

PERSONAL DATA QUESTIONNAIRE

1. **State your full name:**

Stephen George Pollock

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

No

2. **Office address (include zip code):**

123 South Broad Street, 28th Floor Philadelphia, PA 19109

Office telephone (include area code):

215-772-7399

Name of law firm, if associated:

Montgomery, McCracken, Walker & Rhoads, LLP

3. **Date and place of birth:**

May 10, 1951, in Philadelphia, Pennsylvania

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

No.

5. **Family status:**

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

Yes. I have been married to Marjorie (Pullman) Pollock since May 14, 1977.

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

No.

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

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

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:**

Muhlenberg College, Allentown, PA.- Attended Fall 1968 through Spring 1972, B.A. Cum laude in History and Political Science, Omicron Delta Kappa- National Leadership, Honor Society, Phi Alpha Theta, National History Honor Society, Daughters of the American Revolution Prize in History, Deans List.

Temple University School of Law, Philadelphia, Pennsylvania, attended Fall 1972 through Spring 1975, Juris Doctor, Classroom Commendation in Collective Bargaining.

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:**

Supreme Court of Pennsylvania (April, 1976) admitted. Supreme Court of Pennsylvania (October, 1975) denied admission.

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

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:**

Honorable Joseph P. McCabe, Municipal Court of Philadelphia 9/75 – 1/76; Honorable Mario F. Driggs, Municipal Court of Philadelphia 1/86-6/86

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

N/A

- 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:**

Stack & Gallagher- 1600 Locust Street, Philadelphia, PA 19103, Associate, 2/76-9/86; **Rubin, Shapiro, Weisse**- 1201 Chestnut Street, Philadelphia, PA 19107, Associate, 9/86-9/88; **Mesirov, Gelman, Jaffe, Cramer & Jamieson**- 1735 Market Street Philadelphia, PA 19103, Associate, 9/88-10/91; **Ciccione & Pollock** – 1717 Rittenhouse Square, Philadelphia, PA 19103, Partner, 11/91-9/04; **Ballard Spahr Andrews & Ingersoll, LLP**-1735 Market Street Philadelphia, PA 19103, Of Counsel, 9/07-8/07; **Montgomery, McCracken, Walker & Rhoads, LLP**- 123 South Broad Street, Philadelphia, PA 19109, Of Counsel, 9/07 to Present

- d) **Any other relevant particulars:**

Philadelphia Public Defenders Association; Summer Intern, Summer 1974

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?**

Over my thirty-two (32) year career, I evolved from my roots in a general litigation practice to a more concentrated practice in zoning, land use, real estate development and municipal code enforcement matters. Throughout my evolution I have not lost touch with this litigation foundation. For the first ten (10) years of my practice (1976-1986) you name it, I handled it. I tried one civil jury to a verdict as well as a criminal jury matter to a verdict. I was a Plaintiff's personal injury lawyer handling the gamut of medical malpractice, product liability, motor vehicle and premise liability matters. I represented injured union workers at the Boeing Vertol Plant in Delaware County in worker's compensation cases. I also tried non-jury criminal matters in Philadelphia Municipal Court as well as in the Juvenile Court Division of the Philadelphia Common Pleas Court. I tried support cases in the Family Court Division of Philadelphia Common Pleas Court. I successfully tried a non-jury civil matter in Federal District Court that was affirmed by the Third Circuit Court of Appeals after briefing and oral argument. During this initial period I was given my first zoning matter and I was hooked on keeping zoning and land use as part of my practice. I also handled Federal OSHA matters for a Fortune 500 Company as well as individual bankruptcy cases for a Federal Credit Union. I was involved in many statutory appeals.

After my first decade in the law, my practice evolved from its general litigation base (1986-1991). I became immersed in acquiring skills as a real estate transactional lawyer engaging in lease negotiations with major national tenants, (retail and other commercial

users) as well as closing multi million-dollar shopping center and other commercial financings. During this period, I continued to develop my zoning, land use, and municipal code enforcement practice.

