

## PERSONAL DATA QUESTIONNAIRE

1. State your full name:

**Sallie Updyke Mundy**

Have you ever been known by any other name? If so, please list.

**Sallie A. Updyke**

2. Office address (include zip code):

**McEldrew and Fullam, P.C.  
1717 Arch Street, Suite 4040  
Philadelphia, PA 19103  
215-563-8300**

**Office of the Public Defender  
29 Crafton Street  
Wellsboro, PA 16901  
570-724-4098**

Office telephone (include area code):

Name of law firm, if associated:

3. Date and place of birth:

**June 29, 1962. Elmira, NY**

4. Are you a naturalized citizen? If so, give date and place of naturalization:

**N/A.**

5. Family status:

Are you married? If so, state the date of marriage and your spouse's full name, including maiden name, if applicable:

**Yes. July 27, 1996. James F. Mundy.**

Have you been divorced? If so, state the date, the number of the case and the court:

**Yes. January 30, 1992. No. 91-2845 of the Court of Common Pleas of Centre County.**

6. Have you had any military service? If so,

a) Give dates, branch of service, rank of rate, and present status:

**No.** N/A.

b) Have you ever been rejected or released from any of the armed services for reasons other than honorable? If so, give details:

N/A.

7. List each college and law school you attended, including dates of attendance, and the degrees awarded and, if you left any institution without receiving a degree, the reason for leaving. List scholastic honors:

**Washington and Jefferson College, 9/1980 to 6/1984. B.A. Business Administration and Psychology. Dean's List, Economics Honorary and Psychology Honorary.**

**University of Pittsburgh School of Law. 9/1984 to 6/1987. J.D.**

8. List all jurisdictions in which you have applied to take a bar examination, have applied for admission or have been admitted to practice. Include dates of admissions and if not admitted, give application dates and explain the outcome.

**Pennsylvania - admitted 11/1987.**

**New Jersey - admitted Pro Hoc Vice in 1997 - 1998 for litigation of a medical malpractice case.**

9. Describe chronologically your law practice and experience after your graduation from law school, including:

**See attached resume.**

a) Whether you served as clerk to a judge and, if so, the name of the judge, the court, and the dates of the period you were a clerk:

**Yes. See attached resume.**

b) Whether you practiced alone and, if so, the addresses and the dates:

**No.**

c) The dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected and the nature of your connection with each:

d) Any other relevant particulars:

10. With respect to your practice:

a) What has been the general character of your practice, dividing it into periods with dates if its character has changed over the years?

<b>1987-1988</b>	<b>Judicial Clerkship</b>
<b>1988-1997</b>	<b>Insurance Defense</b>
<b>1997 to date</b>	<b>Plaintiff Personal Injury</b>
<b>9/2008 to date</b>	<b>Criminal defense</b>

b) Describe your typical clients and mention the areas, if any, in which you have concentrated your practice:

**Physicians, nurses and hospital defense, auto accident, product liability, professional malpractice defense.**

**Representation of catastrophically injured victims of railroad accidents, defective products and medical malpractice.**

**Criminal defense.**

11. With respect to the last five years:

a) Did you appear in court regularly, occasionally, or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof:

**Frequently with respect to the presentation of or the defense of motions. Occasionally with respect to major litigation. My courtroom motions practice decreased after September of 2004 when I moved to Tioga County. Since September of 2008, I have appeared in court regularly to represent criminal defendants.**

b) What percentage of these appearances was in:

1. Federal courts:

**5%.**

2. State courts of record:

**90%**

3. Other courts:

5%.

- c) What percentage of your litigation was:  
1. Civil:

85%

2. Criminal:

15%

- d) State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel or associate counsel:

**6 sole counsel, 10 associate counsel, 2 chief counsel.**

- e) What percentage of these trials were:  
1) Jury:

90%

- 2) Non jury:

10%

12. Summarize your experience in court prior to the last five years, indicating as to that period:

**My courtroom experience remained consistent with a notable decrease in trials to verdict or judgment as a plaintiff personal injury attorney.**

- a) Whether your appearances in court were more or less frequent:

**More frequent with respect to civil motions court.**

- b) Any significant changes in the percentages stated in your answers to question 11(b), (c) and (e):

**Yes, as set forth above an increase with civil courtroom motion practice, but a decrease in criminal courtroom appearances.**

- c) Any significant changes in the number of cases per year in courts of

record you tried to verdict or judgment (rather than settled), as sole counsel, chief counsel or associate counsel.

