

LAW OFFICES  
**GERBER, DAVENPORT & WILENZIK**  
18 WEST AIRY STREET  
NORRISTOWN, PA. 19401  
—  
SUITE 200

MORRIS GERBER  
HORACE A. DAVENPORT  
A. RICHARD GERBER  
MARVIN L. WILENZIK  
MARC D. JONAS

(215) 279-6700

May 24, 1974

The Honorable Patrick A. Gleason  
Chairman  
Select Committee on State Contract Practices  
of the House of Representatives  
Room 288 - Main Capitol Building  
Harrisburg, Pennsylvania 17120

My dear Mr. Gleason:

Please be advised that I represent Peter J. Camiel, Chairman of the Democratic County Executive Committee of Philadelphia County.

Please find enclosed herein a copy of a petition to quash the subpoena duces tecum which was served upon Mr. Camiel. The original has been forwarded to the Commonwealth Court for filing.

As soon as the Commonwealth Court ascribes a number to this case and as soon as the Court enters an appropriate order, I will advise you thereof and forward a copy thereof to you.

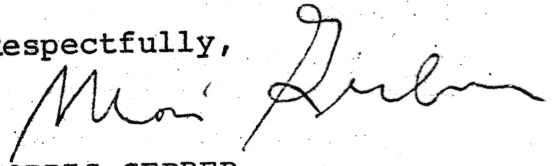
In view of the legal proceedings which I have caused to be instituted, I respectfully suggest that there is no point in having anyone from the Democratic County Executive Committee of Philadelphia County attend your committee hearing.

The subpoena originally stated that your committee would meet on Wednesday, May 22, 1974 at 11:00 A.M., however, same was continued to Wednesday, May 29, 1974 at the hour of 11:00 A.M. in the light of the fact that May 22 was the day after primary election. The foregoing continuance was the subject of a telephone conversation between Frederick L. Voight, Esquire, Special Counsel of the committee, and myself. In that conversation, I told Mr. Voight that at that time I had not seen either the subpoena or the House Resolution, and thus I was in no position to inform him as to what I would or would not do relevant to the subpoena. I told Mr. Voight that I would keep him informed.

If you deem it appropriate, I will make myself available on Wednesday, May 29, 1974 at 11:00 A.M. and appear before your committee to explain my legal position.

I will make myself subject to your telephone call with reference to said appearance.

Respectfully,



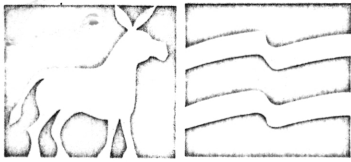
MORRIS GERBER

MG:mab  
Enc.

cc: The Honorable Patrick A. Gleason  
Room B-10 Main Capitol Building  
Harrisburg, Pa. 17120

Frederick L. Voight, Esquire, Special Counsel  
Select Committee on State Contract Practices  
of the House of Representatives  
Room 288 Main Capitol Building  
Harrisburg, Pennsylvania 17120

CERTIFIED MAIL - RETURN RECEIPT REQUESTED



# Pennsylvania Democratic State Committee

510 North Third Street • Harrisburg, Pennsylvania 17101 • (717) 238-9381

July 1, 1974

Hon. Patrick A. Gleason  
Chairman of Select Committee on  
State Contract Practices, House  
of Representatives  
B-10 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Representative Gleason:

On behalf of the Pennsylvania Democratic State Committee, the following response is made to the Subpoenaes Duces Tecum served upon it.

In accordance with House Resolution No. 98, Session of 1973, Printer's Number 1381, line 10, (2), et seq., and in what is believed by advice of Counsel to constitute the nature and intent of said Resolution as carried into effect by the terms of said Subpoenaes Duces Tecum, we submit respectfully herewith the information which we understand to be desired by the Committee:

A complete listing of all contributors to the Pennsylvania Democratic State Committee, which contributors, to the best of my information, knowledge and belief, are related to, involved in or affecting the purchasing, leasing, construction and disposal of Commonwealth property, supplies and services for the years 1966 through and including June, 1974.

It is our understanding that there is presently pending and under consideration by our Commonwealth Court certain equitable proceedings brought for the purpose of testing certain aspects of similar Subpoenaes Duces Tecum issued by your Committee to other bodies requiring similar information and documents. It is likewise our understanding that our Commonwealth Court will render its decision concerning those matters within the near future.

