

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW**

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ANTONIO MOUNTIS and	:	
MARIANTHY MOUNTIS	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-06424
	:	
ARMSTRONG WORL INDUSTRIES,	:	
INC., BRENNTAG NORTHEAST, INC.,	:	
BARLEY SNYDER, and ALAN J. HAY	:	
M.D.,	:	
Defendants.	:	

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MICHAEL LYNCH and	:	
CAROLYN LYNCH	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-06426
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	

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JOSE RIVERA	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-06542
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	

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DARYL SENSENIG and  
MARY LOU SENSENIG

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06543

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SHAWN PATTERSON and  
LORI PATTERSON

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06544

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DONALD ROBERTS,  
MARILYN ROBERTS, and  
JASON ROBERTS

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06546

JUDY WENDLER, in her own right and  
as Administratrix of the Estate of  
GEORGE WENDLER

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06547

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DAVID R. BOYD, JR.,

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06629

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SHERRY RILEY, in her own right, and  
as Administratrix of the Estate of  
JEFFREY L. RILEY,

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06630

BRYAN ALBRIGHT, et al.,  
Plaintiff,  
v.  
ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,  
Defendants.

NO. CI-15-07891

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SANDRA COOPER, in her own right and  
as Administratrix of the Estate of  
GENE M. COOPER,  
Plaintiff,  
v.  
ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,  
Defendants.

NO. CI-15-07954

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SANDRA COOPER, in her own right and  
as Administratrix of the Estate of  
GENE M. COOPER  
Plaintiff,  
v.  
ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,  
Defendants.

NO. CI-15-07954

SANDRA COOPER, in her own right and  
as Administratrix of the Estate of  
GENE M. COOPER

Plaintiff,

v.

BRENNTAG NORTHEAST, INC.,  
Defendants.

NO. CI-15-08200

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SANDRA COOPER, DAVID COOPER,  
and ANN COOPER

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC., ALAN J. HAY, M.D., and  
GENERAL OCCUPATIONAL MEDICINE  
Defendants.

NO. CI-15-08202

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JOHN MOELLER, as Administrator of  
the Estate of MICHAEL MOELLER

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC.

Defendants.

NO. CI-15-08405

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ILDELFONSO SANCHEZ, et al.

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-08407

CHRISTOPHER K. LANDIS	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-08672
	:	
BRENNTAG NORTHEAST, INC.,	:	
Defendants.	:	

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UNITED STEEL WORKERS OF AMERICA,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-08680

ARMSTRONG WORLD INDUSTRIES, INC., BRENNTAG NORTHEAST, INC., and ALAN J. HAY, M.D.,	:	
Defendants.	:	

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SANDRA COOPER, in her own right and as Administratrix of the Estate of GENE M. COOPER	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-07954

ARMSTRONG WORLD INDUSTRIES, INC. and BRENNTAG NORTHEAST, INC.,	:	
Defendants.	:	

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RAY D. FREDERICK, et al.,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00788
	:	
ARMSTRONG WORLD INDUSTRIES, INC. and BRENNTAG NORTHEAST, INC.,	:	
Defendants.	:	

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JEFFREY SAXINGER and	:	
JO ANNE SAXINGER	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00789
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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RONALD HOSSLER and	:	
VICKIE J. HOSSLER,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00790
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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TODD GRIFFIN,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00791
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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UNITED STEEL WORKERS OF	:	
AMERICA LOCAL 285,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-03605
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	

JEFFREY SAXINGER, JOANNE  
SAXINGER, and MATTHEW SAXINGER :  
Plaintiff, :

v. :

NO. CI-16-05122

ARMSTRONG WORLD INDUSTRIES, :  
INC., BRENNTAG NORTHEAST, INC., :  
BARLEY SNYDER, LLP, and :  
ALAN J. HAY, M.D., :  
Defendants. :

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PAUL D. ROGERS and :  
JUDY ROGERS :  
Plaintiff, :

v. :

NO. CI-16-05583

ARMSTRONG WORLD INDUSTRIES, :  
INC. and BRENNTAG NORTHEAST, :  
INC., :  
Defendants. :

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ANTHONY D. ARCUDI and :  
MICHELLE ARCUDI :  
Plaintiff, :

v. :

NO. CI-16-05584

ARMSTRONG WORLD INDUSTRIES, :  
INC. and BRENNTAG NORTHEAST, :  
INC., :  
Defendants. :

