

**IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PA
CIVIL ACTION - LAW**

Gregg Township,
Petitioner,

v.

No. 2018-3097

FILED FOR RECORD
2018 AUG 20 PM 2:45
DEBRA C. IMMEL
PROTHONOTARY
CENTRE COUNTY, PA

Michelle Grove,
Respondent.

Right-to-Know Law Appeal

RESPONSE TO PETITION FOR REVIEW AND NOTICE OF APPEAL

RESPONSE

1. The township did not prove the records are protected by attorney-client privilege. This is clearly stated in the OOR's Final Determination (Exhibit 5 of the Petition for Review and Notice of Appeal). For this reason, the appeal should be dismissed.
2. During the time period specified in my Right-to-Know request, Supervisor Douglas Bierly has used multiple email accounts to conduct township

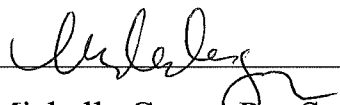
business, including: supervisor1@greggtownship.org, ogsdoug@gmail.com, and douglasbierly1@gmail.com. The township did not specify which emails addresses were searched or the search methods used.

3. The only person with “actual knowledge” of the emails did not submit an attestation.
4. The township has a documented history of non-compliance with the Right-to-Know Law. There are several outstanding OOR Final Determinations the township has not complied with.
5. In this court, the township was ordered to provide responsive records on April 20th, 2017 (No. 2016-4714). The township did not provide any records in response to this order, and a Petition for Writ of Mandamus was filed on May 22nd, 2017. In response, the township claimed no responsive records existed. After another filing was made by the Requester (Casey Grove), the existing responsive records were then provided to him. One of the requested records was deleted after his initial request.
6. I do not doubt that any emails provided to the court for in camera review would be communications between Douglas Bierly and a township solicitor. A “good faith” search has not been completed, therefore some of the responsive emails would likely be excluded from an in camera review, if such a review is granted by the honorable court.

WHEREFORE, the Respondent, Michelle Grove, respectfully requests that this Court dismisses the Petition for Review.

If the court decides to move forward with the appeal, the Respondent requests an opportunity to present additional evidence and/or oral argument.

Date: 8/20/2018


Michelle Grove, Pro Se

PO Box 253

Spring Mills, PA 16875

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.

Submitted by: Michelle Brown

Signature: [Handwritten Signature]

Name: Michelle Brown

Attorney No. (if applicable): _____