

COURT OF COMMON PLEAS, LYCOMING COUNTY, PA
MOTION COVER SHEET

Board of Commissioners of
County of Lycoming,
Plaintiff

v.

Krista B. Rodgers,
Defendant

Docket No. 21 - 0365

Case assigned to Judge _____
☐ none
☐ Family Court Hearing Officer

1. Name of filing party: Plaintiff, Board of County Commissioners of the County of Lycoming
2. Filing party's attorney: J. David Smith and J. Michael Wiley
3. Type of filing: Petition of Special Injunction (TRO) and Preliminary Injunction, Pa.R.C.P. 1531

<p>The following is/are requested:</p> <ul style="list-style-type: none"><input type="checkbox"/> Argument<input type="checkbox"/> Evidentiary Hearing<input type="checkbox"/> Court conference<input type="checkbox"/> Rule to show cause<input type="checkbox"/> Entry of uncontested order (attach supporting documentation)<input checked="" type="checkbox"/> Expedited consideration. State the basis: <u>Need for a Temporary Restraining Order</u> <p><input type="checkbox"/> Video conferencing requested. Request form has been submitted. See Lyc. Co. R.G.C.B. L8.</p> <p><input type="checkbox"/> Attach this cover sheet to original motion previously filed on:</p> <p>5. Time required: <u>30 minutes</u></p>	<p>6. Name and addresses of all counsel of record and unrepresented parties:</p> <p><u>Attorneys for Plaintiff</u> J. David Smith, Esquire J. Michael Wiley, Esquire McCormick Law Firm 835 West Fourth Street Williamsport, PA 17701</p> <p><u>Defendant</u> Krista B. Rodgers Lycoming County Controllers' Office 330 Pine Street, Suite 204 Williamsport, PA 17701</p> <p>-and-</p> <p>Krista B. Rodgers 234 Gordon Street Duboisstown, PA 17702</p>
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ORDER

1. An ___ argument ___ factual hearing ___ court conference is scheduled for _____ at ___ M. in courtroom no. ___, Lycoming County Courthouse, Williamsport, PA.
2. Briefs are to be filed by the following dates:
Filing party _____
Responding party(ies) _____
3. A rule is issued upon respondent to show cause why the petitioner is not entitled to the relief requested.
4. A response to the motion/petition shall be filed within _____ days.

5. ____ See order attached. ____ See separate order issued this date.

6. ____ Other: _____

Date: _____

Judge

cc: All Parties

BOARD OF COMMISSIONERS OF
LYCOMING COUNTY,
Plaintiff

v.

KRISTA B. RODGERS,
Defendant

: IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA
:

: CIVIL ACTION-LAW
:

: NO.: 21-0365
:

: JUDGE: _____
:

ORDER

AND NOW this _____ day of April, 2021, upon consideration of the Petition for Special Injunction (TRO") and Preliminary Injunction Pursuant to Pa.R.C.P. 1531 ("Petition") filed on behalf of the County of Lycoming, based upon its review of the Petition, the Court is satisfied that immediate and irreparable injury will be sustained by the employees, vendors, suppliers, and outside agencies arising from the Controller's threat to and/or refusal to allow her signature to appear on duly authorized and processed payroll checks and account payable checks of the County of Lycoming before a hearing can be held on the Petition particularly since the next payroll and accounts payable check run is Thursday, April 22, 2021. By extension, the residents and taxpayers of Lycoming County who rely upon a properly functioning County government are likewise immediately and irreparably injured by the Controller's actions in that employees, vendors, suppliers and outside agencies will not be properly paid and may opt to discontinue employment or not otherwise perform required and necessary services on behalf of Lycoming County.

Accordingly, the Court hereby grants the County of Lycoming's request for a special injunction (TRO) to enjoin the Controller from refusing to permit her signature to appear on any duly authorized and processed payroll checks and accounts payable checks issued in the usual

course of business from the date of this Order until such time as a hearing on the Petition can be scheduled.

The Controller is further enjoined from interfering with the processing of payroll, accounts payable, and the general ledger functions of the County or the transition of the reassigned employees at issue.

Finally, the Controller is directed to properly preserve all documents necessary to the performance of the payroll, accounts payable, and general ledger functions and to transfer same to the County Office of Budget and Finance to enable payroll, accounts payable, and general ledger functions to be properly performed.

The Court notes that the County of Lycoming had a copy of the Petition (along with the Complaint) provided to the Controller upon its filing in addition to any original service requirements.

