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PROTHONOTARY/CLERK
HUNTINGDON CO., PA

IN THE COURT OF COMMON PLEAS
OF HUNTINGDON COUNTY, PENNSYLVANIA
CIVIL DIVISION - IN REM

IN RE: CONDEMNATION BY SUNOCO PIPELINE L.P. OF PERMANENT AND TEMPORARY RIGHTS OF WAY FOR THE TRANSPORTATION OF ETHANE, PROPANE, LIQUID PETROLEUM GAS, AND OTHER PETROLEUM PRODUCTS IN THE TOWNSHIP OF UNION, HUNTINGDON COUNTY, PENNSYLVANIA, OVER THE LANDS OF STEPHEN GERHART AND ELLEN S. GERHART	:	Docket No. 2015-0972 EMINENT DOMAIN – IN REM

CONDEMNOR'S MOTION TO SUPPLEMENT PETITION FOR DETERMINATION OF INDIRECT CRIMINAL CONTEMPT AND TO REVOKE BAIL

Condemnor Sunoco Pipeline L.P. ("Sunoco Pipeline"), by and through its undersigned counsel, hereby moves to supplement its pending petition for a determination that Condemnee Ellen Gerhart has engaged in indirect criminal contempt of this Court's preliminary injunction order of June 28, 2017, and further requests that Mrs. Gerhart's bail be revoked due to her post-May 9, 2018 conduct. In support of its Motion, Sunoco Pipeline avers as follows:

1. On or about April 30, 2018, Sunoco Pipeline filed its Petition for the Determination of Indirect Criminal Contempt. The Court scheduled the matter for hearing to be held on May 9, 2018.

2. Immediately prior to the start of the May 9 hearing, Mrs. Gerhart, through her counsel, requested a continuance so that she could obtain criminal counsel. The

Court granted the request and rescheduling the hearing for July 6, 2018, conditioned upon the posting of $25,000 unsecured bail and establishing a condition of bail that Mrs. Gerhart comply with the Court's June 28, 2017 injunction.

3. The July 6, 2018 hearing was subsequently rescheduled for August 3, 2018.

4. Subsequent to issuance of the May 9 Order, Mrs. Gerhart has continued her efforts to interfere with pipeline construction as follows:

a. While remaining off the easement, Mrs. Gerhart threw a stick at a construction worker on the easement. A criminal citation was issued arising out of the incident. A preliminary hearing on the charge was scheduled for July 25, 2018 but, at Mrs. Gerhart's request, was continued to August 30, 2018.

b. Mrs. Gerhart spread cat feces, raw eggs, rancid milk and ground turkey meat adjacent to the easement to create a noxious odor to hamper the work and to attract wild animals to the site. She also threw some of the rancid milk and ground turkey meat onto workers.

c. Mrs. Gerhart's efforts to bait the property was successful and, on June 24, 2018, a mountain lion was spotted on the edge of the easement. Four days later, two bears were on the easement and fresh mountain lion tracks discovered. On June 30, 2018, Mrs. Gerhart was directed by a game warden to remove the bait by July 3 or be cited for illegally luring wild animals. On July 1, Mrs. Gerhart dug a shallow hole next to the easement and placed materials in it, covering it with a plastic sheet. On the same day, a large bear then entered the easement, close to security personnel. *See* Exhibit A, attached hereto. Because of the risk to employees, security personnel were removed from the nearby security structure.

d. On July 5, 2018, Mrs. Gerhart yelled to workers: "Hey, do you like the present I left for you last night or have you found them yet?"

e. On July 13, 2018, a game warden returned to the property and found bait food had either not been removed or had been replenished. Mrs. Gerhart admits that she did so for the purpose of drawing bears to the easement. She was issued a citation.

f. Mrs. Gerhart has started fires on her property that have been close enough to threaten damage to construction fences and equipment and required workers to extinguish the fires (from the right-of-way side of the fence) before they could damage equipment on the easement.

g. Mrs. Gerhart brought two ½ gallon jugs of a mixture of what appeared to be liquid flammable substances, with a rag on top (something akin to a Molotov cocktail) adjacent to (within a few feet of) the easement and attempted to light it. She then retreated and took shelter behind a nearby tree, either in anticipation of the device exploding or intending to at least cause the expectation of the work crew that it would do so. When it failed to ignite, she returned and added sticks to get it to burn. While doing so, she informed the nearby workers, "How does it feel to be next to something that could possibly explode? Now you know how we feel living next to this pipeline." At 1:36 am that evening, she then spread an unknown white substance outside the easement but close to a security hut, then left the area.

h. Mrs. Gerhart entered the right-of-way easement and place a video-camera in the face of workers, then stepped in front of a construction vehicle carrying fallen trees to a mulcher, forcing the equipment to stop operation until she left the area.

i. On July 11, 2018, Sunoco Pipeline was advised by County personnel that Mrs. Gerhart had called the County Emergency Management office and asked about Sunoco's Emergency Response Plan and inquired, "what if there is a bomb on the pipeline?"

Attached hereto as Exhibit B are transcripts of security radio logs relating to a number of the incidents.

