM C. BONIN

Attorney I.D. No. 80929

THE LAW OFFICES OF ADAM C. BONIN

121 S. Broad Street, Suite 400

Philadelphia, PA 19107

Cell: 267-242-5014

Facsimile: (215) 827-5300

adam@boninlaw.com

DEBORAH R. WILLIG, ESQUIRE
Attorney I.D. No. 21507
RALPH J. TETI, ESQUIRE
Attorney I.D. No. 21499
JOHN R. BIELSKI, ESQUIRE
Attorney I.D. No. 86790
WILLIAM J. CAMPBELL, IV, ESQUIRE
Attorney I.D. No. 326866
WILLIG, WILLIAMS & DAVIDSON
1845 Walnut Street, 24th Floor
Philadelphia, PA 19103
Office: (215) 656-3600
Facsimile: (215) 561-5135
dwillig@wwdlaw.com
rteti@wwdlaw.com
jbielski@wwdlaw.com
wcampbell@wwdlaw.com

Attorneys for Intervenor

Dated: November 1, 2020