The Court further notes that pursuant to Pa.R.C.P. 1531(b), no bonding is required in this matter as the County of Lycoming, as a Fifth Class County, is exempt from any bonding requirement for the injunction issued hereunder.

A hearing on the Petition is hereby scheduled for the ____ day of April, 2021, at ____:____.m., in Courtroom No. ____, in the Lycoming County Courthouse. Counsel for the County of Lycoming is hereby directed to serve a copy of this Order upon the Controller and her counsel. This Order shall remain in full force and effect until said hearing.

BY THE COURT:

J.

cc: Court Administrator
J. David Smith, Esquire
J. Michael Wiley, Esquire
Krista B. Rodgers

BOARD OF COMMISSIONERS OF
LYCOMING COUNTY,
Plaintiff

v.

KRISTA B. RODGERS,
Defendant

: IN THE COURT OF COMMON PLEAS OF
: LYCOMING COUNTY, PENNSYLVANIA

: CIVIL ACTION-LAW

: NO.: 21 - 0365

: JUDGE: _____

PROPOSED
TRO/INJUNCTION

2021 APR 20 10:23:30

LYCOMING COUNTY

**PETITION FOR SPECIAL INJUNCTION (TRO) AND
PRELIMINARY INJUNCTION PURSUANT TO Pa.R.C.P. 1531**

AND NOW comes the Board of Commissioners of the County of Lycoming, by
and through McCormick Law Firm, its solicitors, and sets forth as follows:

1. This action was commenced with the filing of a complaint in mandamus and mandatory injunction by the Board of Commissioners of the County of Lycoming ("County") against Krista B. Rodgers, the Lycoming County Controller ("Controller").
2. The instant petition is filed pursuant to Pa.R.C.P. 1531(a), the County is seeking a special injunction without a hearing because immediate and irreparable injury will be sustained before a hearing can be held. See Pa.R.C.P. 1531.
3. The immediate and irreparable injury is resultant from the Controller's refusal to allow her signature to be attached to approved payroll and accounts payable checks. The next County payroll and run of account payable checks is Wednesday, April 21, 2021.
4. This refusal and/or threat by the Controller directly impacts the payroll, accounts payable and general ledger functions of the County and will cause immediate and irreparable injury to the County's employees, vendors, suppliers, and outside agencies and, by extension, the residents and taxpayers of Lycoming County who rely upon a properly functioning County government.

5. Pa.R.C.P. 1531(a) permits the Court to issue such an order where immediate and irreparable injury will be sustained before notice can be given or a hearing held. See Pa.R.C.P. 1531(a).

6. Pursuant to Pa.R.C.P. 1531(d), where an injunction is granted without notice to a defendant, the injunction shall be deemed dissolved unless a hearing on the continuance of the injunction is held within five (5) days after the granting of the injunction or within such time as the parties may agree or as the court may upon cause shown shall direct. See Pa.R.C.P. 1531(d).

7. No bonding is required to grant the requested injunction as the County is a political subdivision of the Commonwealth of Pennsylvania as a Fifth Class County. See Pa.R.C.P. 1531(b).

8. At the time of the filing of the instant petition and corresponding complaint, the Controller has directed that her signature be removed from approved County payroll and accounts payable checks. While technically her signature is required on County issued checks, this function is ministerial within the context of approved payroll and accounts payable checks.

9. The Controller's reason for directing the removal of her signature from County issued checks arises from her misguided attempt to prevent the County from removing the payroll, accounts payable and general ledger functions from her office.

10. As detailed in the Complaint, this action by the County was precipitated by a failure of the Controller to properly perform these ministerial functions of County government.

11. Bottom line, by removing these functions from the Controller's Office, the County was simply returning these functions back to the County's Office of Budget and Finance (formerly known as the Fiscal Office), where they had been capably performed for years.

12. It is important to note that the action by the County to return the payroll, accounts payable and general ledger functions to the County's Office of Budget and Finance has not resulted in any change to the Controller's access to the County's financial system. The Controller has not been denied access to the County's financial system and still has full access to the system in order to perform her job. She remains able to perform her financial oversight functions and to review the County's payroll, accounts payable, and general ledger records through the County's financial system as needed to perform her job.

13. Furthermore, this action by the County does not leave the Controller's Office without employees. Rather, it simply returns positions that were previously assigned to the County Office of Budget and Finance (then known as the County Fiscal Office) back to that office given the Controller's continued and repeated failures to properly perform these essential payroll, accounts payable, and general ledger functions as detailed in the Complaint.