5. Mrs. Gerhart's conduct in baiting for wild animals, especially bears and mountain lions, placed at risk of substantial harm not only the construction workers but

also residents, including several young children, who live in the immediate vicinity of the easement.

6. Mrs. Gerhart's conduct in standing in front of construction vehicles, in throwing objects at workers, in drawing dangerous animals to the site and in lighting fires close to construction vehicles have been in violation of the injunctive bar on "creating conditions on the right of way that create a danger to themselves and others." June 28, 2017 Order, ¶ 5.

7. Mrs. Gerhart's conduct has been willfully and maliciously in violation of the injunctive bar on "interfering in any way with Condemnor's installation of pipelines within said easement." June 28, 2017 Order, ¶ 4.

8. Mrs. Gerhart's conduct is in willful and deliberate disobedience of the Order.

9. Mrs. Gerhart's increasingly dangerous and obstructive behavior has placed workers, and herself, at risk of injury and threatens damage to equipment on the easement.

10. Pipeline installation work continues on the right-of-way easement.

WHEREFORE, for the reasons set forth above, Condemnor Sunoco Pipeline L.P. supplements its pending Petition to identify the additional conduct by Mrs. Gerhart and, because of her ongoing conduct, respectfully requests that the Court find Mrs. Gerhart in contempt of the Court's Order and requests that appropriate remedies, including revocation of bail, be imposed.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By _____

Alan R. Boynton, Jr., Pa. I.D. No. 39850
aboynton@mcneeslaw.com
Stephanie Carfley, Pa. I.D. No. 79136
scarfley@mcneeslaw.com
Kandice Kerwin Hull, PA I.D. No. 86345
khull@mcneeslaw.com
100 Pine Street, P.O. Box 1166
Harrisburg, PA 17108
(717) 232-8000

Dated: July 26, 2018

Counsel for Condemnor Sunoco Pipeline L.P.

EXHIBIT "A"

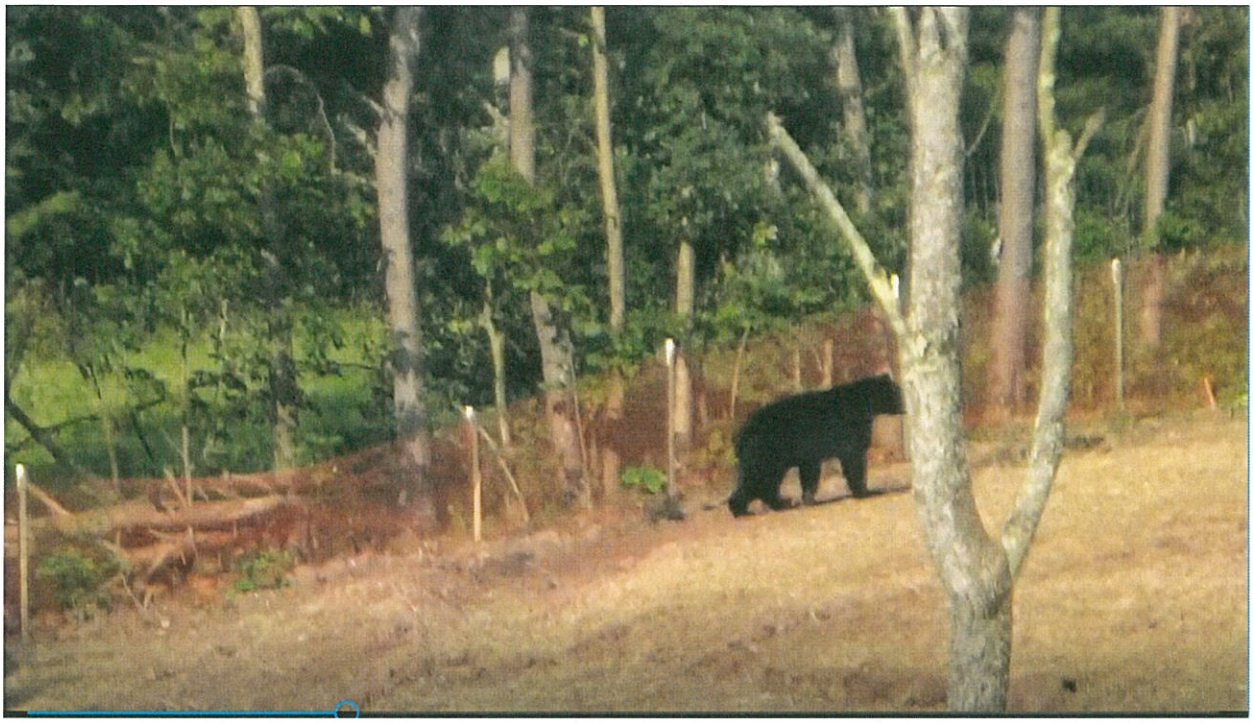
1July18-Bricker-Markham-Ripley-P4 EG dig (1)

1July18-Bricker-Markham-Ripley-P4 EG dig (1)

1July18-Bricker-Markham-Ripley-P4 EG dig (2)

1July18-Gates-Markham-Ripley-P4 Bear

July 1, 2018



June 28, 2018

June 28, 2018 at hut 4

June 28, 2018

EXHIBIT "B"

