

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

SASHA BALLEEN, et al.,

Petitioners : Docket No. 481 MD 2013

v.

THOMAS CORBETT, JR., GOVERNOR  
OF THE COMMONWEALTH OF  
PENNSYLVANIA, KATHLEEN KANE,  
ATTORNEY GENERAL OF THE  
COMMONWEALTH OF  
PENNSYLVANIA, and MICHAEL  
WOLF, SECRETARY OF HEALTH OF  
THE COMMONWEALTH OF  
PENNSYLVANIA,

Respondents :

ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ upon consideration of the Joint Petition for Leave to Discontinue Action against Respondent Attorney General Kathleen Kane, and Governor Thomas Corbett and Michael Wolf's response thereto, the joint petition is hereby **GRANTED**. All claims against Respondent Attorney General Kathleen Kane within the Amended Petition for Review are hereby **DISCONTINUED**.

\_\_\_\_\_  
J.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

SASHA BALLEEN, et al.,

Petitioners

Docket No. 481 MD 2013

v.

THOMAS CORBETT, JR., GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, KATHLEEN KANE, ATTORNEY GENERAL OF THE COMMONWEALTH OF PENNSYLVANIA, and MICHAEL WOLF, SECRETARY OF HEALTH OF THE COMMONWEALTH OF PENNSYLVANIA,

Respondents

RULE TO SHOW CAUSE

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, upon consideration of the

Joint Petition for Leave to Discontinue, it is hereby ordered that:

- (1) a rule is issued upon Respondents Governor Thomas Corbett and Michael Wolf, Secretary of Health to show cause why the Petitioners and Respondent Kane are not entitled to the relief requested;
- (2) Respondents Governor Corbett and Michael Wolf shall file an answer to the petition within \_\_\_\_ days of this date;
- (3) the petition shall be decided under Pa.R.Civ.P. 206.7;
- (4) notice of the entry of this order shall be provided to all parties by the Petitioners.

BY THE COURT:

\_\_\_\_\_ J.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

SASHA BALLEEN, et al.,

Petitioner,

Docket No. 481 MD 2013

v.

THOMAS CORBETT, JR., GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA, KATHLEEN KANE, ATTORNEY GENERAL OF THE COMMONWEALTH OF PENNSYLVANIA, and MICHAEL WOLF, SECRETARY OF HEALTH OF THE COMMONWEALTH OF PENNSYLVANIA,

Respondents.

RECEIVED & FILED COMMONWEALTH COURT OF PENNSYLVANIA 2013 DEC 13 P 2:50

**JOINT PETITION FOR LEAVE TO DISCONTINUE ACTION AGAINST RESPONDENT ATTORNEY GENERAL KATHLEEN KANE**

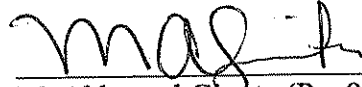
AND NOW come Plaintiffs and Respondent Attorney General Kathleen Kane, jointly, by and through their counsel, and file this Petition for Leave to Discontinue the above-captioned action against Respondent Attorney General Kathleen Kane pursuant to Pa.R.Civ.P. 229(b)(1)<sup>1</sup> as she is an unnecessary party to the action. The moving parties have provided notice of the within application to respondents Governor Thomas Corbett and Secretary Michael Wolf and they have declined to consent to the voluntary termination of the action against respondent Kane.

The discontinuance of Respondent Kane will not cause unreasonable inconvenience, vexation, harassment, expense, or prejudice to Respondent Kane, nor the remaining respondents.

<sup>1</sup> Plaintiffs and Respondent Kane jointly make this application for leave pursuant to Pa.R.Civ.P. 229(b)(1), believing this to be the relevant rule; however, should the Court deem that Pa.R.App.P. 1973(a) applies to cases in this Court's original jurisdiction, then the Court may look to that rule in determining the current application as the same requirements apply and have been met by the moving parties.

WHEREFORE, the Plaintiffs and Respondent Kane jointly petition to this Honorable Court for leave to discontinue all claims against the Attorney General within the Amended Petition for Review.

**Respectfully submitted,**



M. Abbegael Giunta (Pa. 94059)  
Office of Attorney General  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120

*Counsel for Defendant Kane*

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Robert C. Heim (Pa. 15758)  
Alexander R. Bilus (Pa. 203680)  
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Joanna L. Barry (Pa. 311438)  
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David S. Cohen (Pa. 88811)  
3320 Market Street  
Philadelphia, PA 19104

*Counsel for Plaintiffs*

Dated: December 13, 2013

WHEREFORE, the Plaintiffs and Respondent Kane jointly petition to this Honorable Court for leave to discontinue all claims against the Attorney General within the Amended Petition for Review.

**Respectfully submitted,**



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15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120

*Counsel for Defendant Kane*

Dated: December 13, 2013

**CERTIFICATE OF SERVICE**

I, M. Abbegael Giunta, Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on **December 13<sup>th</sup>, 2013**, I caused to be served a true and correct copy of the foregoing document titled **JOINT PETITION FOR LEAVE TO DISCONTINUE ACTION AGAINST RESPONDENT ATTORNEY GENERAL KATHLEEN KANE** by depositing same in the United States Mail, first-class postage prepaid to the following:

**Robert C. Heim, Esquire  
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*Counsel for Respondents Corbett and Wolfe***

  
**M. ABBEGAEL GIUNTA**