



Schnee Legal Services, LLC
74 E Main Street #648
Lititz, PA 17543
(717) 400-5955
chadwick@schneelegal.com
<http://www.schneelegal.com>

June 10, 2024

Via E-mail and First Class Mail

Michael Long
220 Creek Road
Bath, PA 18014

RE: *Borough of Bath v. Michael Long*, No. C-48-CV-2023-10559

Dear Mr. Long,

I am in receipt of your June 8, 2024 Motion to Dismiss in which you largely reiterate various positions that you have raised in other pleadings before the Northampton County Court of Common Pleas and obdurately insist on relying on procedural rules that do not apply to statutory appeals. Additionally, I note that a number of the legal citations you raise in your latest filing either do not exist or do not in any way stand for the proposition for which you cite.

Your citation of nonexistent cases is itself vexatious and, as you have been previously cautioned against using fake citations, obdurate. You have cited the following cases, none of which exist based on my research:

1. Paragraph 13 of your Motion – “*Sossong v. Shinseki*, 63 A.3d 858, 862 (Pa. Commw. Ct. 2013);”
2. Paragraph 18 of your Motion – “*Wilco Elec. v. Weco, Inc.*, 586 A.2d 956, 958 (Pa. Super. Ct. 1991);”
3. Paragraph 20 of your Motion – “*Green Acres Rehab. & Nursing Ctr. v. Sullivan*, 536 A.2d 515, 518 (Pa. Commw. Ct. 1988);”¹
4. Paragraphs 23 and 42 of your Motion – “*Frychlund v. Way*, 15 A.3d 521, 525 (Pa. Commw. Ct. 2011);”
5. Paragraph 31 of your Motion – “*Sulli v. Zoning Hearing Bd. of Moosic Borough*, 604 A.2d 776, 778 (Pa. Commw. Ct. 1992);”
6. Paragraph 39 of your Motion – “*Thompson v. Cortese*, 41 A.3d 855, 860 (Pa. Commw. Ct. 2012);”

¹ There is a similarly-named case, *Green Acres Rehab. & Nursing Ctr. v. Sullivan*, 113 A.3d 1261, 1273 (Pa. Super. 2015); however, this case specifically held that an argument regarding service was waived.

In Paragraphs 17, 22 and 41 of your Motion, you reference the case *City of Philadelphia v. Frempong*, 865 A.2d 314 (Pa. Commw. 2005) for the proposition that “the Commonwealth Court emphasized the importance with service requirements” and that this “case underscores the necessity of serving legal documents by certified mail to establish proper service.” This case, however, does not discuss service at all, let alone by certified mail.

In addition to representing fake citations as genuine, your Motion is largely duplicative in that you reiterate arguments you have previously made in other filings in this matter. For example, you argue that the Court lacks jurisdiction to hear this case and that service was improper – both arguments you have made in other filings. With respect to service, despite the fact that the Borough has repeatedly noted that neither the Rules of Appellate Procedure nor the Rules of Civil Procedure apply to this statutory appeal, you have obdurately continued to cite such rules to reiterate the same arguments previously made.

The fake citations you have referenced in your Motion lack any grounds and only serves to cause annoyance, especially as the Borough has been forced to expend funds to research your fake citations to evaluate the legal propositions you claim they reference. Additionally, endlessly clogging the dockets with duplicative filings serves no legitimate purpose whatsoever. I ask that you withdraw or amend your Motion no later than July 8, 2024 in order to avoid a motion for sanctions for your vexatious and obdurate conduct.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Schnee', with a stylized flourish at the end.

J. Chadwick Schnee, Esq.