Leighton Radio Log Date: 5 / 21 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
0500	P-#	CP	Hourly Check – All Secure, No Trespassers
0534	CP	P-4	Ellen Gerhart is in the AO, off the RoW, dropping waste and feces nearby their position on her property.
0600	P-#	CP	Hourly Check – All Secure, No Trespassers
0700	P-#	CP	Hourly Check – All Secure, No Trespassers
0702	CP	P-#	Day Shift Change Complete
0800	P-#	CP	Hourly Check – All Secure, No Trespassers
0900	P-#	CP	Hourly Check – All Secure, No Trespassers
0942	CP	P-3	Ellen Gerhart sighted by Hut Five, heading up the Buckeye – she was sighted dumping what appeared to be cat litter with cat feces around the Hut, shouting unheard things at assets before leaving the AO
0946	CP	P-9	Ellen Gerhart moved Westbound on the Buckeye before arriving at her property, moving Northbound along 829.
1000	P-#	CP	Hourly Check – All Secure, No Trespassers
1100	P-#	CP	Hourly Check – All Secure, No Trespassers
1200	P-#	CP	Hourly Check – All Secure, No Trespassers
1300	P-#	CP	Hourly Check – All Secure, No Trespassers
1338	CP	P-9	Ellen Gerhart sighted on foot moving onto 829
1339	CP	P-3	3 sighted Ellen Gerhart, is in possession of the body camera and is getting visual.
1340	CP	P-3	LAX-2 Body Camera Activated.
1340	CP	P-3	Ellen Gerhart has left the AO, (confirmed also by P-9) returned to her home heading up her driveway
1341	CP	P-3	LAX-2 Body Camera Deactivated.
1353	CP	P-9	Ellen Gerhart sighted heading up the Buckeye Line.
1355	CP	P-3	Ellen Gerhart appears to be smashing raw eggs as well as raw meats on the trees and the area.
1401	CP	P-3	3 investigated the meat – it appeared to be ground turkey or pork smeared around the trees with the eggs.
1404	CP	P-9	Ellen Gerhart appears to be moving across the Buckeye through a neighbor's property, in the direction of the creek – site lost.
1408	CP	P-5	5 has reestablished visual on Ellen, now in the established shed reading a book.
1426	P-4	P-5	Ellen Gerhart is now walking in the direction of 4.

1445	CP	L-20	Ellen Gerhart spotted on the North Side of the RoW by Hut 4.
1448	CP	P-3	Ellen Gerhart is now on the trail heading towards the established shed.
1452	CP	P-3	Ellen Gerhart is now at the shed.
1500	P-#	CP	Hourly Check – All Secure, No Trespassers
1507	CP	P-5	Ellen Gerhart sighted heading back on the North Trail in the direction of her home.
1600	P-#	CP	Hourly Check – All Secure, No Trespassers
1700	P-#	CP	Hourly Check – All Secure, No Trespassers
1800	P-#	CP	Hourly Check – All Secure, No Trespassers

_____Initial Completed

Leighton Radio Log Date: 5 / 22 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
1800	P-#	CP	Hourly Check-All Secure, No Trespassers
1900	P-#	CP	Hourly Check-All Secure, No Trespassers
2000	P-#	CP	Hourly Check-All Secure, No Trespassers
2100	P-#	CP	Hourly Check-All Secure, No Trespassers
2122	CP	P-8	Unknown vehicle pulled into Gerhart's driveway. P-8 is unable to give a description, just saw unknown vehicle's headlights.
2200	P-#	CP	Hourly Check-All Secure, No Trespassers
2238	CP	P-8	A second unknown vehicle pulled into Gerhart's driveway.
2302	P-#	CP	Hourly Check-All Secure, No Trespassers
0000	P-#	CP	Hourly Check-All Secure, No Trespassers
0100	P-#	CP	Hourly Check-All Secure, No Trespassers
0200	P-#	CP	Hourly Check-All Secure, No Trespassers
0300	P-#	CP	Hourly Check-All Secure, No Trespassers
0400	P-#	CP	Hourly Check-All Secure, No Trespassers
0457	CP	P-8	Pick-up truck pulled up to Gerhart's driveway, stopped, turned headlights off and then turned headlights back on and drove away from Gerhart's driveway.
0500	P-#	CP	Hourly Check-All Secure, No Trespassers
0542	CP	P-4	Ellen Gerhart is near site rubbing an unknown substance on surrounding trees as well as spreading the substance on the ground.
0547	CP	S	Ellen Gerhart is near P-4 headed toward P-5, she is spreading eggs and food around the area. She also has containers of an unknown liquid and is pouring from one container to another. Command is recording footage of Ellen Gerhart doing so.
0557	CP	P-8	Ellen Gerhart observed near post carrying a blue satchel that appears to be "really full." Walking away from P-8 toward P-5.
0600	P-#	CP	Hourly Check-All Secure, No Trespassers
0606	P-5	P-4	Ellen Gerhart headed westbound from P-5.
0613	CP	P-8	Ellen appears to now be going up her driveway.