14. By way of relevant background, approximately two years ago, the Controller approached the County and requested that certain changes be instituted resulting from her reading and interpretation of an amendment to the County Code. Under her proposal, the Controller would assume responsibility for the County's general ledger, payroll, and accounts payable functions, which had been functions capably handled by the County's Fiscal Office for many years. Under the Controller's proposal, the County would remain responsible for the County's budget, cash management, and debt management functions.

15. The County agreed to the proposal the same day the request was made by the Controller, believing that the Controller could competently perform these functions she asked to assume.

16. A request was made for the Controller to draft a Memorandum of Understanding ("MOU") delineating the specific responsibilities of the Controller vis-à-vis those of the County. The Controller never finalized the MOU and has not followed through on all responsibilities she requested be moved to her office.

17. As detailed in the Complaint, there have since been continuing and repeated failures of the Controller's office to properly perform the transferred general ledger, payroll, and accounts payable functions.

18. Recently, the County provided the Controller with an MOU detailing and delineating the respective and specific duties of the offices of the Commissioners and Controller. The Controller has refused to sign the MOU.

19. When the Controller asked the County to make the change over two years ago, she asked for additional staff. The County agreed and reassigned four employees from the County's Fiscal Office, now called the Office of Budget and Finance, to the Controller's office.

20. The County's payroll is a complicated process involving multiple union contracts and other regulations and policies affecting compensation.

21. At the time the four employees were transferred, the County explained to the Controller that some employees did not have adequate training because they were new hires. The Controller declined the County's offer to have the then Director of the Fiscal Office train the new employees.

22. In addition, the County recommended that the Controller accept the employee who had performed the County's payroll functions for fifteen (15) years. The Controller refused to accept the transfer of that employee to the Controller's office, and those years of experience were lost.

23. Despite the efforts of the County, the Controller refused the County's assistance with the transition of the payroll, accounts payable and general ledger functions. This refusal on her part only exacerbated the inability of her office to properly perform these functions.

24. The Controller has created the current situation in at least two ways. First, the Controller is not an accountant and does not know how to train her staff, yet she rejected the County's offer to provide training by the (now retired) Director of the Fiscal Office. Second, the Controller's continuous failure to come into her office has left a void in leadership and supervision. Although the Controller alleges her absence is due to family health issues, her absence predates those issues and the onset of COVID-19. The important aspects of the County's financial functions have been operating with essentially an absentee Controller, with severe and adverse consequences.

25. As a result of the Controller's inability to do her job and her absence from the office, employees have not received necessary supervision and training. The Controller's office has experienced high turnover with some employees quitting and others being fired by the Controller.

26. As detailed in the Complaint, since the Controller has taken over the payroll function, the Controller's office has committed serious mistakes. By way of example, recently, one part-time employee received a \$49,000.00 pay check for a two week pay period. By way of further example, other employees have received incorrect checks and have waited six months for corrections. Bottom line, employees have been paid wages that they were not entitled to receive and the County has not recovered the money paid to them.

27. For these reasons, the County took action on April 13, 2021 to transfer the employees involved with payroll, accounts payable and general ledger functions back to the

Office of Budget and Finance so that can will receive proper training from the experienced accountant who runs that office and who is present every day.

28. The Controller is upset at this necessary and overdue decision and has threatened to hold County payroll and accounts payable hostage by refusing to perform the ministerial function of allowing her signature to be placed on approved County payroll and accounts payable checks.

29. As detailed in the attached affidavit of Matthew A. McDermott, the County Director of Administration and Chief Clerk, the Controller has stated that she will direct that her signature be removed from County issued checks and that she will not permit her signature to be used on County issued checks. See, Affidavit of Matthew A. McDermott, attached hereto as Exhibit "A."

30. Moreover, in a move designed to intimidate the reassigned employees, the Controller has threatened to withhold pay from the County employees who were reassigned to the County Budget and Finance Office if they leave her office. As these employees are County employees, the Controller is without authority to withhold their pay and this threat appears to be designed solely to attempt power play and to interfere with the orderly transition of the payroll, accounts payable, and general ledger functions and the reassignment of the employees in question.

