



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF THE AUDITOR GENERAL
HARRISBURG

FRANK P. LAWLEY, JR.
DEPUTY COUNSEL

August 28, 1974

Honorable James J. Manderino
Member, Select Committee on
State Contract Practices
House of Representatives
649 Main Capitol Building
Harrisburg, Pennsylvania 17120

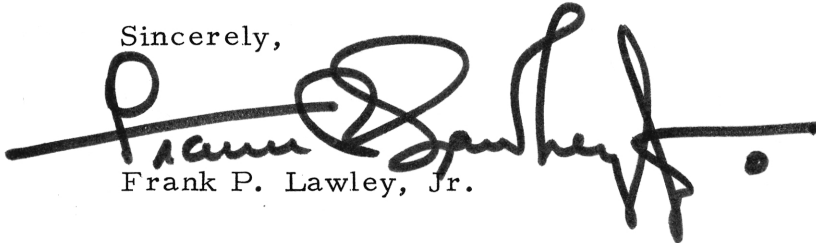
Dear Representative Manderino:

Edward L. Short, Assistant Director of the Bureau of Investigations of the Department of the Auditor General is delivering herewith a complete copy of this Department's investigative file and reports concerning our investigation of Westmoreland County Highway Maintenance District 12-5, No. 73-015.

For use by the Committee, the same material was previously furnished to the Honorable Patrick A. Gleason, Chairman of the Select Committee on State Contract Practices. Volumes 1 through 8 were copied by Beverly Batchelder of the Committee Staff during a three day period, April 5, April 8 and April 9, 1974. The remaining material (appropriately marked) was delivered to Mr. Gleason for use by the Committee on August 23, 1974, in compliance with a subpoena duces tecum directed to Auditor General Robert P. Casey which was served on August 16, 1974.

With the service of this copy of our complete investigative file and reports, our original investigative file and reports will be returned to the custody of this Department where they will be available for examination if necessary.

Sincerely,



Frank P. Lawley, Jr.

cc: All Members of the Committee

FPL/mcf

Rec'd 8/23
Messanger



ROBERT P. CASEY
AUDITOR GENERAL

Commonwealth of Pennsylvania
Office of the Auditor General ✓
Harrisburg 17120

August 23, 1974

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

Dear Representative Gleason:

On August 16, 1974, Deputy Counsel Frank P. Lawley, Jr., of my staff, accepted on my behalf a Subpoena Duces Tecum issued by the Select Committee on State Contract Practices, wherein the Committee calls upon me or my designee to deliver to your Office, Room B-10, Main Capitol Building, the original or copies of the following: "The report and complete file of the Auditor General's Office concerning its investigation in Westmoreland County Highway Maintenance District 12-5, No. 73-015."

As you know, members of my staff have at all times since the Committee's first request on March 20, 1974 cooperated fully with you, and members of the staff of the Select Committee. During a three day period, April 5, April 8 and April 9, 1974, in cooperation with the Bureau of Investigations of this Department, the entire investigative file and reports of the Bureau pertaining to Investigation No. 73-015, consisting of eight volumes containing 1629 pages, were copied by Beverly Batchelder of the Committee staff, in the presence and with the assistance of Edward L. Short, Assistant Director of our Bureau of Investigations. It is my position, therefore, that we have already voluntarily complied with your Subpoena, insofar as all of the documents in investigation file and Report No. 73-015 were copied at that time and have since that time been in the actual possession of the Select Committee.

Today, in order to comply completely with your Subpoena, Mr. Short is delivering herewith, as my designee, copies of additional material which has not been previously delivered because of one of the following reasons: (a) the Committee had never previously requested the material here delivered, or (b) the material delivered herewith comes from my personal file or the file of the Legal Bureau of my Department, or (3) the material was gathered after April 9, 1974, the last date that members of the Committee staff have examined our Investigative File No. 73-015.

Honorable Patrick A. Gleason

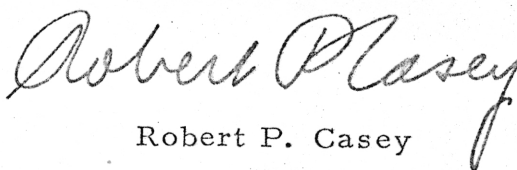
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August 23, 1974

Additionally, we have in our possession Xerox copies of records obtained from other departments, such as payroll records from PennDOT, which we consider as work papers only, and which do not compromise a part of either our investigative file or report. Nevertheless, if the Committee desires to examine these records and make copies of the same, we will be happy to make them available to the Committee.

Accordingly, it is my opinion that with the delivery of the aforementioned material, I have complied fully with the Select Committee's Subpoena.

Sincerely,

A handwritten signature in cursive script that reads "Robert P. Casey". The signature is written in dark ink and is positioned above the printed name.

Robert P. Casey

Copy to all Committee Members