DENNIS E. (HARVEY) THIEMANN, *Chairman* C. DELORES TUCKER, *Vice-Chairman* MARTIN L. MURRAY, *Secretary* JAY C. LEFF, *Treasurer*  
THOMAS R. BALABAN, *General Counsel*

MEMBERS, DEMOCRATIC NATIONAL COMMITTEE

Barbara L. Altemus  
Michael Johnson  
Robert H. (Pop) Jones

Ann R. Jordan  
Rita Wilson Kane  
James R. Kelley

George X. Schwartz  
Dennis E. (Harvey) Thiemann  
C. Delores Tucker

The State Democratic Committee making this response is indeed willing to provide the Select Committee with all information and documents properly demandable by it and assures the Select Committee of its respectful willingness to comply with its subpoenas as far as the same may require within the limits of legality and constitutionality.

In the event that the Commonwealth Court should decide the cases before it presently in such a manner as to indicate that the breadth of the Subpoenas Duces Tecum require submission of additional information, the Chairman and Members of the Select Committee are assured that the Respondent-Committee will endeavor promptly to submit such additional information and documents as may be encompassed within the terms and language of the Court's opinion.

It is desired respectfully to point out that total compliance with the language of the subpoenas as presently phrased would entail a formidable and excessive expense that the Select Committee would not intentionally inflict upon the Respondent-Committee in the absence of reasonably expectable results of helpful utility to the work of the Committee.

It is also desired respectfully to draw the attention of the Chairman and the Members of the Select Committee to the fact that much of the information and documentation desired has been on file with the Department of State since June 21, 1974, as respects matter involving the most recent Primary Election. As to elections of other years, appropriate filings have been made with the Department of State for specific years as required by law.

The Chairman and Members of the Select Committee are assured by the Respondent-Committee that the present efforts are undertaken with a sincere desire to assist the Committee in its work, to avoid unnecessary, expensive and wasteful duplication of labor and with complete willingness to cooperate with the Select Committee within the limits of legality, as well as friendly courtesy.

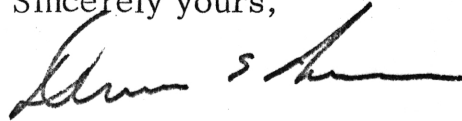
One of the subpoenas was directed to:

Custodian of Records  
Democratic State Finance Committee

Please be advised that there is no Democratic State Finance Committee, its function being conducted by Democratic State Committee.

With appreciation for past courtesies and all good wishes, I remain

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Dennis E. Thiemann".

Dennis E. Thiemann  
Chairman

PATRICK A. GLEASON  
CHAIRMAN



OFFICE OF SPECIAL COUNSEL

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG  
SELECT COMMITTEE ON STATE CONTRACT PRACTICES

July 3, 1974

Mr. Dennis E. Thiemann  
Chairman  
Pennsylvania Democratic State Committee  
510 North Third Street  
Harrisburg, Pennsylvania 17101

Dear Mr. Thiemann:

Your decision to determine whether or not to comply with a lawful subpoena and, if so, in what form, smacks of the worst of Watergate. Had you, on behalf of the Democratic State Committee desired relief from our action in subpoenaing the records of the Democratic State Committee, you could properly have sought such relief through the courts. You did not do so.

Now, after enjoying a special extension granted by me at the request of Democratic State Committee Counsel, you arrogantly seek a privilege not in keeping with law. Your Committee is not entitled to special privileges, and you must accept the same standards as have other political committees in Pennsylvania who are under subpoena. Please be notified that I have directed Counsel for the Select Committee on State Contract Practices to prepare a contempt citation against you as Democratic State Committee Chairman for presentation before the full Committee. At the time of that session, you will be invited through subpoena to express yourself.

Very truly yours,

A handwritten signature in cursive script that reads "Patrick A. Gleason". To the right of the signature, the initials "NLR" are written in a smaller, blocky font.

Patrick A. Gleason  
Chairman

PAG/nlr

PATRICK A. GLEASON  
CHAIRMAN



OFFICE OF SPECIAL COUNSEL

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG  
SELECT COMMITTEE ON STATE CONTRACT PRACTICES

July 10, 1974

Mr. Dennis Thiemann, Chairman  
Democratic State Committee  
510 North Third Street  
Harrisburg, Pennsylvania

Dear Mr. Thiemann:

Please be advised that I shall bring your letter of July 1 and my response to you of July 3, 1974 to the attention of the Select Committee which I chair.

The Committee will meet on Tuesday, July 16, 1974 at 1:30 p.m. in Room 115-A Capitol Building, in Executive Session.