31. The Controller has also directed that files be hidden or otherwise not turned over to the County, including documents important to the payroll, accounts payable, and general ledger functions. Additionally, the Controller has instructed that the reassigned employees remove their County email Outlook app from their phones. Again, this direction by the Controller has nothing to do with the integrity of the County Office of Budget and Finance, and

everything to do with the intent to intervene with the orderly transition of the payroll, account payable and general ledger functions, and the reassignment of the employees in question.

32. Accordingly, in conjunction with the relief sought by the County, the County is requesting that the Court order the Controller to provide all documents in her care, custody or control necessary and/or related to the performance of the transferred payroll, accounts payable, and general ledger functions.

33. Finally, in light of the Controller's instruction regarding hiding or not turning over documents, the County requests that the Court direct the Controller to preserve and not to destroy or otherwise discard any documents in her care, custody and control necessary and/or related to the performance of the payroll, accounts payable and general ledger functions.

34. The nature of the immediate and irreparable harm created by the Controller's conduct in this matter is further evidenced by an email the Controller sent on Monday, April 19, 2021 at 6:17 p.m. to County department heads insisting that the payroll, accounts payable, and general ledger functions continue to be directed through her office. See April 19, 2021 email from Controller to County Department Heads attached hereto as Exhibit "B." In this email, the Controller states, "...normal fiscal operations will continue as they have in the Office of the Controller." See Exhibit "B." This email documents the lengths to which the Controller is willing to go to interfere with the County's payroll, accounts payable, and general ledger functions.

35. The April 19, 2021 email goes even a step further by listing two of the four reassigned employees who failed to report to the County Office of Budget and Finance as still being points of contact with her office, while listing the positions held by the two reassigned

employees who reported as directed by the County to the County Office of Budget and Finance as "open" positions. See Exhibit "B."

36. As detailed in the Complaint, the Controller is without authority to withhold her signature from checks for duly authorized and lawful transactions. See Section 1702(a)(2) of the County Code.

37. Given the immediate and irreparable harm that will result to County employees, vendors, suppliers, and outside agencies if check are not issued for approved County payroll and accounts payable on Wednesday, April 21, 2021, the County seeks an order by this Court directing the Controller to perform her ministerial duty and require her signature to appear on all approved County payroll checks and account payable checks in the regular course of business until such time as a hearing may be scheduled on the merits of the County's request for injunctive relief.

38. In addition, the County seeks an order by this Court directing that required general ledger functions may be performed by the County Office of Budget and Finance in light of the continuing and repeated failures of the Controller until such time as a hearing may be scheduled on the merits of the County's request for injunctive relief.

39. Given the Controller's threats, as set forth in the Complaint, the County is seeking the assistance of the Court to enjoin further threats and violations of duty by the Controller, and require her to perform the ministerial duties of processing approved payroll, accounts payable and general ledger functions in the regular course of County business.

40. The County meets the standard for securing a preliminary injunction for, *inter alia*, the following reasons:

- a. The Controller has no legal right to refuse to issue approved payroll and accounts payable payments in the regular course of business and she has breached her duties and obligations in so doing as outlined hereinabove;
- b. The Controller has no legal right to interfere with the reassignment of the employees in question or withhold documents necessary to the proper performance of the payroll, accounts payable or general ledger functions.
- c. The County, its employees, venders, suppliers and outside agencies will suffer irreparable harm to which there is no adequate remedy at law if the Controller is permitted to continue to refuse or threaten to refuse to perform these ministerial duties;
- d. In the absence of injunctive relief, the County is left without an adequate remedy at law;
- e. The harm that the County and its employees will suffer if an injunction is denied is greater than any potential harm if it is granted; and,
- f. The County's right to seek injunctive relief where there is a failure of the Controller to perform this ministerial function is well-established under the law of this Commonwealth.

WHEREFORE, the County requests that this Honorable Court grant the following relief:

- A. The County requests that the Court enter a preliminary injunction while the merits of the Compliant are litigated directing the Controller to:
 - (1) fulfill her statutory functions;

(2) execute payroll and accounts payable checks for payroll that has been properly authorized and processed;

(3) direct that the Controller's signature be placed on payroll and accounts payable checks that have been properly authorized and processed in the absence of the Controller's authorization to do so;

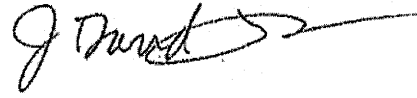
(4) direct that the Controller preserve and transfer to the County all documents reasonably necessary to the proper performance of the payroll, accounts payable and general ledger functions of the County and directing that she not hide, destroy or otherwise dispose of said documents;

(5) to prevent the Controller from arbitrarily and capriciously attempting to use her office to interfere with the functions of County government and to include the issuance of payroll checks, accounts payable checks and general ledger functions; and,

(6) awarding such other relief as is deemed necessary and proper under the circumstances to ensure the Controller properly performs the ministerial functions of the Controller's Office.