_____Initial Completed

Leighton Radio Log Date: 5 / 24 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
0700	P-#	CP	Hourly Check-All Secure, No Trespassers
0800	P-#	CP	Hourly Check-All Secure, No Trespassers
0820	P-5	P-9	Ellen Gerhart sighted heading towards Post Five's direction, walking on the secondary line (off of our RoW) – she was wielding a bag in her hand
0822	P-3	P-5	Ellen Gerhart passed by Hut Five, heading towards P-3's AO.
0824	P-4	P-3	Ellen Gerhart sighted, moving towards P-4.
0826	CP	P-4	LAX-29 Body Camera Activated.
0826	CP	P-4	Ellen Gerhart threw feces onto the RoW, hitting one of the workers (later identified as Alex Saluka), then proceeded to pour some sort of liquid around the fence line – she did not physically move onto the RoW.
0829	CP	P-4	LAX-29 Body Camera Activated.
0831	CP	P-4	Ellen Gerhart is standing by the safety-fencing (off the RoW) but is physically throwing things onto the RoW.
0833	CP	P-4	LAX-29 Body Camera Deactivated.
0836	CP	P-4	Ellen Gerhart is leaving the AO, returning from where she initially entered in from.
0836	CP	P-3	Ellen Gerhart was sighted moving at the TEPCO moving away from the AO but heading East.
0846	CP	P-5	Ellen Gerhart was sighted walking past "The Pit", heading pass Five.
0848	CP	P-9	Ellen Gerhart sighted moving down from the Buckeye.
0850	CP	P-9	Ellen Gerhart is moving North on 829 still wielding the large bag – "she's moving towards the neighbor's driveway, appears to be that she's intending on using the neighbor's trail." Visual was lost shortly there-after.
0900	P-#	CP	Hourly Check-All Secure, No Trespassers
0919	CP	S-DT	Ellen Gerhart sighted on the Northside of the First Crossing, currently P-3 is on site with a camera tracking.
0929	CP	P-3	Ellen Gerhart was sighted, at the time, pouring water from the creek into a water-bottle – captured on camera.
0932	CP	P-4	LAX-29 Body Camera Activated.
0934	CP	P-4	LAX-29 Body Camera Deactivated.

0941	CP	P-4	Ellen Gerhart is now heading out of the AO, appears to be heading in the direction back to her house.
0956	CP	P-2	2 believes he sighted Ellen Gerhart, moving through the trees.
0957	CP	P-1	1 has gained visual on Ellen Gerhart, hiding behind a Hut.
0957	CP	P-2	LAX-2 Body Camera Activated.
1000	P-#	CP	Hourly Check-All Secure, No Trespassers
1004	CP	P-3	Ellen Gerhart sighted moving on the back-trail.
1008	CP	P-3	Ellen Gerhart's visual contact was reestablished, moving towards the second creek, appears to be heading towards the established shed.
1015	CP	P-5	Ellen Gerhart sighted at the established shed, moved off to the underbrush by the pond.
1100	P-#	CP	Hourly Check-All Secure, No Trespassers
1144	CP	P-4	Ellen Gerhart sighted at the second bridge by the Creek.
1149	P-5	P-4	Ellen Gerhart spotted, 5 alerted 4 that she was heading in their direction.
1156	CP	P-4	Ellen Gerhart passed by "the slope", made her way towards the established shed.
1158	CP	P-5	Ellen Gerhart heading "west, northwest out of the AO"
1200	P-#	CP	Hourly Check-All Secure, No Trespassers
1300	P-#	CP	Hourly Check-All Secure, No Trespassers
1400	P-#	CP	Hourly Check-All Secure, No Trespassers
1500	P-#	CP	Hourly Check-All Secure, No Trespassers
1600	P-#	CP	Hourly Check-All Secure, No Trespassers
1700	P-#	CP	Hourly Check-All Secure, No Trespassers
1748	CP	P-4	Ellen Gerhart sighted directly behind Hut Four.

_____Initial Completed

Leighton Radio Log Date: 5 / 24 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
1800	P-#	CP	Hourly Check-All Secure, No Trespassers
1829	CP	P-4	Ellen Gerhart near site, northern side
1840	CP	P-4	Ellen Gerhart is between P-4 and P-5, near where Environmental is working. P-4 reports that Ellen is yelling about suing and law suits.
1851	CP	P-3	Ellen Gerhart headed toward the TEPCO
1900	P-#	CP	Hourly Check-All Secure, No Trespassers. S , P-4 and P-5 are monitoring Ellen Gerhart's movements.
1914	CP	P-5	Ellen Gerhart is moving west on the South side of the RoW
1945	CP	P-5	Ellen Gerhart made threatening gestures implying that she was going to throw rocks at P-5. P-5 was in fear for his safety as well the safety of the line workers.
2002	S	P-5	Ellen Gerhart piling groups of sticks and rocks along RoW
2020	P-#	CP	Hourly Check-All Secure, No Trespassers
2021	CP	P-5	Ellen Gerhart headed West of TEPCO
2035	CP	P-8	Mixed silver colored conversion van pulled into Ellen Gerhart's driveway as well as a dark colored pick-up truck. Van has 1 occupant, pick-up has 2 occupants.
2039	CP	S	Ellen Gerhart is near hut 4 AO, throwing material around AO. Some of the debris material thrown hit pipe near hut 4 AO. The material she threw also hit a light tree in that AO. Command reports that Ellen Gerhart made threatening gestures and motions implying that she was about to throw rocks at S. S was fearful of his safety.
2041	CP	P-8	1 maroon colored van left Ellen Gerhart's driveway. 1 occupant.
2044	CP	S	Stock piles of rocks and sticks are being gathered into piles by Ellen Gerhart. She is leaving said piles along RoW near hut 4's AO.
2103	P-#	CP	Hourly Check-All Secure, No Trespassers
2116	CP	S	S on North side of Hut 4, Ellen Gerhart is seen approaching AO with flashlight. Ellen Gerhart threw stagnant milk, hitting S as well as RoW. She also has

