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Law Offices Of
Edward C. Greco
660 Chestnut Street
Kulpmont, PA 17834

FAX: (570)373-3770

Thursday, November 10, 2011

VIA FAX & REGULAR MAIL

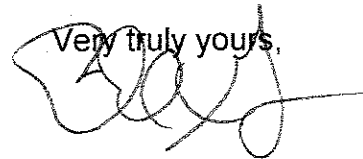
Howard L. Kelin, Esquire
24 North Lime Street
Lancaster, PA 17602

**Re: Shamokin Area School District et al. vs.
Northumberland County Tax Collection Committee
Our File No. 6127-1**

Dear Attorney Kelin:

Enclosed please find a copy of the filed petition for appoint of tax officer, scheduling a hearing for December 8, 2011 at 1:30 p.m. in Courtroom No. 2 of the Northumberland County Courthouse, Sunbury, Pennsylvania.

Feel free to contact me with any questions.

Very truly yours,


Edward C. Greco

ECG:jms

Enclosure

cc: Northumberland County Tax Collection Committee

IN THE COURT OF COMMON PLEAS NORTHUMBERLAND COUNTY, PA
CIVIL ACTION LAW

SHAMOKIN AREA SCHOOL DISTRICT,
MILTON AREA SCHOOL DISTRICT,
CITY OF SHAMOKIN,
BOROUGH OF MILTON,
LINE MOUNTAIN SCHOOL DISTRICT,
MARION HEIGHTS BOROUGH,
MOUNT CARMEL BOROUGH and
COAL TOWNSHIP,
Plaintiffs

v.

NORTHUMBERLAND COUNTY TAX
COLLECTION COMMITTEE,
Defendant

NO. CV-2011-383

FILED
2011 NOV 10 AM 10:41
NORTHUMBERLAND CO.
PROTHONOTARY

ORDER

AND NOW, this 10th day of November, 2011, it is hereby

ORDERED and DECREED that a hearing on the Petition for Appointment of Tax Officer in the above-captioned matter be held on the 8th day of December, 2011, at 1:30 o'clock P.M. in Courtroom No. 2 at the Northumberland County Courthouse, Sunbury, Pennsylvania. Such hearing shall include testimony by nominees, Berkheimer Associates and Capital Tax Collection Bureau on their credentials, and ability to provide the greatest economic benefit to the members of the Tax Collection Committee and the opportunity for counsel to ask questions of the nominees, offer testimony by taxing authorities that have been served by the nominees, and present argument to the Court.

BY THE COURT:

1st Wm Harvey Wiest
J.

cc: Howard Kelin, Esquire, Attorney for Plaintiffs
Edward C. Greco, Esquire, Attorney for Defendant
Court

Extracted from the records
and certified this 10 day
of Nov A.D. 2011
My Kathleen Strauss
Prothonotary

My Commission Expires First
Monday of January, 2014

IN THE COURT OF COMMON PLEAS NORTHUMBERLAND COUNTY, PA
CIVIL ACTION LAW

SHAMOKIN AREA SCHOOL DISTRICT,
MILTON AREA SCHOOL DISTRICT,
CITY OF SHAMOKIN,
BOROUGH OF MILTON,
LINE MOUNTAIN SCHOOL DISTRICT,
MARION HEIGHTS BOROUGH,
MOUNT CARMEL BOROUGH and
COAL TOWNSHIP,
Plaintiffs

v.

NORTHUMBERLAND COUNTY TAX
COLLECTION COMMITTEE,
Defendant

NO. CV-2011-383

FILED
2011 NOV 10 AM 10:41
APPOINTMENT
PROHIBITORY

DEFENDANT'S PETITION FOR APPOINTMENT OF TAX OFFICER PURSUANT TO
53 P.S. 6924.507

AND NOW, this 9th day of November, 2011, Defendant, by and through
it's solicitor, Edward C. Greco, Esquire, files this petition for Appointment of Tax Officer
and avers as follows:

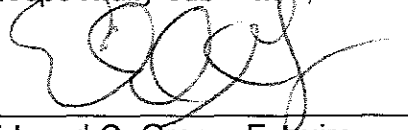
1. Defendant is a tax collection committee which was established pursuant to Act 32 of 2008, 53 P.S. 6924.501.
2. Plaintiffs filed a Declaratory Judgment action, asking this Court, among other things, to determine whether the bylaws of the Tax Collection Committee required weighted versus non-weighted voting.
3. On the 15th day of September, 2011, an evidentiary hearing was held on this matter.

4. On the 17th day of October, 2011, the Honorable Judge Wiest ruled that the bylaws required weighted voting and the per delegate vote taken for the tax officer on September 1, 2010 was invalid.
5. On the 2nd day of November, 2011, a duly convened meeting was scheduled for the Tax Collection Committee but was not held due to lack of quorum, thus no tax officer was appointed.
6. Time is of the essence pursuant to Act 32, for the appointment of a tax officer before January 1, 2012.
7. Under Section 53, P.S. 6924.507 (b) the court, upon petition, shall appoint a tax officer from among nominees presented to it.
8. At the meeting of September, 2010, Berkheimer Associates was chosen via weighted "straw vote" but not done so in a public meeting.
9. Capital Tax Collection Bureau, Harrisburg, was approved by a majority per delegate vote at that same meeting, but said vote was declared invalid by this Court.
10. Both Berkheimer Associates and Capital Tax Collection Bureau have prior experience collecting earned income tax and have been appointed tax officer by tax collection committees in other counties.
11. It would be beneficial for the Court to schedule a hearing regarding said appointment of a tax officer.
12. The Tax Collection Committee seeks to have the tax officer appointed that will provide the greatest economic benefit to all of its members.

13. Plaintiffs' counsel has reviewed and approved the contents of this petition and the proposed order.

WHEREFORE, Defendant asks this Honorable Court to schedule an immediate hearing on this matter, such hearing to include testimony by nominees, Berkheimer Associates and Capital Tax Collection Bureau on their credentials, and ability to provide the greatest economic benefit to the members of the Tax Collection Committee and the opportunity for counsel to ask questions of the nominees, offer testimony by taxing authorities that have been served by the nominees, and present argument to the Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. Greco', written over a horizontal line.

Edward C. Greco, Esquire
ID No. 53011
660 Chestnut Street
Kulpmont, PA 17834
570-373-3655

VERIFICATION

I verify that the statements made in this Petition are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

DATED: _____

11/10/11


PAULA J. GRECO

IN THE COURT OF COMMON PLEAS NORTHUMBERLAND COUNTY, PA
CIVIL ACTION LAW

SHAMOKIN AREA SCHOOL DISTRICT,
MILTON AREA SCHOOL DISTRICT,
CITY OF SHAMOKIN,
BOROUGH OF MILTON,
LINE MOUNTAIN SCHOOL DISTRICT,
MARION HEIGHTS BOROUGH,
MOUNT CARMEL BOROUGH and
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Plaintiffs

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NORTHUMBERLAND COUNTY
PROthonotary

CERTIFICATE OF SERVICE

I, Edward C. Greco, Esquire, attorney for the Northumberland County Tax Collection Committee, who being duly sworn to law, depose and aver that a true and attested copy of Defendant's Petition for Appointment of Tax Officer was served upon the following the United States Postal Service First Class Mail:

Howard L. Kelin, Esquire
Kegel Kelin Almy & Grimm LLP
24 North Lime Street
Lancaster, PA 17602

Date: _____

11/9/11



Edward C. Greco, Esquire