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JERRY DENNIS and HELEN DENNIS :  
Plaintiff, :  
v. : NO. CI-16-10110

ARMSTRONG WORLD INDUSTRIES, :  
INC., BARNES & THORNBURG, LLP, :  
MORGAN, LEWIS, & BROCKIUS, LLP. :  
and BARLEY SNYDER, LLP, :  
Defendants. :

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THE ESTATE OF ROBERT A. WHETTS, :  
JR., et al., :  
Plaintiff, :

v. : NO. CI-16-10715

ARMSTRONG WORLD INDUSTRIES, :  
INC. and BRENNTAG NORTHEAST, :  
INC., :  
Defendants. :

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MICHAEL K. WALLACE, :  
Plaintiff, :

v. : NO. CI-15-16-10716

ARMSTRONG WORLD INDUSTRIES, :  
INC., BRENNTAG NORTHEAST, INC., :  
BARLEY SNYDER, LLP, BARNES & :  
THORNBURG, LLP, and MORGAN :  
LEWIS & BROCKUS, LLP, :  
Defendants. :

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JOSEPH T. DEMASCOLO :  
Plaintiff, :

v. : NO. CI-16-10717

ARMSTRONG WORLD INDUSTRIES, :  
INC. and BRENNTAG NORTHEAST, :  
INC., :  
Defendants. :

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RICHARD G. BATES, CAROLE A. :  
BATES, and STEPHANIE BARKER, :  
Plaintiff, :

v. : NO. CI-16-10961

ARMSTRONG WORLD INDUSTRIES, :  
INC. and BRENNTAG NORTHEAST, :  
INC., :  
Defendants. :

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WILLIAM T. FENTON, :  
Plaintiff, :

v. : NO. CI-16-10962

ARMSTRONG WORLD INDUSTRIES, :  
INC. and BRENNTAG NORTHEAST, :  
INC., :  
Defendants. :

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JAMES E. ROOP, JR., VICKIE L. ROOP, :  
JENNIFER A. MILLER, and :  
SHAWN R. ROOP, :  
Plaintiff, :

v. : NO. CI-16-10963

ARMSTRONG WORLD INDUSTRIES, :  
INC., BRENNTAG NORTHEAST, INC., :  
BARLEY SNYDER, LLP, BARNES & :  
THORNBURG, LLP, and MORGAN :  
LEWIS & BROCKIUS, LLP, :  
Defendants. :

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SANDRA COOPER, in her own right and  
as Administratrix of the Estate of  
GENE M. COOPER

Plaintiff,

v.

NO. CI-17-06946

ARMSTRONG WORLD INDUSTRIES,  
INC., ALAN J. HAY, M.D. and  
LANCASTER OCCUPATIONAL  
MEDECINE,

Defendants.

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CHRISTOPHER K. LANDIS,  
Plaintiff,

v.

NO. CI-17-09152

ARMSTRONG WORLD INDUSTRIES,  
INC.

Defendants.

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### **ORDER**

**AND NOW**, this \_\_\_\_ day of July, 2018, upon consideration of Respondent George P. Chada's Motion to Recuse or in the alternative Answer in Opposition the Rule, it is hereby

**ORDERED** and **DECREED** that Rule is **DISCHARGED**.

Or in the alternative, it is hereby **ORDERED** and **DECREED** that the above captioned actions are stayed pending reassignment to another judge.

BY THE COURT:

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Leonard G. Brown, III, J.

**LAMB MCERLANE PC**

James E. McErlane (Pa. I.D. No. 4895)  
Jake D. Becker (Pa. I.D. No. 315818)  
24 East Market Street, P.O. Box 565  
West Chester, PA 19381-0565  
(610) 430-8000

*Attorneys for Attorney  
George P. Chada*

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW**

ANTONIO MOUNTIS and  
MARIANTHY MOUNTIS

Plaintiff,

v.

ARMSTRONG WORL INDUSTRIES,  
INC., BRENNTAG NORTHEAST, INC.,  
BARLEY SNYDER, and ALAN J. HAY  
M.D.,

Defendants.