			rancid ground meat and is spreading it along RoW. S body cam LAX-7, has been activated.
2121	CP	S	Ellen Gerhart is now leaving P-4 RoW and heading east toward A-FRAME.
2126	CP	S	Body cam LAX-7 activated, Ellen Gerhart came out of the trees with a flashlight, 2 ½ gallon milk jugs, rancid smelling ground meat, and bottles filled with liquid. She mixed leaves, sticks, the liquid from the bottles and other unknown materials into the 2 milk jugs as well as the rancid meat container and set them on fire right next to the RoW near S's AO @ hut 4.
2205	P-#	CP	Hourly Check-All Secure, No Trespassers
2219	CP	S	Fire is still going and still being fed by Ellen Gerhart.
2235	CP	S	Ellen Gerhart has started a secondary fire next to the first one. She is using the same materials to do so.
2300	P-#	CP	Hourly Check-All Secure, No Trespassers
2313	CP	S	S visual from hut 4, Ellen Gerhart is breaking sticks and pacing around talking aggressively aloud to herself, no one else is around.
0000	P-#	CP	Hourly Check-All Secure, No Trespassers
0100	P-#	CP	Hourly Check-All Secure, No Trespassers
0136	CP	P-5	Ellen Gerhart spreading white liquid along South side of RoW
0200	P-#	CP	Hourly Check-All Secure, No Trespassers
0300	P-#	CP	Hourly Check-All Secure, No Trespassers
0400	P-#	CP	Hourly Check-All Secure, No Trespassers
0500	P-#	CP	Hourly Check-All Secure, No Trespassers
0600	P-#	CP	Hourly Check-All Secure, No Trespassers

_____Initial Completed

Leighton Radio Log Date: 5 / 25 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
0700	P-#	CP	Hourly Check-All Secure, No Trespassers
0710	CP	P-#	Day Shift Change Complete
0800	P-#	CP	Hourly Check-All Secure, No Trespassers
0823	CP	P-5	Ellen Gerhart sighted in the AO, throwing food around the area but not onto the RoW at this time.
0823	CP	P-5	Ellen Gerhart placed a box of unknown contents by the pit.
0829	CP	P-5	Ellen Gerhart is "staging her supplies for the day" by the Pit on her side of the property – placing down an array of meats, cartons and half-gallon jugs of milk and other things.
0833	P-4	P-5	"4, this is 5 – double time your ass up here now with a fire extinguisher." 4 approached, double-timing with a fire-extinguisher.
0835	CP	S-CC	Ellen Gerhart is currently standing on her property and has made a fire on her property although five feet away from a parked excavator piece of equipment by an excavator. Fire extinguisher is on site – supervisor DT advised assets to use the extinguisher if it "gets out of hand" to save equipment and to make sure she is not in the area for her safety when it is doused.
0841	CP	-	Ellen Gerhart has walked away from the fire – it appears that the fire will cause damage to the safety fencing in the immediate proximity and is currently being extinguished.
0846	CP	P-9	9 reports that there appears to be smoke in the area of his Hut.
0848	CP	S-CC	Supervisor CC reports that the smoke that 9 is seeing is coming from their position and that is now extinguished – Ellen Gerhart approached him, attempting to hit him with a stick before Supervisor dodged before contact was made.
0850	CP	S-CC	Ellen Gerhart is now approximately 20 feet to the east of where she was attempting to craft the first fire, placing tinder into the box attempting to light it.
0900	P-#	CP	Hourly Check-All Secure, No Trespassers