In 1988, I moved from small firm life to a big firm. In the big firm environment, I concentrated on zoning, land use and development issues, appearing before many local administrative agencies as well as appearing in Common Pleas and Municipal Court. I also developed some familiarity with Pennsylvania Campaign Financing and Pennsylvania Election Law.

In 1991, I returned to my small firm roots when I joined my partner, F. Emmet Ciccone and opened a two person practice for almost thirteen (13) years. Again, I handled personal injury cases for the Plaintiff. During this phase I was designated as a contract attorney for the State Worker's Compensation Insurance Fund (SWIF) by the Honorable Robert Barnett, Secretary of Labor and Industry under Governor Casey and gained the perspective of the defense side of worker's compensation to go along with my earlier advocacy on behalf of the injured workers. I also did Worker's Compensation defense for the Philadelphia Parking Authority. In these years, my growth as a zoning and land use attorney continued with matters taking me as far as Lancaster County. During those thirteen (13) years, I learned the three (3) major elements of running a law firm: (1) get the business; (2) work the business; and (3) bill and collect the business. It was a very challenging period with a great deal of responsibility and a good amount of freedom.

In 2004, I embarked on a second journey in the land of the big firms. By 2004, I had developed a recognized niche in zoning, land use, real estate development and code enforcement which continues to this day.

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

Typical clients are land developers and others with a property interest who have a dream to use a property in a manner that requires zoning, subdivision and/or land development approval as well as other governmental approvals. My typical client wants to see their dreams come to fruition and requires someone to navigate them through the various layers of local, county and state approvals required to finally be able to engage in earth disturbance or to open the door for business or to provide housing in an urban area undergoing transformation and revitalization.

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:**

I have occasionally appeared in the Court of Common Pleas and Municipal Court of Philadelphia in various code enforcement matters, landlord tenant matters and zoning appeals. I appear on a regular basis in front of many administrative agencies. Also during this period a part of my practice has involved transactional matters.

b) **What percentage of these appearances was in:**

1. **Federal courts:**

0%

2. **State courts of record:**

20%

3. **Other courts:**

80% administrative agencies

c) **What percentage of your litigation was:**

1. **Civil:**

100%

2. **Criminal:**

0%

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:**

None in the last five (5) years

e) **What percentage of these trials were:**

1. **Jury:**

0%

2. **Non-jury:**

0%

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

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

As noted in my answer to question #10a my appearances in "court" in my first decade as a practicing attorney were much more frequent since back then I was engaged in handling both civil and criminal matters including a full discovery and motion practice.

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

Throughout my three (3) decades engaged in the practice of law I have sought to build upon my early foundation as a litigation generalist while specializing in the areas of zoning, land use and development, and municipal code enforcement that place me in the administrative and governmental relations arenas.

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. In comparison to my prior experience, I have learned that it is not always in your client's best interest to try a case to verdict. Especially in the area of land use litigation that winds up on an appeal to the Commonwealth Court takes valuable time that may kill the economic viability of a development project. We do not shy away from being prepared to go all the way by developing substantial evidence on the record as a whole at an administrative hearing that has the prospect of surviving on appeal.

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:**

Case 1- Raymond Grossmuller v. The Budd Company et al: 715 F. 2d 853 (3dCir.1983). I represented the Plaintiff, Raymond Grossmuller, in a non-jury trial before

the Honorable James T. Giles in the Eastern District of Pennsylvania. This case was a challenge to the pension plan claims procedure of The Budd Company under the Employee Retirement Income Security Act of 1974 as amended, 29 U.S.C. §1133 (ERISA). I handled this matter all the way through from discovery to trial to preparing the brief and arguing this matter before the Third Circuit Court of Appeals. The Third Circuit upheld the finding that the absence of any written claims procedure as well as the inadequacy of the pension plans unwritten practices deprived Raymond Grossmuller, whose claim had been denied, of protections afforded by ERISA. The Court upheld the awarding of retroactive pension benefits to Mr. Grossmuller. A non-jury trial was held on September 24 and 25, 1981. Opposing counsel in this litigation was Carter W. Buller, Esquire of Montgomery, McCracken, Walker & Rhoads, LLP, 123 South Broad Street, Philadelphia, PA 19109; (215)772-7267.