**Yes.**

13. Describe five of the most significant litigated matters which you personally handled and give the citations thereto, if the cases were reported. Give a capsule summary of the substance of each case and a succinct statement of what you believe to be the particular significance of the case. Identify the party or parties whom you represented and describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case a) the dates of the trial periods; b) the name of the court and the judge before whom the case was tried; and c) the individual name, address and telephone numbers of co-counsel for each of the other parties;

**See attached answer to question 13.**

14. If a substantial period of your practice has been before administrative boards, commissions or agencies during the past five years, identify the boards, commissions or agencies before which you have practiced and estimate percentages of practice time devoted thereto:

**No. N/A.**

15. If a substantial portion of your practice has been before Appellate courts during the past five years, identify the Appellate Courts before which you have practiced and estimate percentages of practice time devoted thereto:

**No. N/A.**

16. a) Have you ever held judicial office? If so, give dates and details, including the courts involved, whether elected or appointed, periods of services, and a description of the jurisdiction of each of such courts with any limitations upon the jurisdiction of each court:

**No.**

b) Have you ever held public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your service, giving details:

**No.**

17. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? If so, give details, including dates:

**No.**

18. Have you ever been engaged in any occupation, business or profession other than the practice of law or the holding of judicial or other public office? If so, give details, including dates:

**My mother and I are co-proprietors of a small cattle farm in Tioga County. We raise Scottish Highland Cattle.**

**My brother and I are members of a limited liability corporation which owns a privately held Post Office. The LLC also owns acres of farmland and undeveloped wooded land.**

19. Are you now an officer or director or otherwise engaged in the management of any business enterprise?

a) If so, give details, including the name of your enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

**None, other than as described in answer no. 18.**

b) Is it your intention to resign such positions and withdraw from any participation in the management of any such enterprises if you are elected and confirmed? If not, give reasons:

**No, unless there is a conflict with my duties as a Judge.**

20. Have you ever been arrested, charged with or convicted of violating any federal law or regulation, state law or regulation, or county or municipal law, regulation or ordinance? If so, give details. Do not include summary traffic offenses:

**No.**

21. Are you under any ongoing federal, state or local investigation or indictment for possible violation of a criminal statute? If so, give particulars:

**No.**

22. Has a tax lien or other collection procedure been instituted against you by federal, state or local authorities? If so, give particulars:

**No.**

23. Have you ever been sued by a client? If so, give particulars:

**No.**

24. Have you ever been a party or otherwise involved in any other legal proceedings? If so, give the particulars. Do not list proceedings in which you were merely a guardian ad litem or stakeholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as co-conspirator or a co-respondent and any grand jury investigation in which you figured as a subject or in which you appeared as a witness:

**Yes. I was a party to a divorce action.**

**As a member of the IOLTA Board, I was a defendant along with the other board members in a suit brought by a disgruntled lawyer. The suit was dismissed on Motion for Summary Judgment by the Honorable Donata Ambrose of the U.S. District Court for the Western District of Pennsylvania. The case name was Casella v. IOLTA Board, etal.**

**I am also a claimant under an automobile warranty provision. That claim is in arbitration.**

25. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, give the particulars:

**No.**

26. What is the present state of your health? (If any medical condition or issue exists, you may be requested to execute a medical record authorization form as part of the interview process.)

**Excellent.**

27. Do any circumstances exist that would affect your ability to perform the function of the position you seek or fulfill the term of office? If so, please explain.

**No.**

28. Furnish at least five examples of legal articles, law review articles, briefs, or other legal writings which reflect your personal work. If briefs are submitted, indicate the degree to which they represent your personal work:

**See attached opinions.**

29. List all bar associations and professional societies of which you are a member and give the titles and dates of any offices which you have held in such groups. List chairmanships of any committees in bar associations and professional societies and memberships on any committees which you believe to be of particular significance (e.g., judicial selection committee, disciplinary committee, grievance committee).

**See attached resume.**

30. List your experiences in teaching and lecturing, including law school, continuing legal education and to non-legal audiences.

**My experience teaching and lecturing is with the PBA malpractice avoidance seminars, I also participated with the Young Lawyers Division of the PBA speaking on a panel at law schools to third year students.**

31. List all organizations other than bar associations, professional associations or societies of which you are or have been a member, including civic, charitable, religious, educational, social and fraternal organizations:

**I am active in my children's school, Trinity Lutheran School, Wellsboro, Pennsylvania. I have served for four years as their Campbell's Soup Label and Box Tops for Education Label Coordinator.**

**I am a board member of the Tioga Lawrenceville Little League.**

**I am also a member of the Campaign Committee for the Deane Center for the**



**Performing Arts in Wellsboro, Pennsylvania.**

32. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

**See attached resume.**

33. State any other information which may reflect positively or adversely on you or which you believe should be disclosed in connection with consideration of you for an election to an Appellate Court of Pennsylvania.

**I have enjoyed a diverse practice of law, representing plaintiffs and defendants, practicing both civil and criminal law. I have also had the opportunity to live and/or practice throughout a large portion of the Commonwealth.**

34. Why do you wish to become a Justice or Judge? What special strengths do you feel you possess that would particularly well qualify you for the position of Justice or Judge?