You are invited to attend, with or without counsel, so that you may make further comment or offer any explanation as to why you apparently have chosen to edit your Committee's financial contribution records, which the Committee has subpoenaed.

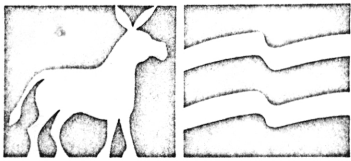
Very truly yours,

*Patrick A. Gleason*

Patrick A. Gleason, Chairman  
House Select Committee on  
State Contract Practices

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# Pennsylvania Democratic State Committee

510 North Third Street • Harrisburg, Pennsylvania 17101 • (717) 238-9381

July 15, 1974

Honorable Patrick A. Gleason  
Chairman  
Select Committee on State  
Contract Practices  
House of Representatives  
Harrisburg, Pennsylvania 17120

Dear Representative Gleason:

Your letter of July 10, 1974 has been received and I thank you for the courteous invitation to attend a meeting of the Select Committee in Executive Session on Tuesday, July 16, 1974. Respectfully, I believe it would be consistent with prior positions taken in this matter if I were to decline the invitation.

Ordinarily I would take pleasure in accepting an invitation of this kind since it would be an occasion of instruction in a most interesting aspect of the functions of our General Assembly. I regret that circumstances counsel me to the contrary.

In my letter of July 1, I attempted to state the position of the Pennsylvania State Democratic Committee. In that letter I stated the State Committee's understanding of the Resolution establishing the Select Committee and delineating the scope of its activities together with an exposition of State Committee's compliance with the subpoena duces tecum received from the Select Committee.

It is my impression that our position has not been made entirely clear and an area of possible misunderstanding has arisen. I assure you, Mr. Gleason, that it was not my intention to "edit" the records of the State Committee in any respect.

I am confident you will agree with me that this matter involves a problem of legal interpretation of the Resolution, a legal question of what constitutes compliance with a subpoena duces tecum, and practice before a select committee appointed from the membership of our House of Representatives. Upon consideration of these and their allied problems you

DENNIS E. (HARVEY) THIEMANN, *Chairman* C. DELORES TUCKER, *Vice-Chairman* MARTIN L. MURRAY, *Secretary* WILLIAM R. CASPER, *Treasurer*  
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C. DeLores Tucker



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Honorable Patrick A. Gleason

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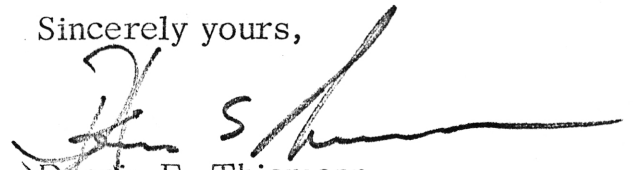
July 15, 1974

understand why I sought the advice and opinion of counsel. Since all of us involved in this matter are human, error is always possible. I hasten to assure you, however, that our good faith and sincerity ought not be placed in question.

Again assuring you and the distinguished members of the Select Committee of our entire willingness to cooperate with the Select Committee, we ask that the foundation for our position be reviewed. It is our sincere belief that the wording of the Resolution does in fact support the position we have taken. We recommend most earnestly that the Select Committee exercise patience in its functions until our Commonwealth Court has passed upon the legal issues involved in the whole matter. We respectfully request that the additional points made in our letter of July 1 be re-read in the light of our demonstrated good faith and willingness to cooperate with the Select Committee within the limits of legal and constitutional boundaries.

With continued assurances of warm personal regard and good wishes for the success of the work of the Select Committee, I remain

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Dennis E. Thiemann', with a long horizontal flourish extending to the right.

Dennis E. Thiemann  
Chairman

PATRICK A. GLEASON  
CHAIRMAN



OFFICE OF SPECIAL COUNSEL

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG  
SELECT COMMITTEE ON STATE CONTRACT PRACTICES

July 23, 1974

Mr. Dennis Thiemann, Chairman  
Democratic State Committee  
510 North Third Street  
Harrisburg, Pennsylvania

Dear Mr. Thiemann:

As you are aware, a meeting of the House Select Committee on State Contract Practices is scheduled for 11:00 a.m., Wednesday, July 24th, in Room 401 of the Main Capitol Building. You are invited to attend with or without counsel so that you may make further comment or offer any explanation as to why you have apparently chosen to edit your committee's financial contribution records which this Committee has subpoenaed.

Please be advised that I am prepared to open to the public the portion of the meeting in which your testimony would be taken.