Case 2- Society Created to Reduce Urban Blight v. Zoning Board of Adjustment:

Appeal of Anita Segal, Antar Associates, Paul G. Genter and Diane R. Genter. Number 1536 CD 2001. This matter was resolved by an "Opinion Not Reported" filed on November 7, 2002, in the Commonwealth Court. This case involved whether or not a sign is an accessory sign or a outdoor advertising "billboard sign" under a specific definition in the Philadelphia Zoning Code. Initially the Department of Licenses and Inspections issued a permit for the erection of a sign as an accessory use to an existing beer distributorship on property owned by the Genters. A sign placed on the property on behalf of the Genters by Antar Associates advertised a particular brand of beer that was sold at the beer distributor. After receiving complaints, L&I revoked the zoning permit. On behalf of Antar, we filed an appeal to the Zoning Board of Adjustment challenging the revocation. We objected at that time to the participation of the Society Created to Reduce Urban Blight (SCRUB), however, SCRUB was permitted to participate since they made a showing that they were a "tax payer." The Zoning Board after a hearing reinstated the zoning permit. SCRUB than appealed to the Common Pleas Court which reversed the Zoning Board. On appeal, the Commonwealth Court reversed the trial court and agreed with the Zoning Board that the sign at issue met the definition of an accessory sign. Consequently, this case is significant in that you do not look to the intent of the parties as an element to be considered when applying the facts to the Zoning Code provisions at issue. It was maintained by the opponents of the sign that the intent was to use it as an outdoor advertising billboard sign and not an on premise accessory sign advertising product that was sold at the beer distributorship which was the main business on the premises. I handled this matter at all levels of the litigation through the Commonwealth Court level. The opposing counsel in this litigation included, Cheryl Gaston, Chief Deputy, City Solicitor's Office 15th Floor, One City Plaza Philadelphia, PA 19103 (215) 683-5105. Attorneys for SCRUB included while she was still in private practice, the Honorable Ann Butchart, Judge's Chambers, Room 347, 1801 Vine Street, Philadelphia, PA 19103 (215) 686-4057 and Samuel C. Stretton, Esquire P.O. Box 3231 301 South High Street, West Chester, PA 19381 (610) 696-4243.

Case 3- Brian J. O'Neill v. Zoning Board of Adjustment and Carmen Calvanese

Number 1198 CD 2004. It was resolved by an "Opinion Not Reported" filed on December 14, 2004, by the Commonwealth Court. In this case I represented the

developer Carmen Calvanese with regard to his proposed development of a four (4) acre tract of land into a sixty (60) unit condominium complex. A variance was granted by the Philadelphia Zoning Board of Adjustment. During the course of the hearing before the Zoning Board of Adjustment the major protestant to the project was City Councilman Brian J. O'Neill. The Zoning Board of Adjustment granted a variance. Councilman O'Neill took an appeal to Common Pleas Court. Councilman O'Neill filed the zoning appeal as a lis pendens. We successfully filed a motion that quashed the zoning appeal as a lis pendens. In return, we filed a motion to quash the standing of Councilman O'Neill since as the case reached the Common Pleas Court the Subject Property was no longer within the geographic boundaries of his councilmanic district. The trial court sustained the Zoning Board's grant of a variance. This case implicates the very famous zoning case of Valley View Civic Association v. Zoning Board of Adjustment 462 A2d 637 (Pa. 1983). Councilman O'Neill appealed to the Commonwealth Court seeking to reverse the granting of the variance. The Commonwealth Court agreed with the trial court that there was substantial evidence on the record as a whole to show that the property could not be used as zoned because of the disparate impact of surrounding uses which rendered the property unusable for single family and semi detached housing. The Commonwealth Court left for another day the issue of whether or not Councilman O'Neill maintained his standing to pursue the appeal where the Subject Property was no longer located in his councilmanic district. The City Solicitor involved in representing the Zoning Board of Adjustment's decision was Cheryl Gaston, Esquire Chief Deputy, City Solicitor's Office 15th Floor, One City Plaza Philadelphia, PA 19103 (215) 683-5105, Vince Furlong, Esquire represented Councilman Brian O'Neill and his address is 1800 JFK Blvd. Ste. 1500, Philadelphia, PA 19103 (215) 969-8908.