NO. CI-15-06424

**ELECTRONICALLY FILED**

**JUL - 6 2018**

2:57 pm

**PROTHONOTARY OFFICE  
LANCASTER, PA**

MICHAEL LYNCH and  
CAROLYN LYNCH

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06426

JOSE RIVERA

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06542

DARYL SENSENIG and  
MARY LOU SENSENIG

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06543

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SHAWN PATTERSON and  
LORI PATTERSON

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06544

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DONALD ROBERTS,  
MARILYN ROBERTS, and  
JASON ROBERTS

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06546

JUDY WENDLER, in her own right and  
as Administratrix of the Estate of  
GEORGE WENDLER

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06547

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DAVID R. BOYD, JR.,

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06629

---

SHERRY RILEY, in her own right, and  
as Administratrix of the Estate of  
JEFFREY L. RILEY,

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-06630

BRYAN ALBRIGHT, et al.,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-07891
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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SANDRA COOPER, in her own right and	:	
as Administratrix of the Estate of	:	
GENE M. COOPER,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-07954
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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SANDRA COOPER, in her own right and	:	
as Administratrix of the Estate of	:	
GENE M. COOPER	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-07954
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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SANDRA COOPER, in her own right and	:	
as Administratrix of the Estate of	:	
GENE M. COOPER	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-08200
	:	
BRENNTAG NORTHEAST, INC.,	:	
Defendants.	:	
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SANDRA COOPER, DAVID COOPER,  
and ANN COOPER

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC., ALAN J. HAY, M.D., and  
GENERAL OCCUPATIONAL MEDICINE

Defendants.

NO. CI-15-08202

JOHN MOELLER, as Administrator of  
the Estate of MICHAEL MOELLER

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC.

Defendants.

NO. CI-15-08405

ILDELFONSO SANCHEZ, et al.

Plaintiff,

v.

ARMSTRONG WORLD INDUSTRIES,  
INC. and BRENNTAG NORTHEAST,  
INC.,

Defendants.

NO. CI-15-08407

CHRISTOPHER K. LANDIS

Plaintiff,

v.

BRENNTAG NORTHEAST, INC.,

Defendants.

NO. CI-15-08672



UNITED STEEL WORKERS OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-08680
	:	
ARMSTRONG WORLD INDUSTRIES, INC., BRENNTAG NORTHEAST, INC., and ALAN J. HAY, M.D.,	:	
Defendants.	:	
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SANDRA COOPER, in her own right and as Administratrix of the Estate of GENE M. COOPER	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-07954
	:	
ARMSTRONG WORLD INDUSTRIES, INC. and BRENNTAG NORTHEAST, INC.,	:	
Defendants.	:	
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RAY D. FREDERICK, et al.,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00788
	:	
ARMSTRONG WORLD INDUSTRIES, INC. and BRENNTAG NORTHEAST, INC.,	:	
Defendants.	:	
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JEFFREY SAXINGER and JO ANNE SAXINGER	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00789
	:	
ARMSTRONG WORLD INDUSTRIES, INC. and BRENNTAG NORTHEAST, INC.,	:	
Defendants.	:	

RONALD HOSSLER and	:	
VICKIE J. HOSSLER,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00790
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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TODD GRIFFIN,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-00791
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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UNITED STEEL WORKERS OF	:	
AMERICA LOCAL 285,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-03605
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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JEFFREY SAXINGER, JOANNE	:	
SAXINGER, and MATTHEW SAXINGER	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-05122
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC., BRENNTAG NORTHEAST, INC.,	:	
BARLEY SNYDER, LLP, and	:	
ALAN J. HAY, M.D.,	:	
Defendants.	:	
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PAUL D. ROGERS and	:	
JUDY ROGERS	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-05583
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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ANTHONY D. ARCUDI and	:	
MICHELLE ARCUDI	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-05584
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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JERRY DENNIS and HELEN DENNIS	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-10110
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC., BARNES & THORNBURG, LLP,	:	
MORGAN, LEWIS, & BROCKIUS, LLP.	:	
and BARLEY SNYDER, LLP,	:	
Defendants.	:	
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THE ESTATE OF ROBERT A. WHETTS,	:	
JR., et al.,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-10715
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	

MICHAEL K. WALLACE,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-15-16-10716
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC., BRENNTAG NORTHEAST, INC.,	:	
BARLEY SNYDER, LLP, BARNES &	:	
THORNBURG, LLP, and MORGAN	:	
LEWIS & BROCKUS, LLP,	:	
Defendants.	:	
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JOSEPH T. DEMASCOLO	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-10717
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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RICHARD G. BATES, CAROLE A.	:	
BATES, and STEPHANIE BARKER,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-10961
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	
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WILLIAM T. FENTON,	:	
Plaintiff,	:	
	:	
v.	:	NO. CI-16-10962
	:	
ARMSTRONG WORLD INDUSTRIES,	:	
INC. and BRENNTAG NORTHEAST,	:	
INC.,	:	
Defendants.	:	