0934	S-CC	CP	S-DT at CP: "PSP has been called they are on their way." S-CC: "Copy is that per the footage – over." S-DT at CP: "That will be for the fire and your attempted assault. Be advised you will be needing to make a written statement." S-CC: "Is that for hand or come back to the CP" S-DT at CP: "No I will be heading on site here directly."
0941	CP	P-5	The box that Ellen Gerhart placed onto the ground has now caught alight – the smoke has lessened and has been exchanged for active flames, no longer smoldering.
1000	P-#	CP	Hourly Check-All Secure, No Trespassers
1030	P-5	P-9	9 sighted two individuals walking towards their AO on the Buckeye, one being positively identified as Elise Gerhart, the other is an unknown and unrecognized male.
1034	CP	P-9	9 sighted a black Camaro heading southbound on 829 believes it to be associated with the sudden sighting of Elise Gerhart and the unknown male
1042	CP	S-CC	Ellen Gerhart, Elise Gerhart, and the unknown male have been present, yelling and screaming at the assets on post. The male appears to be white with shorter-long blonde hair, ear-rings and a hat.
1045	P-3	P-4	Elise Gerhart was sighted on the Buckeye heading East on it, heading towards where P-5 and Supervisor CC is at.
1052	P-4	P-3	3 advised that Ellen Gerhart was now moving to 4's AO and to be advised.
1053	P-3	P-4	"Copy, she's just coming over from the Buckeye."
1058	P-3	P-4	Ellen Gerhart is now turning back to head towards 3's.
1100	P-#	CP	Hourly Check-All Secure, No Trespassers
1101	CP	P-9	9 sighted an unknown man on the TEPCO, walking up and down it but appeared to be on the phone – plaid shirt, glasses and a ballcap
1104	CP	P-7	7 advised CP (who then advised all assets) that a drone is about to be active in the AO.
1107	CP	S-CC	Ellen and Elise Gerhart appear to be leaving his AO, heading down the TEPCO past Hut Five.
1111	CP	P-9	9 confirmed visual of Ellen and Elise heading down the TEPCO towards 829.
1115	CP	P-9	Ellen Gerhart and Elise were sighted now walking down their driveway.

1116	CP	P-9	Ellen Gerhart and Elise crossed from their driveway, moving through their treeline behind a neighbor's house, losing visual.
1126	CP	P-5	Ellen Gerhart was sighted by the established shed.
1129	CP	P-5	Both Ellen and Elise Gerhart were sighted by the shed.
1131	P-4	P-5	5 advised 4 that Ellen and Elise were going to be "making their way back along these trails."
1140	CP	P-9	Three individuals in all black are heading up the TEPCO, moving into the treeline and immediately lost visual.
1200	P-#	CP	Hourly Check-All Secure, No Trespassers
1224	CP	P-9	9 spotted two individuals, one Ellen Gerhart and who they believed to be Elise Gerhart's boyfriend moving East on the Buckeye.
1227	P-9	P-5	5 sighted the two moving past the Pit.
1244	P-5	P-3	3 sighted Ellen and the male moving back towards 5's AO through the buckeye.
1300	P-#	CP	Hourly Check-All Secure, No Trespassers
1400	P-#	CP	Hourly Check-All Secure, No Trespassers
1426	CP	P-9	9 identified a small silver compact car moving into the Gerhart's Driveway.
1444	CP	P-4	Ellen Gerhart and one unidentified individual female is in 4's vicinity – left and was soon sighted at the established shed
1456	CP	P-5	Ellen and the other individual were sighted moving West away from the established shed.
1500	P-#	CP	Hourly Check-All Secure, No Trespassers
1600	P-#	CP	Hourly Check-All Secure, No Trespassers

Leighton Radio Log Date: 6 / 24 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
1900	L#	CP	Hourly Check-All Secure, No Trespassers
2000	L#	CP	Hourly Check-All Secure, No Trespassers
2044	CP	S	The Dark colored pickup truck from the other night drove by the CP
2100	L#	CP	Hourly Check-All Secure, No Trespassers
2130	CP	L9	Vehicle pulled into the tepco access road then left after about 1 minute
2200	L#	CP	Hourly Check-All Secure, No Trespassers
2224	L#	CP/S	All need to be careful there is a large cat (size of a cougar) on the south side of the RoW and everyone needs to be on the lookout
2300	L#	CP	Hourly Check-All Secure, No Trespassers
0000	L#	CP	Hourly Check-All Secure, No Trespassers
0100	L#	CP	Hourly Check-All Secure, No Trespassers
0200	L#	CP	Hourly Check-All Secure, No Trespassers
0300	L#	CP	Hourly Check-All Secure, No Trespassers
0400	L#	CP	Hourly Check-All Secure, No Trespassers
0500	L#	CP	Hourly Check-All Secure, No Trespassers
0600	L#	CP	Hourly Check-All Secure, No Trespassers

_____Initial Completed

Leighton Radio Log Date: 6 / 28 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
0600	P-#	CP	Hourly Check – All Secure, No Trespassers
0700	P-#	CP	Hourly Check – All Secure, No Trespassers
0702	CP	P-#	Day Shift Change Complete
0800	P-#	CP	Hourly Check – All Secure, No Trespassers
0900	P-#	CP	Hourly Check – All Secure, No Trespassers
1000	P-#	CP	Hourly Check – All Secure, No Trespassers
1041	CP	P-4	Ellen Gerhart sighted in the AO of Hut Four but quickly shifted in Hut Five's direction.
1048	CP	P-4	Ellen Gerhart came back towards Hut Four, dumped some cat food onto a pile of rolled up tar with 5/50 cord, cat litter, mayonnaise, cat food, and a dirty shirt on a pile of and then withdrew towards the A-FRAME.
1059	CP	P-4	Ellen Gerhart sighted, heading West along the back trail, appears to be heading in the direction of the established shed.
1100	P-#	CP	Hourly Check – All Secure, No Trespassers
1108	CP	P-5	Ellen Gerhart sighted in the AO throwing food onto the RoW however this was not caught on camera.
1200	P-#	CP	Hourly Check – All Secure, No Trespassers
1300	P-#	CP	Hourly Check – All Secure, No Trespassers
1400	P-#	CP	Hourly Check – All Secure, No Trespassers
1500	P-#	CP	Hourly Check – All Secure, No Trespassers
1600	P-#	CP	Hourly Check – All Secure, No Trespassers
1618	CP	P-4	Ellen Gerhart came in from the backtrail to the A-FRAME and was sighted standing in between the camera trailer and the A-FRAME right off the orange fencing and trench – she then began to record with a handheld camera of her own.
1700	P-#	CP	Hourly Check – All Secure, No Trespassers
1717	P-5	P-4	Ellen Gerhart was moving West towards the established she once more – 4 advised and cautioned 5. 5 acknowledged.