Case 4- Society Created to Reduce Urban Blight et al v. Keystone Outdoor Advertising et al 1609 CD 2007 Opinion Reported at 951 A2d 398 (2008). This case is currently pending on appeal before the Pennsylvania Supreme Court at Number 28 EAP 2008, argued December 2, 2008. This matter involves the granting of a variance by the Zoning Board of Adjustment of Philadelphia to Keystone Outdoor Advertising to erect an outdoor advertising sign in the Philadelphia Food Distribution Center District. Throughout the proceedings, Keystone challenged at all levels the standing of the individual appellants and association appellants to participate in the zoning appeal process. The basis for challenging the standing was an amendment to the Home Rule Act for First Class Cities which has been held to eliminate taxpayers standing as a basis for taking a zoning appeal to the Common Pleas Court under the Philadelphia Zoning Ordinance. In the rest of the Commonwealth under the Municipalities Planning Code (MPC) an appellant has to prove that they are aggrieved to be able to participate in a zoning appeal. However, in Philadelphia, an earlier Commonwealth Court Case held that under the specific terms of the Philadelphia Ordinance "any taxpayer" had standing to file such an appeal. In this matter an appeal was taken on behalf of individual appellants and association appellants to the Common Pleas Court. Shortly thereafter, on behalf of Keystone Outdoor, we filed a Motion to Quash the appeal of all individual and association appellants. The Common Pleas Court granted this motion. An appeal was filed to the Commonwealth Court on behalf of SCRUB, other associations and individual appellants. In the Reported Opinion, the Commonwealth Court by the Honorable

Rochelle S. Friedman held that the individual and association appellants were not aggrieved. This case is significant because it articulates the type of interest that must be asserted by an individual or an association to be able to have standing to appeal a land use decision. It has implications not only just for Philadelphia, but for the rest of the Commonwealth. This matter is currently pending before the Supreme Court where it was heard as a consolidated appeal with two (2) other matters all which raise the constitutionality of the amendment to the Home Rule Act which has so far been interpreted to eliminate taxpayer standing in Philadelphia. I was co-counsel together with Vincent B. Mancini, Esquire up to and including Commonwealth Court level. We were joined by other counsel at the Supreme Court Level. Mr. Mancini's office is located at 414 East Baltimore Pike, Media, PA 19063 (610) 566-8064. The opposing counsel in this matter was Samuel C. Stretton, Esquire P.O. Box 3231 301 South High Street, West Chester, PA 19381 (610) 696-4243. Only before the Supreme Court did the City of Philadelphia participate in this matter. At that time, the City of Philadelphia Law Department was represented by Richard Feder, Esquire Chief Deputy, City Solicitor 1515 Arch Street, 17th Floor, Philadelphia, PA 19102-1595 (215) 683-5013.

Case 5- Waterford Greene Development, LLC v. City of Philadelphia et al Court of Common Pleas, Philadelphia County, July Term 2008 No. 001715. This was a mandamus action against the City of Philadelphia seeking to reinstate zoning and building permits that were revoked by the City of Philadelphia. A concurrent appeal challenging the revocation was filed before the Philadelphia Zoning Board of Adjustment on the theories of vested rights and equitable estoppel. This case involved extensive motions involving preliminary objections. The preliminary objections were sustained dismissing the complaint in its entirety; however, an order granting reconsideration was issued by the trial court to allow the filing of evidence on certain significant issues. This case involves the impact of the pending ordinance doctrine as well as the administrative rule making capacity of various city agencies under the City of Philadelphia Home Rule Charter. This case is significant in that the permits were initially revoked only after my client had demolished the existing structure on the lot that he was subdividing into three (3) lots for the erection of three (3) new single family homes. This matter was recently settled. The opposing counsel in this matter were Edward Jefferson, Esquire Senior Attorney, City of Philadelphia 1515 Arch Street, 17th Floor, Philadelphia, PA 19102-1595 (215) 683-5108 and Robert D. Aversa, Esquire, Deputy Solicitor 1515 Arch Street, 17th Floor, Philadelphia, PA 19102-1595 (215) 683-5020