JAMES E. ROOP, JR., VICKIE L. ROOP, :  
JENNIFER A. MILLER, and :  
SHAWN R. ROOP, :

Plaintiff, :

v. :

NO. CI-16-10963

ARMSTRONG WORLD INDUSTRIES, :  
INC., BRENNTAG NORTHEAST, INC., :  
BARLEY SNYDER, LLP, BARNES & :  
THORNBURG, LLP, and MORGAN :  
LEWIS & BROCKIUS, LLP, :

Defendants. :

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SANDRA COOPER, in her own right and :  
as Administratrix of the Estate of :  
GENE M. COOPER :

Plaintiff, :

v. :

NO. CI-17-06946

ARMSTRONG WORLD INDUSTRIES, :  
INC., ALAN J. HAY, M.D. and :  
LANCASTER OCCUPATIONAL :  
MEDECINE, :

Defendants. :

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CHRISTOPHER K. LANDIS, :  
Plaintiff, :

v. :

NO. CI-17-09152

ARMSTRONG WORLD INDUSTRIES, :  
INC. :

Defendants. :

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**RESPONDENT GEORGE P. CHADA'S MOTION TO RECUSE OR IN THE**  
**ALTERNATIVE ANSWER IN OPPOSITION TO THE RULE TO SHOW CAUSE AS TO**  
**DISQUALIFICATION ISSUED BY THE COURT ON JUNE 14, 2018**

Respondent George P. Chada, by and through his undersigned Counsel, Lamb McErlane  
PC, hereby files this Motion to Recuse or in the alternative, Answer in Opposition to the Rule to

Show Cause as to disqualification issued by the Court on June 14, 2018, and in support thereof avers as follows:<sup>1</sup>

### **PRELIMINARY STATEMENT**

As a preliminary matter, Respondent George P. Chada, respectfully requests the Honorable Leonard G. Brown recuse himself from this matter as the *sua sponte* issuance of this Rule creates a conflict of interest. As the petitioner for the Rule, Judge Brown now bears the burden to show why Mr. Chada's representation of his clients is impermissible. *In re Rite Aid Corp. Securities Litigation*, 139 F.Supp.2d 649, 656 (E.D.Pa. 2001) (holding the party seeking disqualification bears the burden to show that the representation is impermissible). It would be inappropriate for Judge Brown to rule on whether he himself has met the aforementioned burden. As such, respondent respectfully requests this matter be reassigned.

In this matter, the Court is deciding whether "extreme sanction of disqualification" is appropriate" after it has assumed ethical rules were violated. *Shade v. Great Lakes Dredge & Dock Co.*, 72 F.Supp.2d 518, 520 (E.D.Pa. 1999). In this situation, the law is clear that even if the court finds that an attorney violated an ethical rule, "disqualification is never automatic" and "doubts should be resolved in favor of disqualification." *Id.*

Furthermore, the allegations contained in the Rule issued by the Court fail to implicate any of the Plaintiff's due process rights. Under Pennsylvania law, "disqualification of counsel is a serious remedy that the court should use only when due process so requires." *Sutch v. Roxborough Memorial Hospital*, 151 A.3d 241, 254–55 (Pa.Super, 2016). In determining whether such an extreme remedy is appropriate, "a court's authority to disqualify counsel based on Rules of

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<sup>1</sup> This Motion and Answer in no way addresses the issues currently on appeal with the Pennsylvania Superior Court, nor the status of counsel therein.

Professional Conduct is limited.” *Id.* Stated another way, mere violations of the Rules of Professional Conduct do not warrant an attorney’s disqualification from a case but for a showing an attorney’s conduct disrupts or threatens to disrupt the “fair trial which due process requires.” *Id.*, citing *Pirillo v. Takiff*, 462 Pa. 511, 341 A.2d 896, 901, 906 (1975) (upholding disqualification of counsel to prevent him from representing more than one witness before grand jury, thereby compromising secrecy of grand jury proceedings).

The Pennsylvania Supreme Court was clear in stating “perceived violations of either Code do not permit the trial courts or the intermediate appellate courts to alter the rules of law, evidentiary rules, presumptions or burdens of proof. More importantly, violations of those Codes are not a proper subject for consideration of the lower courts to impose punishment for attorney or judicial misconduct.” *Reilly by Reilly v. Southeastern Pennsylvania Transp. Authority*, 489 A.2d 1291, 1299 (Pa. 1985). The Court elaborated that there are other constitutional mechanisms in place to address those violations.