**Judicial office is the highest position attainable in the legal profession. Our democracy has been a success for 250 years due in large part to our unique ability to work out our disagreements in a court of law. Judges are an indispensable part of what makes this country great. I wish to become a Judge on the Superior Court as it is the Court which hears cases in the areas of the law in which I have practiced. Becoming a Judge in this Commonwealth has been an inspirational goal since the days of my judicial clerkship with the Honorable Robert M. Kemp, P.J. Court of Common Pleas of Tioga County.**

**I believe that my colleagues would agree that I have several attributes which would serve me well as a Superior Court Judge. I am a hard worker; I have great integrity and sound judgment. The Superior Court has one of the largest caseloads of any Appellate Court in the United States. This Court disposes of approximately 8,000 appeals per year, from murder to divorce to medical malpractice. The caseload requires that each judge work expeditiously because justice delayed can be justice denied. At the same time, each case is of great importance to the litigants and therefore is deserving of careful consideration. I believe my strengths will enable me to achieve this balance as a Superior Court Judge.**

35. Did you sign the PBA Judicial Campaign Advertising Guidelines? (Please return signed pledge with completed questionnaire.)

Yes.

#### CERTIFICATION STATEMENT

The undersigned certifies that all of the statements made in this questionnaire are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

Sallie Updyke Mundy  
Type or print name

Sallie Updyke Mundy  
Signature

12/5/08  
Date

## SALLIE UPDYKE MUNDY

**Address:**

11 Broad Street  
Tioga, Pennsylvania 16946  
(570) 835-4974

**Education:**

Washington and Jefferson College, Business  
Administration and Psychology (B.A. 1984).

University of Pittsburgh School of Law (J.D. 1987).

**License:**

Pennsylvania Supreme Court, I.D. # 50493.  
Federal District Court, Middle District.  
Federal District Court, Eastern District.  
United States Court of Appeals for the Third Circuit.

**Professional  
Experience:**

- 1987-1988 Law Clerk to Honorable Robert M. Kemp, Jr., President  
Judge, Tioga County Court of Common Pleas.
- 1988-1995 McQuaide, Blasko, Schwartz, Fleming & Faulkner, Inc.  
State College, PA. Firm represented Pennsylvania State  
University which at that time was affiliated with the Milton  
S. Hershey Medical Center. My specialty was litigation  
defense representing physicians and nurses.
- 1995-1996 Law Office of Stephen A. Ryan, P.C., Bala Cynwyd, PA.  
Mr. Ryan's practice was primarily defending hospitals  
insured by PHICO as well as other hospital insurers.
- 1996-1998 Swartz, Campbell & Detweiler, Philadelphia, PA. Firm is a  
broad based defense firm defending auto accident claims,  
product liability claims, as well as professional malpractice  
and workers compensation claims. I worked for various  
partners in litigation defense other than workers  
compensation.

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- 1998-present ..... McEldrew & Fullam, P.C., Philadelphia, PA. Firm represents claimants in all personal injury areas, concentrating its practice on representing catastrophically injured individuals including railroad workers (Federal Employer Liability Act claims) as well as victims of defective products and medical malpractice.
- 2008-present Office of the Public Defender of Tioga County, Wellsboro, PA. I serve in the capacity of a voluntary assistant public defender representing individuals accused of various crimes.

**Professional  
Organizations:**

Pennsylvania Bar Association:

Young Lawyer Delegate, 1994-1995.

Young Lawyer's Division, Zone 11 Chair, 1993-1995.

Young Lawyer's Division, At-Large Chair, 1995-1996.

Professional Liability Committee Member, 1996-2001.

House of Delegates, (PBA Governing body) Member, 1996-2006.

Appointed Trustee for the Insurance Fund/Bar Trust which administers professional, health and liability insurance policies for the benefit of the membership of the Pennsylvania Bar Association, 1997-2008.

Commonwealth Club Member of the Pennsylvania Bar Foundation.

Pennsylvania Defense Institute:

Chair Young Members Committee, 1994-1996.

Co-Chair Professional Liability Committee, 1997-1999.

Philadelphia County Bar Association.

Tioga County Bar Association.

Pennsylvania Trial Lawyers Association.

Philadelphia Trial Lawyers Association.

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Hearing Committee for The Disciplinary Board of the  
Supreme Court of Pennsylvania, Hearing Committee 3.02,  
Member, 1995-2001, Committee Chair, 1999-2001.

Appointed by the Supreme Court of Pennsylvania to the  
Interest on Lawyers Trust Account Board (IOLTA), for two  
consecutive 3 year terms, 1997-2000, 2000-2003.

**Professional  
Awards:**

Recognition by Keystone Legal Services  
Pro Bono Project, 1990, 1991.

Recognition by Tioga Township Board of Supervisors for  
Professional Assistance to the Planning Commission, 2004.