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:**

Of the 80% stated in 11 (b) I break it down as follows:

Philadelphia Zoning Board of Adjustment	75%
Philadelphia Art Commissioner	5%
Philadelphia Historic Commissioner	5%

Philadelphia Tax Revision Board	1%
Philadelphia Board of Building Standards	5%
Philadelphia Board of Licenses & Inspections Review	1%
Philadelphia Board of Revision of Taxes	2%
Philadelphia City Planning Commission	2%
Cheltenham Township Zoning Hearing Board	1%
Cheltenham Township Planning Commissioner	1 %
Abington Township Zoning Hearing Board	1%

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:**

During the past five (5) years, I have appeared in the Pennsylvania Supreme Court and the Pennsylvania Commonwealth Court. All matters involved zoning disputes. Where you have a matter that reaches the appellate courts it tends to consume time disproportionate to the number of actual matters. Therefore, in terms of percentage of practice attended to these matters I would estimate fifteen (15%) percent.

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:**

Yes. I am a member of the Pennsylvania State Planning Board, appointed on June 11, 2003 by Governor Edward G. Rendell after confirmation by the Pennsylvania Senate. I continue to serve on the State Planning Board. The State Planning Board has been directed by the Governor to develop recommendations for State policies, actions and possible legislation to address specific issues relating to development, conservation and land use that are important to the present and future welfare of the Commonwealth. Locally, I am the Chair of the Lower Moreland Township Planning Commission. I was appointed by the Board of Commissioners of Lower Moreland Township on February 20, 1991, to fill an unexpired two (2) year term. I have been reappointed to four (4) full four (4) year terms (most recently February 18, 2009). I was elected Vice Chair and the Chair

of Planning Commission by the members in 2004.

I was also a member of the Board of Directors of the Fund for Philadelphia, Inc. I was appointed to this position by then Mayor John F. Street this is a not-for-profit fund that serves as a vehicle for contributions from sponsors of some cultural and civic events in Philadelphia.

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:**

No

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

No

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:**

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:**

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 the defendant in a motor vehicle matter known as Patricia & Lewis Sowinski v. Stephen G. Pollock Case Number 1992-01795 filed in Montgomery County, Pennsylvania where I reside. Patricia Sowinski sustained personal injuries while a passenger in a vehicle driven by her husband, Lewis, that I struck, for which she was compensated. This matter was marked Settled, Discontinued & Ended on 10/24/97. I was also a defendant in Marshall Group Corp. v. Mesirov, Gelman, Jaffe, Cramer & Jamieson, Stephen G. Pollock et al. at C.P. Philadelphia January Term 1992 No. 968. This suit was started by a Writ of Summon on January 9, 1992, this suit was discontinued on August 27, 1993. No complaint was ever filed. This suit brought by the corporate entity that was related to the matter described below in paragraph #25.

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:**

I was the subject of a Complaint to the Disciplinary Board of the Supreme Court of Pennsylvania. The Complaint was dismissed after investigation. I am attaching a copy of the dismissal letter. I had successfully obtained a variance for a developer to expand and convert a detached residential property into an office building. We negotiated an agreement as to the number and type of uses allowed in the building with the neighborhood civic association. As I remember, the Complaint raised an issue of a conflict of interest with the neighborhood civic association that both sides had waived before we undertook our representation.

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.)**

I am in good health.

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:**

I am including five (5) written samples. Four (4) of the writing samples are briefs. I was the sole author of three (3) of the four (4) briefs. As for the one (1) brief that is co-signed it is essentially 85% my product with editorial assistance and guidance supplied by my co-counsel. The legal article is strictly my views and content.

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):**

Philadelphia Bar Association: Chair Real Property Section, 1999; Real Property Section; Representative to Board of Governors, 1999; Vice Chair, Real Property Section, 1998; Treasurer, Real Property Section, 1997; Secretary, Real Property Section, 1996; Co-Chair of Real Property Section Committee on Zoning, Land Use and Code Enforcement, 1988 to Present.

