



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

April 10, 2014

Irene Bizzoso, Prothonotary  
Pennsylvania Supreme Court  
Pennsylvania Judicial Center, Suite 4500  
Harrisburg, PA 17106

**Re: Department of Public Welfare v. Eiseman et al., petitioners,  
129, 130, 131, 132, 133, & 134 EAL 2014**

Dear Prothonotary Bizzoso:

The captions listed above pertain to two final orders entered on February 19, 2014, by the Commonwealth Court, Department of Public Welfare v. Eiseman, Nos. 1935 CD 2012, 1949 CD 2012, and 1950 CD 2012 (Eiseman I); and Dental Benefit Providers, Inc. v. Eiseman, Nos. 945 CD 2013, 957 CD 2013, and 958 CD 2013 (Eiseman II). DPW was a party in both of those consolidated matters.

Rule of Appellate Procedure No. 1116 permits a party to respond to a petition for allowance of appeal, either by filing an answer or by filing a letter stating that it declines to file an answer. For the following reasons, with regard to all of the matters listed above, DPW hereby elects the latter option:

- The only decision that requires that DPW provide copies of its own documents is Eiseman I. DPW elected to not appeal that part of that decision.
- In Eiseman I and Eiseman II, the Commonwealth Court held that the remaining records were correctly withheld. These records do not belong to DPW. Rather, they belong to the various "managed care organizations" (MCOs) and certain of their subcontractors. Those entities were parties in the appeals before the Commonwealth Court. With regard to those records, DPW is disinterested.
- After reviewing the opinions of Judge Simpson, DPW concludes that that court correctly read and applied the Right to Know Law in resolving those issues.

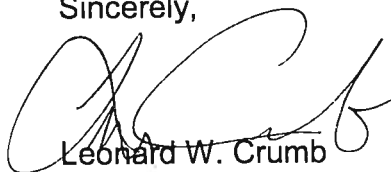
Received in Supreme Court

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Should you have any questions regarding this submittal, I can be reached using the contact information set forth below.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. W. Crumb', written in a cursive style.

Leonard W. Crumb  
Senior Assistant Counsel

**CERTIFICATE OF SERVICE**

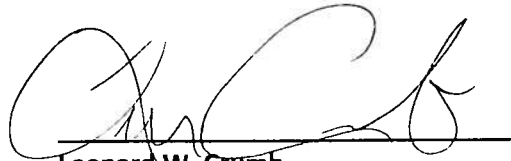
I, Leonard W. Crumb, hereby certify that this 10<sup>th</sup> day of April 2014, I have caused two (2) copies of the attached letter, submitted in response to the Petition for Allowance of Appeal, to be served upon the following counsel of record via email and via First Class, U.S. Mail, which service satisfies the requirement of Pa. R.A.P. 121:

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**April 10, 2014**



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