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September 28, 2011

The Honorable Stephen Aichele, Esquire  
General Counsel to the Governor  
333 Market Street  
17<sup>th</sup> Floor  
Harrisburg, PA 17101

Re: City of Harrisburg

Dear Mr. Aichele:

Last evening I was appointed to represent the Council of the City of Harrisburg, which under Act 47 is its “governing body”. In this capacity I request that you meet with me to discuss the current situation with a focus on legislative activities and alternatives.

Before getting to my request, let me set forth a bit of background. I was trained as a bond counsel by the man responsible for Pittsburgh’s transformation and renaissance under then Mayor David Lawrence. Sidney Ruffin was much more than a bond lawyer as he was also the architect for and scrivener of much of Pennsylvania’s present municipal and commercial development law. Most importantly I was fortunate to have the late K. Leroy Irvis, civil rights leader and former Speaker of the House, as a mentor who taught me about the powers and limitations of the Commonwealth’s legislative process. I have also had experience as an investment banker in public finance prior to resuming my law practice. In short, I am well familiar with what has brought Harrisburg to its present circumstances.

I have reviewed recently enacted and pending legislation which attempt to strip Harrisburg of its statutory, constitutional and common law powers. These are serious and unprecedented initiatives. Without getting to the legality of these initiatives, I am convinced that what has taken place to date, perhaps by all parties, is a costly, time-consuming diversion into process as opposed to substance; all of which takes us further away from a solution. Frankly speaking, significant state taxpayers’ money has been wasted on process that would have been better spent in the form of direct support to the City. Given the current legislative focus, that monetary amount of promises to multiply.

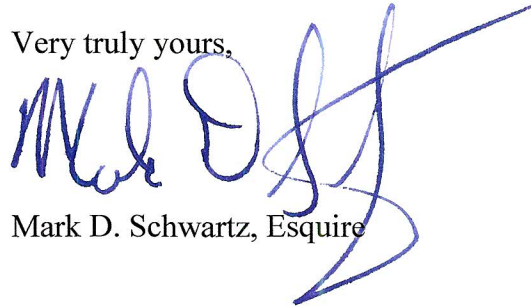
Honorable Stephen J. