

# LENGERT & RAIDERS LLC

*Your Family. Your Business. Your Lawyers.*

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September 7, 2017

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
Email: [gikroculick@duanemorris.com](mailto:gikroculick@duanemorris.com)

George Kroclic, Esquire  
Duane Morris  
30 South 17th Street  
Philadelphia, PA 19103

*RE: In Re: Sunoco Pipeline (Andover)*

Dear Attorney Kroclic:

I have received two letters from you concerning inappropriate conduct of your client, Sunoco Pipeline L.P. regarding my client, Andover Homeowners' Association, Inc. I request that you get control of your client and stop their inappropriate behavior.

First, your client's representatives have been trespassing on the property of members of my client, removing property boundary markers and pins, and not properly replacing the same. Your client has removed a fence that was the property of Andover without consulting myself as required by the May 2017 Protective Order entered by the Commonwealth Court. As the Members of the Association are not "on-line" and are not involved in this action, your client's conduct is not covered by any future damages claims that may be considered later in this case. We expect that your client will fully repair the damages it is causing to my client's property.

Your client's representatives are also grossly mischaracterizing the law concerning easements in Pennsylvania. Your client's representatives are incorrectly telling my client's Members that they cannot enter their own property to take pictures, walk their pets or otherwise enjoy their open space. Your client illegally posted signs on the easement attempting to reinforce this misconception. As you and the Pennsylvania State Police know, Sunoco has no right to exclude anyone from any easement. Sunoco has no right to tell anyone who is not interfering with construction work that any owner of property is excluded from their property. We demand that Duane Morris control its client and stop all such demands and remove any signs warning of trespass that are not in the immediate work space.

[www.LengertRaiders.com](http://www.LengertRaiders.com)

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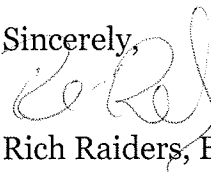
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My client's Members have spoken to the Pennsylvania State Police at length about your client's misconduct. I have video footage from one encounter improperly caused by your client where the State Police professionally informed your client's representatives that my client's Members violated no laws by using their property in a manner that did not interfere with construction work. You may also refer to <https://stateimpact.npr.org/pennsylvania/2017/09/06/sunoco-contractors-challenge-residents-presence-on-pipeline-right-of-way> regarding the actions of your client. I remind you that your client's 2016 efforts to have people arrested for lawful presence on their own property in western Pennsylvania failed. These efforts to misuse law enforcement agencies failed because owners of property using their property in a manner that does not interfere with the rights of others with interests in property is not a crime in the Commonwealth.

I remind you that your client's representatives may not contact Andover Members without my prior knowledge and consent. These instant attempts at self-help will be raised at argument before the Commonwealth Court concerning your client's ongoing noncompliance with the May 2017 Protective Order. As the State Police will provide your client with no relief without an actual showing of interference and obstruction with actual work being performed, we expect that Duane Morris will take additional efforts to enforce compliance with the Protective Order.

I look forward to seeing your client replace all removed property markers and barriers. In addition, your client has seventy-two (72) hours to remove all inappropriately placed signs on Andover property before we pursue further options.

Sincerely,



Rich Raiders, Esquire

cc: Andover Board of Directors