Furthermore, “although this right is obviously not absolute, a party’s choice of counsel is a significant consideration in determining the propriety of disqualification. Weighing against this right is the need to protect opposing parties’ ability to try their case in a fair manner.” *Shade*, 72 F.Supp.2d at 520. Here, parties represented by Chada have expressed it is their desire for him to remain their counsel, even after the Court issued the Rule to Show Cause. *See* Exhibit A.

Accordingly, Respondent respectfully requests this Honorable Court discharge the Rule or in the alternative respectfully requests Judge Brown recuse himself and order the case be reassigned.

## **ANSWER**

1. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

2. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

3. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

4. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

5. Denied as stated. By way of further response, the Orders and filings referenced in



this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

6. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

7. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

8. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

9. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his

clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

10. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

11. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

12. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure or the Lancaster County Local Rules of Court. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

13. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

14. Denied as stated. By way of further response, the Orders and filings referenced in

this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

15. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

16. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

17. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

18. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

19. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his

clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

20. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

21. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

22. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

23. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

24. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

25. Denied as stated. By way of further response, the Orders and filings referenced in

this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

26. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

27. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

28. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

29. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

30. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the

Pennsylvania Rules of Civil Procedure. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

31. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

32. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

33. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

34. Denied as stated. By way of further response, the Rule and filingss referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

35. Denied as stated. By way of further response, the Orders and filings referenced in

this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

36. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

37. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

38. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied, that Mr. Chada lacked candor with the court at any time. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

39. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that any client of Mr. Chada paid more money than required or that or that he erroneously calculated the amount to obtain an automatic supersedeas. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

40. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

41. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

42. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

43. Denied as stated. By way of further response, the Orders and filings referenced in



this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

44. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

45. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

46. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

47. Denied as stated. By way of further response, the Orders and filings referenced in

this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

48. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

49. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

50. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

51. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law

to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

52. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

53. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

54. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

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56. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his

clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

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60. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

61. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

62. Denied as stated. By way of further response, the Orders and filings referenced in

this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

63. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

64. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

65. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

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67. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

68. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

69. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

70. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

71. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

72. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is

strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

73. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

74. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

75. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

76. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. It is specifically denied that that any of counsel's actions in anyway violated the Pennsylvania Rules of Civil Procedure. Additionally, this paragraph contains conclusions of law to which no response is required. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

77. Denied as stated. By way of further response, the Orders and filings referenced in

this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

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79. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

80. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

81. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

82. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his



clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

83. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

84. Denied as stated. By way of further response, the Orders and filings referenced in this paragraph are documents which speak for themselves and any characterization thereof is strictly denied. Furthermore, nothing described herein affects Mr. Chada's ability to represent his clients' interests at trial nor do they serve as appropriate grounds to disqualify him as counsel.

WHEREFORE, Attorney Chada, through his undersigned Counsel, respectfully requests that the Rule be discharged, or in the alternative, that the above captioned actions are stayed pending reassignment to another judge.

**LAMB McERLANE PC**

Dated: July , 6 2018

By: /s/ Jake D. Becker

James E. McErlane (Pa. I.D. No. 4895)

Jake D. Becker (Pa. I.D. No. 315818)

24 East Market Street, P.O. Box 565

West Chester, PA 19381-0565

(610) 430-8000

*Attorneys for Attorney George P. Chada*

# EXHIBIT “A”

----- Forwarded message -----

From: **Lori Patterson** <[lori54patt@yahoo.com](mailto:lori54patt@yahoo.com)>

Date: Thu, Jul 5, 2018 at 4:36 PM

Subject: Re: question

To: Sandra Cooper <[awiworkersafety@gmail.com](mailto:awiworkersafety@gmail.com)>

To whom it may concern:

Shawn and I believe that Judge Brown's rulings are incorrect. We would like George Chada to remain as our attorney for the duration of this case. He believe he is quite a competent and able representative.