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

Since 1988, I have participated in the following CLE Seminars sponsored by the Pennsylvania Bar Institute: Zoning Law and Practice in Philadelphia – 1988 (Course Planner & Lecturer); Zoning Law and Practice in Philadelphia – 1993 (Lecturer); Zoning Law and Practice in Philadelphia – 1998 (Lecturer); The Science of Land Use – 2001 Demystifying Expert Testimony (Lecturer); Winning Zoning Cases in Philadelphia – 2004 (Course Planner & Lecturer); Winning Zoning Cases in Philadelphia – 2006 (Course Planner & Lecturer); Navigating Through the Maze: Helping – 2007 Real Estate Clients Steer Through the City of Philadelphia's Approval Process (Course Planner & Lecturer).

In the early 1980's, I taught a course in Real Estate Law at the Community College of Philadelphia to students preparing to take the Real Estate License Test.

As Co-Chair of the Zoning, Land Use and Code Enforcement Committee of the Real

Property Section of the Philadelphia Bar Association over the years we have run many non-CLE luncheon programs on many topics including; Meet the Zoning Board, Appellate Practice before the Commonwealth Court, Appellate Practice before the Philadelphia Court of Common Pleas and the Drafting of Zoning Applications.

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:**

Past President, Executive Vice President, Secretary/General Counsel of Synagogue Old York Temple – Beth Am in Abington, PA; Past President, Vice President of Board of Trustees of Huntingdon Valley Library, Lower Moreland Township, Montgomery County, PA; Former Vice President of Brian B'rith Lower Moreland Unit # 3149; Former Board Member, Auerbach Central Agency for Jewish Education; Former President and Zoning Chair of South Street Neighborhood Association, a community group of concerned neighbors, Philadelphia, PA.

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:**

Lexis-Nexis Martindale-Hubbell Attorney Peer Rating of "A-V"; Recognition from Philadelphia Bar Association for services as Chair of Real Property Section in 1999; Recognition from Huntingdon Valley Library Board of Trustees for years of Service as President, Vice President and Board Member from 1989-1997; Recognition from Old York Road Temple Beth Am Synagogue for years as President from July 1, 2003 to June 30, 2005

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:**

Over the years as Co-Chair of the Zoning and Land Use Committee of the Philadelphia Bar Association we challenged the status quo by seeking legislation to protect everyone involved in the use of their property. We successfully lobbied the City Council of Philadelphia for a change in the manner in which zoning appeals were taken on appeal to the Common Pleas Court. The Philadelphia Zoning Code mandated the requirement to petition the Court setting forth "the grounds of the legality" (formerly §14-1806 (1) of the Philadelphia Code). However, the Local Rules of the Common Pleas Court allowed for the filing of a Notice of Appeal without alleging any grounds. In fact, this episode introduced me to the famous "Opinion Not Reported" used by the Commonwealth Court. In an "Opinion Not Reported" the Commonwealth Court quashed an appeal by the contiguous neighbor for failure to file a Petition alleging the grounds of illegality. The appeal had followed the Local Rules of Court and filed a Notice of Appeal.

From my perspective the holding of the "Opinion Not Reported" case threatened the administration of justice for all involved in land use in Philadelphia. It also, exposed attorneys to a potential breach of the standard of care in zealously representing a client. This dichotomy as to the proper way to take a zoning appeal between the ordinance and the Court rules needed to be resolved. We helped draft a new ordinance and successfully lobbied Philadelphia City Council to adopt the current practice that recognizes the Notice of Appeal as the proper way to appeal to Court (currently §14-1807 (1) of the Philadelphia Code).

Another instance where we participated in an effort aimed at consumer protection in zoning dealt with the "Licensed Expeditor" Law of Philadelphia. A class of individuals held themselves out as "expeditors" to represent persons before the Philadelphia Department of Licenses and Inspections and its various Review Boards including the Zoning Board of Adjustment. For many years these "unlicensed" expeditors appeared on a regular basis before administrative boards of record representing persons without being subject to any professional licensing standards. Peoples' property rights were being impacted by an almost mechanical process without any guidance and counsel from licensed professionals trained in law, architecture and engineering.