Leighton Radio Log

Date: 6 / 28 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
1800	P-#	CP	Hourly Check-All Secure, No trespassers
1808	CP	P-4	Bear on ROW, hand held video footage captured.
1809	CP	P-4	Bear climbed over safety fence headed toward P-5 or AFRAME. P-5 spotted bear from afar, it was running southbound away from any personnel
1900	P-#	CP	Hourly Check-All Secure, No trespassers
2000	P-#	CP	Hourly Check-All Secure, No trespassers
2040	CP	P-2	Bear spotted on ROW in AO
2045	CP	PC	PC-JB says bear is headed toward P-3, South of ROW
2057	CP	PC	P-4 will move to P-3 to be out of area of bear sightings. Assets can still be seen and monitored from P-3.
2100	P-#	CP	Hourly Check-All Secure, No trespassers
2102	CP	PC	PC-JB observed bear run into woods, bear is said to have been snorting and appeared agitated.
2107	CP	PC	PC-JB sates that there are fresh Mountain Lion prints in AO if P-5. Between P-4 and P-5 near where the old Drill Pad was. Prints look fresh, as in, within last 12 hours.
2133	CP	PC	PC-JB states not only 1 bear, but 2 now spotted. 1 bear is between P-3 & P-4, South side, headed toward AFRAME and the second bear is walking around AO of P-4 & P-5.
2200	P-#	CP	Hourly Check-All Secure, No trespassers
2300	P-#	CP	Hourly Check-All Secure, No trespassers
0000	P-#	CP	Hourly Check-All Secure, No trespassers
0100	P-#	CP	Hourly Check-All Secure, No trespassers
0200	P-#	CP	Hourly Check-All Secure, No trespassers
0300	P-#	CP	Hourly Check-All Secure, No trespassers
0400	P-#	CP	Hourly Check-All Secure, No trespassers
0500	P-#	CP	Hourly Check-All Secure, No trespassers
0600	P-#	CP	Hourly Check-All Secure, No trespassers

Leighton Radio Log Date: 6 / 30 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
1800	P-#	CP	Hourly Check – All Secure, No Trespassers
1900	P-#	CP	Hourly Check – All Secure, No Trespassers
2000	P-#	CP	Hourly Check – All Secure, No Trespassers
2100	P-#	CP	Hourly Check – All Secure, No Trespassers
2200	P-#	CP	Hourly Check – All Secure, No Trespassers
2300	P-#	CP	Hourly Check – All Secure, No Trespassers
0000	P-#	CP	Hourly Check – All Secure, No Trespassers
0100	P-#	CP	Hourly Check – All Secure, No Trespassers
0200	P-#	CP	Hourly Check – All Secure, No Trespassers
0300	P-#	CP	Hourly Check – All Secure, No Trespassers
0400	CP	P-4	Two bears sighted crossing the ROW headed into the trees. South side.
0400	P-#	CP	Hourly Check – All Secure, No Trespassers
0433	CP	PC	PC-JB observed two bears moving across AFRAME and wetlands. South side. P-5 monitoring TEPCO, no bear activity there at this time.
0500	P-#	CP	Hourly Check – All Secure, No Trespassers. No visual of bears.

Leighton Radio Log

Date: 7 / 01 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
0600	P-#	CP	Hourly Check – All Secure, No Trespassers
0700	P-#	CP	Hourly Check – All Secure, No Trespassers
0709	CP	P-#	Day Shift Change Complete
0800	P-#	CP	Hourly Check – All Secure, No Trespassers
0809	CP	P-5	5 reports a black bear 25 yards from their Hut on the Northside that shortly there after crossed onto the RoW after checking and smelling where the bags alongside the RoW were hanging from the Gerhart Property. It sighted her and stood up before continuing on to the TEPCO.
0811	P-#	CP	CP advised all assets to stand-by their air-horns and not to run from the bear but to make themselves appear larger.
0900	P-#	CP	Hourly Check – All Secure, No Trespassers
0917	CP	P-5	P-5 reports sighting two bears on the top of the Buckeye in visual of their AO.
1000	P-#	CP	Hourly Check – All Secure, No Trespassers
1100	P-#	CP	Hourly Check – All Secure, No Trespassers
1200	P-#	CP	Hourly Check – All Secure, No Trespassers
1300	P-#	CP	Hourly Check – All Secure, No Trespassers
1400	P-#	CP	Hourly Check – All Secure, No Trespassers
1500	P-#	CP	Hourly Check – All Secure, No Trespassers
1600	P-#	CP	Hourly Check – All Secure, No Trespassers
1700	P-#	CP	Hourly Check – All Secure, No Trespassers