Respectfully submitted,

MCCORMICK LAW FIRM



J. David Smith
Pa. I.D. No. 27813
J. Michael Wiley
Pa. I.D. No. 69657
Attorneys for Lycoming County
835 West Fourth Street
Williamsport, PA 17701
(570) 326-5131
(570) 326-5529 (Fax)
dsmith@mcclaw.com
mwiley@mcclaw.com

COMMONWEALTH OF PENNSYLVANIA :
 : SS:
COUNTY OF LYCOMING :

AFFIDAVIT OF MATTHEW A. MCDERMOTT

I, Matthew A. McDermott, being duly sworn according to law, depose and say that the following is true and correct under penalty of perjury:

1. I am a Director of Administration and Chief Clerk for the County of Lycoming, a position I have held since January 5, 2015.
2. In my capacity of Director of Administration and Chief Clerk for the County of Lycoming, I am well versed in the operations of the Office of Budget and Finance, as well as the interactions between that office and the Controller's office.
3. I have been directly involved with the implementation of the decision by the County Commissioners to reassign four employees from the Controller's office to the Office of Budget and Finance arising out of the continued failures of the Controller to perform payroll, accounts payable and general ledger functions.
4. On or about April 13, 2021, the Controller directly informed me that she will remove her signature from County checks and not allow her signature to be utilized on approved County payroll and accounts payable checks if the County Commissioners move forward with the reassignment of the employees in question and the removal of the payroll, accounts payable and general ledger functions from her office.
5. On or about April 16, 2021, I was informed by one of the affected employees that the Controller gave instructions that the affected employees to delete Outlook from their phones, which would prevent them from accessing County email.

6. On or about April 14, 2021, I was informed that one of the employees is refusing to report to work at the Office of Budget and Finance because of statements made to this employee by the Controller regarding who is this employee's employer.

7. On or about April 16, 2021, I was directly informed by one of the affected employees that this employee had been instructed by the Controller to hide documents that are required to perform the payroll, accounts payable and general ledger functions.

8. On or about April 19, 2021, I was directly informed by one of the affected employees that the Controller had instructed employees in her office to not turn over documents to the Office of Budget and Finance that are required to perform the payroll, accounts payable and general ledger functions.

9. On or about April 19, 2021, I was directly informed by one of the affected employees that the Controller threatened that she would not pay the affected employees if they reported to the Office of Budget and Finance as reassigned by the County Commissioners.

10. The Controller has not been disconnected from the County's financial system and still has access in order to perform the duties of her position.

11. The Controller through her access to the County's financial system maintains her ability to review and question any particular payment or invoice.

12. The employee positions that were reassigned from the Controller's office to the Office of Budget and Finance were positions that had been previously assigned to the Office of Budget and Finance (formerly the Office of Fiscal Services) and the Controller still maintains the employee positions she had prior to her assumption of the payroll, accounts payable and general ledger functions, which had all previously been performed by the County's Fiscal Office (now the County's Office of Budget and Finance).

13. If the Controller is allowed to follow through with her threat to withhold her signature from approved County payroll and accounts payable checks, County employees, vendors, suppliers and outside agencies will not be paid in the regular course of business, which will seriously and significantly impact the day to day operations of the County.

14. The next payroll and accounts payable check run cycle is to commence on Wednesday, April 21, 2021.

By: Matthew A. McDermott
Matthew A. McDermott
Director of Administration and Chief Clerk
County of Lycoming

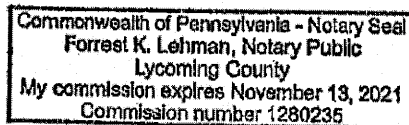
Sworn to and subscribed

before me this 20 day

of April, 2021.

Forrest K. Lehman
Notary Public

My Commission Expires:



From: Krista Rogers <KRogers@lyco.org>
Sent: Monday, April 19, 2021 6:17 PM
To: Matthew A. McDermott; Department Head Email
Cc: Scott Metzger; Tony Mussare; Rick Mirabito; J. Michael Wiley; J. David Smith
Subject: RE: Transfer of Fiscal Operations

All,

I just wanted to clarify the 4pm Friday email issued by the Commissioners through the Director of Administration. Fiscal Operations (accounts payable, payroll, and financial statements) of the County have and will continue to be processed by the County Controllers office according to state law. The actions taken by the Commissioners on April 11-13th, were contrary to law and invalid. The staff members you coordinated with for these activities will remain the same and these staff members remain in the Controller's office.

