



Lackawanna County

COUNTY COMMISSIONERS
Patrick M. O'Malley • Jerry Notarianni
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Donald J. Frederickson, Jr., Esq.
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April 7, 2017

PA Public Utility Commission
ATTN: Rosemary Chiavetta, Secretary
P.O. Box 3265
Harrisburg PA 17105

RE: Schwartz vs. Delaware & Hudson Railway Co.
Docket No.: C-2016-2570929

Dear Ms. Chiavetta:

Enclosed herein please find a copy of Lackawanna County's Notice of Joinder in PennDOT's Answer to Motion for Summary Judgment which was filed electronically on this date.

I hereby certify that a copy of these documents have been sent to all parties of record as indicated by the enclosed Certificate of Service.

Thank you for your time and attention hereto. If you should have any questions, please feel free to contact me.

Very truly yours,


Donald J. Frederickson, Jr., Esquire
Lackawanna County General Counsel

cc: Parties of Record
David A. Salapa
Encls.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**


A. EDWARD SCHWARTZ,	:	
Complainant,	:	Docket No. C-2016-2570929
	:	
V.	:	FILED ELECTRONICALLY
	:	
NORFOLK SOUTHERN RAILWAY CO.	:	
PENNSYLVANIA DEPARTMENT OF	:	
TRANSPORTATION, LACKAWANNA	:	
COUNTY and LAPLUME TOWNSHIP	:	
	:	
Respondents	:	

**NOTICE OF JOINDER IN PENNDOT'S ANSWER TO MOTION FOR SUMMARY
JUDGMENT**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the Respondent, Lackawanna County, hereby joins in the Answer to Motion for Summary Judgment filed by the Respondent, Pennsylvania Department of Transportation, on April 7, 2017, and joins, without limitation, the Department's request to Deny Schwartz's Motion for Summary Judgment and his attempt to modify his Complaint, that the Department's Motion for Summary Judgment be granted, and the Complaint Dismissed for the reasons set forth therein.

Respectfully submitted,


Donald J. Frederickson, Jr., Esquire
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(570)451-0600

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

A. EDWARD SCHWARTZ,	:	
Complainant,	:	Docket No. C-2016-2570929
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PENNSYLVANIA DEPARTMENT OF	:	
TRANSPORTATION, LACKAWANNA	:	
COUNTY and LAPLUME TOWNSHIP	:	
	:	
Respondents	:	

CERTIFICATE OF SERVICE

I hereby certify that I served one (1) copy of the Notice of Joinder in Answer to Motion for Summary Judgment filed on behalf of Lackawanna County to the Complaint of A. Edward Schwartz in the above referenced matter, this date, via electronic mail, addressed to:

Counsel for Complainant

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Counsel for PennDOT

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Administrative Law Judge:

David A. Salapa
P.O. Box 3265
Harrisburg PA 17105-3265
dsalapa@pa.gov

Dated: 9/7, 2017.


Donald J. Frederickson, Jr., Esquire