Shawn L. Patterson  
Lori L. Patterson

**From:** Sandra Cooper <[awiworkersafety@gmail.com](mailto:awiworkersafety@gmail.com)>

**Date:** July 5, 2018 at 1:44:27 PM EDT

**To:** George Chada <[gchada@chadalaw.com](mailto:gchada@chadalaw.com)>

**Subject:** Judge Brown

In reviewing Judge Brown's rulings, I have come to believe that they are incorrect. Please use this email as affirmation of my desire to continue with George Chada as my counsel.

Sandra Cooper

----- Forwarded message -----

From: **carole321** <[carole321@comcast.net](mailto:carole321@comcast.net)>

Date: Thu, Jul 5, 2018 at 12:44 PM

Subject:

To: Sandra Cooper <[awiworkersafety@gmail.com](mailto:awiworkersafety@gmail.com)>

To Whom It May Concern:

We disagree with the actions taken by Judge Brown and wish to continue retaining George Chada as our attorney in matters relating to our lawsuit against Brenntag and Armstrong World Industries.

Regards,

Michael M. Lynch  
Carolyn J. Lynch

----- Forwarded message -----

From: **Judy Wendler** <[gwjw1974@embarqmail.com](mailto:gwjw1974@embarqmail.com)>

Date: Thu, Jul 5, 2018 at 5:43 PM

Subject: Re: a request

To: Sandra Cooper <[awiworkersafety@gmail.com](mailto:awiworkersafety@gmail.com)>

I believe the judge's rulings to be wrong, and I still wish to have George Chada as my attorney. Judy Wendler

----- Forwarded message -----

From: **joannesaxinger53** <[joannesaxinger53@gmail.com](mailto:joannesaxinger53@gmail.com)>

Date: Thu, Jul 5, 2018 at 4:46 PM

Subject: Re: contact

To: Sandra Cooper <[awiworkersafety@gmail.com](mailto:awiworkersafety@gmail.com)>

I believe that Judge Brown is not accurate in his decisions and I would like George Chada to remain as my lawyer.

**PUBLIC ACCESS POLICY CERTIFICATE OF COMPLIANCE**

I hereby certify that this filings 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 filings confidential information and documents differently than non-confidential information and documents.

**LAMB McERLANE PC**

Dated: July 6, 2018

By: Jake D. Becker

James E. McErlane (Pa. I.D. No. 4895)

Jake D. Becker (Pa. I.D. No. 315818)

24 East Market Street, P.O. Box 565

West Chester, PA 19381-0565

(610) 430-8000

*Attorneys for Attorney George P. Chada*



### **CERTIFICATE OF SERVICE**

This is to certify that in this case complete copies of all papers contained in the foregoing Motion to Recuse or in the alternative Answer in Opposition the Rule have been served upon the following persons, by the following means and on the date(s) stated:

<b><u>Name:</u></b>	<b><u>Means of Service:</u></b>	<b><u>Date of Service:</u></b>
Todd M. Mosser, Esq. Mosser Legal, PLLC 211 N. 13th Street, Suite 801 Philadelphia, PA 19107 <i>todd@mosserlegal.com</i>	Electronic Mail	July 6, 2018
Ronald E. Hurst, Esq. Montgomery McCracken 1735 Market Street 21st Floor Philadelphia, PA 19103-7505 <i>rhurst@mmwr.com</i>	Electronic Mail	July 6, 2018
George C. Werner, Esq. Barley Snyder 2 Great Valley Parkway Suite 110 Malvern, PA 19355 <i>gwerner@barley.com</i>	Electronic Mail	July 6, 2018
Kevin W. Fay, Esq. Eckert Seamans Cherin & Mellott Two Liberty Place 50 S. 16th St., 22nd Floor Philadelphia, PA 19102 <i>kfay@eckertseamans.com</i>	Electronic Mail	July 6, 2018
James P. DeAngelo, Esq. McNees Wallace & Nurick LLC 100 Pine Street Harrisburg, PA 17101 <i>jdeangelo@mcneeslaw.com</i>	Electronic Mail	July 6, 2018

Michael J. Ossip, Esq.  
Morgan Lewis  
1701 Market St.  
Philadelphia, PA 19103-2921  
*michael.ossip@morganlewis.com*

Electronic Mail

July 6, 2018

Joshua L. Kirsch, Esq.  
Eckert Seamans Cherin & Mellott  
Two Liberty Place  
50 South 16th Street, 22nd Floor  
Philadelphia, PA 19102  
*kfay@eckertseamans.com*

Electronic Mail

July 6, 2018

**LAMB McERLANE PC**

By: /s/ Jake D. Becker  
Jake D. Becker