Leighton Radio Log Date: 7 / 01 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
1800	P-#	CP	Hourly Check – All Secure, No Trespassers
1900	P-#	CP	Hourly Check – All Secure, No Trespassers
1930	CP	P-2	Caucasian female, brown hair, white t-shirt, blue skirt, on side of ROW between P-2 and P-6. Woman stated that she lives in nearby cabin (between P-1 and P-2) and wanted to check the progress of the line. PC-JB en route.
1930	CP	P-6	Body cam activated to obtain footage of woman.
1936	CP	P-6	Body cam deactivated, woman left AO.
2000	P-#	CP	Hourly Check – All Secure, No Trespassers
2050	CP	PC	PC-JB reports Ellen Gerhart is digging a hole with a shovel directly behind P-4. She has a very foul smelling bag with her. Possibly a dead carcass.
2100	CP	PC	Ellen Gerhart buried a rotting animal carcass in the shallow hole she dug directly behind Hut-4. Her movements will continue to be monitored.
2100	P-#	CP	Hourly Check – All Secure, No Trespassers
2123	CP	P-4	Ellen Gerhart has shovel and bag and is headed West.
2132	CP	PC	PC-JB observes Ellen Gerhart on the West side of the left side of the ROW near P-5's AO. Movements being monitored.
2143	CP	PC	Ellen Gerhart is in area where she has previously tied plastic bags containing rotting animal carcasses up to the trees at P-5
2158	CP	PC	Ellen Gerhart is outside of the Established Shed, it sounds like she is banging pots together
2200	P-#	CP	Hourly Check – All Secure, No Trespassers
2300	P-#	CP	Hourly Check – All Secure, No Trespassers
0000	P-#	CP	Hourly Check – All Secure, No Trespassers
0008	CP	P-2	A bobcat walked along north side of ROW.
0100	P-#	CP	Hourly Check – All Secure, No Trespassers
0200	P-#	CP	Hourly Check – All Secure, No Trespassers
0300	P-#	CP	Hourly Check – All Secure, No Trespassers
0332	CP	PC	One bear spotted on the south side of the ROW near P-5
0345	CP	PC	Two bears spotted now. South side of ROW. Eventually headed east.

Leighton Radio Log Date: 07 / 09 / 2018

"CP"= Command Post "S"=Shift Supervisor "P__"= Post Number

Time	To	From	Comments
0600	P-#	CP	Hourly Check – All Secure, No Trespassers
0700	P-#	CP	Hourly Check – All Secure, No Trespassers
0704	CP	P-#	Day Shift Change Complete
0800	P-#	CP	Hourly Check – All Secure, No Trespassers
0900	P-#	CP	Hourly Check – All Secure, No Trespassers
0926	CP	P-5	Ellen Gerhart was sighted on the Northside of the RoW by the light plant dumping an unknown liquid and what appeared to be cat feces.
0931	CP	P-3	Ellen Gerhart was sighted by the first water-way.
0933	CP	P-3	LAX-9 Body Camera Activated.
0936	CP	P-3	LAX-9 Body Camera Deactivated, Ellen was now inbound towards the AFRAME.
0938	CP	P-3	LAX-9 Body Camera Activated.
0940	CP	P-3	LAX-9 Body Camera Deactivated.
0951	CP	P-5	Ellen Gerhart walked down from the Drill Pad towards the established shed.
0952	CP	P-3	3 reports sighting some sort of fat or grease on top of a pile of sticks by Hut 4.
1000	P-#	CP	Hourly Check – All Secure, No Trespassers
1100	P-#	CP	Hourly Check – All Secure, No Trespassers
1200	P-#	CP	Hourly Check – All Secure, No Trespassers
1300	P-#	CP	Hourly Check – All Secure, No Trespassers
1400	P-#	CP	Hourly Check – All Secure, No Trespassers
1500	P-#	CP	Hourly Check – All Secure, No Trespassers
1600	P-#	CP	Hourly Check – All Secure, No Trespassers
1700	P-#	CP	Hourly Check – All Secure, No Trespassers
1800	P-#	CP	Hourly Check – All Secure, No Trespassers

VERIFICATION

Subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities, I hereby certify that I am a Pipeline Relocation Engineer and the Construction Spread Manager in Spread 3 for Sunoco Pipeline L.P., and that I am authorized to sign this verification on its behalf. I further verify that the facts set forth in the foregoing document are true and correct to the best of my knowledge, information, and belief.

SUNOCO PIPELINE L.P.

Daniel A. Kershner

Dated: 7/26/18

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on this date via email and first-class mail upon the following:

Richard Alan Raiders, Esq.
Raiders Law PC
606 North 5th Street
Reading, PA 19601

Ashley Martin, Esq.
The Law Office of Roy Galloway
4309 Linglestown Road #107
Harrisburg, PA 17112

Alan R. Boynton, Jr.
Attorney for Condemnor

Dated: July 26, 2018