I make this offer in the hope that you will appear and enlighten the public as to why, in this year of Watergate, you have chosen to withhold the information that has been subpoenaed.



Very truly yours,

A handwritten signature in cursive script, appearing to read "Patrick A. Gleason".  
Patrick A. Gleason, Chairman  
House Select Committee on  
State Contract Practices

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IBM

PATRICK A. GLEASON  
CHAIRMAN



OFFICE OF SPECIAL COUNSEL

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG  
SELECT COMMITTEE ON STATE CONTRACT PRACTICES

August 7, 1974

Morris Gerber, Esquire  
18 West Airy Street  
Norristown, Pennsylvania 19401

Re: Peter J. Camiel  
Subpoena duces tecum

Dear Judge Gerber:

In accordance with my telegram to you, this date, kindly be advised that the Select Committee on State Contract Practices is meeting in executive session in the Majority Caucus Room, Main Capitol Building, Harrisburg, Pennsylvania, on August 12, 1974, at 3:00 P.M. In light of the dismissal of Mr. Camiel's Petition to Quash Subpoena by the Commonwealth Court, the Committee wishes to extend to your client a further opportunity to comply with the outstanding subpoena duces tecum by producing the documents and records requested of him at the aforementioned time and place. The Committee, of course, stands ready to entertain any objections which your client believes justifies non-compliance with the Committee's subpoena.

If Mr. Camiel persists in his refusal to comply with the subpoena duces tecum without presenting any acceptable justification to this Committee, he does so under penalty of being cited and punished for contempt of the Pennsylvania House of Representatives.

Yours truly,

A handwritten signature in cursive script that reads "Patrick A. Gleason".  
Patrick A. Gleason

PAG:ch

August 7, 1974

Mr. Morris Gerber, Esquire  
18 W. Airy  
Norristown, Pennsylvania

The Select Committee on State Contract Practices is meeting in executive session in the Majority Caucus Room in the Main Capitol Building, Harrisburg, Pennsylvania at 3:00 p.m. on August 12, 1974. Your client, Peter J. Camiel, is invited to appear at that time to comply with outstanding subpoena duces tecum or to explain reasons for non-compliance. A refusal to comply with the subpoena may subject Mr. Camiel to penalty for contempt of House of Representatives. Letter to follow.

Patrick A. Gleason  
Pennsylvania House of Representatives  
Select Committee on State Contract Practices

LAW OFFICES  
**GERBER, DAVENPORT & WILENZIK**  
18 WEST AIRY STREET  
NORRISTOWN, PA. 19401  
—  
SUITE 200

MORRIS GERBER  
HORACE A. DAVENPORT  
A. RICHARD GERBER  
MARVIN L. WILENZIK  
MARC D. JONAS

(215) 279-6700

August 1, 1974

The Honorable Patrick A. Gleason  
Member of the House of Representatives  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

Re: Peter J. Camiel  
Democratic County Executive Committee of  
Philadelphia County

My dear Mr. Gleason:

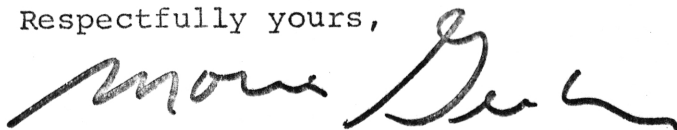
This is to acknowledge receipt of Western Union telegram forwarded over your name, addressed to Peter J. Camiel, which telegram is dated July 30, 1974 and bears a date stamp of July 30, 1974, 6:35 P.M. Same was delivered to Peter J. Camiel on July 31, 1974, and Senator Camiel has asked me to reply thereto.

The telegram requests that materials which were the subject of the subpoena duces tecum be delivered to your office on or before August 5, 1974 at 11:00 A.M. The subpoena commands that the material be put before the Select Committee on State Contract Practices. House Resolution 98 sets forth that the committee may issue subpoenas commanding any person to appear before it and to produce such books, papers, records and documents as the committee deems necessary. Nowhere does the subpoena or the House Resolution authorizing the subpoena, provide for anything other than an appearance before the House Committee with records, etc. It is our opinion that we need not respond in any fashion to any request for materials pursuant to said subpoena unless said request is directed to a duly convened meeting of the Select Committee.

Further, please be informed that I have filed a petition for reargument with the Commonwealth Court, a copy of which is

being forwarded to your counsel, Mr. Friedman.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Morris Gerber".

MORRIS GERBER

MG:mab

cc: Frederick L. Voight, Esquire