Some argued that the practice of allowing expeditors to appear before administrative boards of record representing a person was potentially the unauthorized practice of law, architecture and engineering.

We along with others pushed for an ordinance to license these individuals in order to set minimus standards for proper conduct and to require expeditors to have insurance to protect the consuming public. (See §9-2200 of the Philadelphia Code). This ordinance also established boundaries to protect the consuming public from the unauthorized practice of law, architectural and engineering by "licensed expeditors."

As a final example of our efforts to provide the public with equal access to information, along with my Co-Chair we were able in 1993 to get published the very first updated version of the City of Philadelphia Zoning Code since 1979. For almost fourteen (14) years, unlike many municipalities throughout the Commonwealth, anyone interested in land use could not obtain an updated copy of the Philadelphia Zoning Ordinance. In a time before on-line services, people were left in the dark when it came to the underlying rules of zoning in the City of Philadelphia.

In 1993, my Co-Chair and I forged a private-public partnership at the beginning of then Mayor Rendell's Administration among the City Planning Commission, the Philadelphia Bar Association and Packard Press were able to get published an updated version of the Zoning Code available for purchase by anyone. We published four (4) editions of the "Blue Book" version of the Philadelphia Zoning Code from 1993 through 2001. It was called "The Blue Book" because of its distinctive blue colored loose leaf notebook.

Throughout my legal career we have acted to have all people involved in the land use process treated fairly with equal access to information.

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?**

Since I started practicing law, I have been on a journey that has shaped my sense of participating in doing things to hopefully benefit my community. As a former Synagogue President of an eleven hundred (1,100) member congregation, I worked together with many members of differing opinions to bring about consensus, a sense of good will and a sense of community. Amazingly enough, being a Synagogue President is good training for an appellate court judge. People want you to act fairly, to show no partiality, to hear them out fully and then render a fair and just decision.

As the Chairman of a Township Planning Commission, I have encountered some contentious land use matters that have involved passionate people on all sides of the issue. In those settings, I have applied my sense of fair play by directing the tone of such meetings in a way where all sides are given the opportunity to express themselves in a respectable manner. I have come to appreciate the passion of individuals who perceive that a land use proposal will forever "change" their neighborhood. I have come to appreciate an approach that through mutual respect and dialogue tone can be established that allows every voice to be heard and most to leave feeling that someone was also listening. I believe these to be essential qualities for an appellate judge.

As a leader of a ballot referendum on whether my township should build a new library, I was involved in reaching out across the spectrum of our community to energize and motivate people to be willing to stand up and be counted. In pressing to put the referendum on the ballot and getting it passed we participated in a community action that rippled from the bottom up and not from the top down. We collectively stood up to some governmental resistance for what we believed was good for the children and residents of our township. This sense of pushing for what we all believed would benefit our community, this notion of the need for collective effort and action are lessons I have learned along the way.

During my more than thirty-two (32) years as a practicing attorney, I have always undertaken the representation of my clients (especially my zoning clients) with the view of what do I need to present on the record to have this matter affirmed by an appellate court like the Commonwealth Court. Over these years I have sought guidance and direction from reading opinions issued by the judges of the Commonwealth Court.

When I look at the road I have traveled in my professional career and the lessons learned from being involved in community affairs, I believe that I may contribute in some small way in helping my fellow Pennsylvanians by being more than just an advocate for my particular clients. We are all members of a society with competing interests that interact with and sometimes clash with governmental authority. I want to be a part of making

Pennsylvanians continue to feel that our appellate court system, and especially the Commonwealth Court answers the great challenge to any society to establish institutions that reflect the guiding principle of "Justice; Justice shall you pursue, that you may thrive and occupy the land." Deuteronomy 16:18.

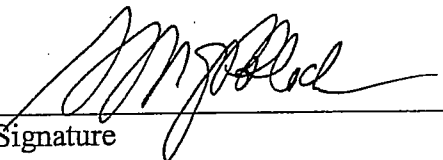
35. **Did you sign the PBA Judicial Campaign Advertising Guidelines? (Please return signed pledge with completed questionnaire.)**

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.

Stephen G. Pollock
Type or print name


Signature

2/20/09
Date