State law mandates the Controller approves the invoices and payroll, and generates the annual financial statements. State law also prohibits the Controller from any type of discretionary financial authority over contracts, collective bargaining, departmental management, and borrowing. I don't get involved in the Commissioners departmental business and they should not get involved in mine. This is the separation of powers outlined in state law.

The bottom line is, normal fiscal operations will continue as they have in the Office of the Controller.

Our office will continue to serve your financial needs as long as we all follow the proper procedure according to state law. Please contact me with any questions.

Updated Contact Information is below --

570-567-8210 – open General Accountant position
570-567- 8211 – Matt Tierney, General Accountant
570-567- 8212 – Cindy Gira, Fiscal Technician
570-567- 8213 – open Fiscal Technician position

Krista B. Rogers
Lycoming County Controller
Phone – 570-327-2300
Fax – 570-327-2446

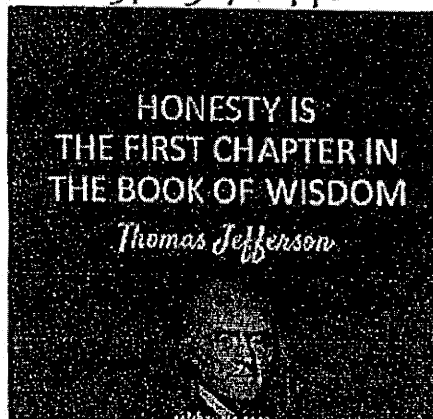


EXHIBIT B

From: Matthew A. McDermott <mamcdermott@lyco.org>

Sent: Friday, April 16, 2021 4:01 PM

To: Department Head Email <DepartmentHeadEmail@lyco.org>

Cc: Scott Metzger <smetzger@lyco.org>; Tony Mussare <TMussare@lyco.org>; Rick Mirabito <RMirabito@lyco.org>; Michael Wiley <mwiley@mcclaw.com>; David Smith <dsmith@mcclaw.com>

Subject: Transfer of Fiscal Operations

Importance: High

Lycoming Leaders,

Beginning Monday April 19, 2021 all Payroll, Accounts Receivable, and General Ledger actions will move to the Office of Budget and Finance. The staff members that you coordinated with for these activities will be the very same people you will coordinate with in the Office of Budget and Finance. All phone numbers and email address for these staff members remain the same. Brandy Clemens is now the new Director of the Office of Budget and Finance. These personnel assignment changes went into effect on April 11, 2021, which were approved by the Commissioners at the Tuesday April, 13 2021 Public Meeting. The bottom line is normal fiscal operations will continue as they always have, but now they will continue from the Office of Budget and Finance.

Feel free to contact me with any questions.

Thanks

Matt

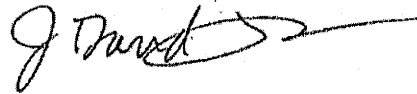
Matthew A. McDermott
Director of Administration
and Chief Clerk
Lycoming County
Office: 570-320-2124
Mobile: 703-969-5320

CERTIFICATE OF COMPLIANCE

I 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 require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,

MCCORMICK LAW FIRM



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J. Michael Wiley
Pa. I.D. No. 69657
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Williamsport, PA 17701
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(570) 326-5529 (Fax)
dsmith@mcclaw.com
mwiley@mcclaw.com

CERTIFICATE OF SERVICE

I, J. David Smith, Esquire, hereby certify that I have served a copy of the foregoing
Petition for Preliminary Injunction (TRO) and Preliminary Injunction Pursuant to Pa.R.C.P.
1531 upon the following, this 20th day of April, 2021, as follows:

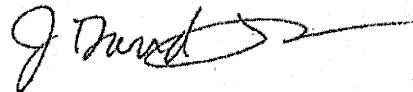
VIA LYCOMING COUNTY SHERIFF:

Krista B. Rodgers
Lycoming County Controllers' Office
330 Pine Street, Suite 204
Williamsport, PA 17701

Krista B. Rodgers
234 Gordon Street
Duboisstown, PA 17702

Respectfully submitted,

MCCORMICK LAW FIRM



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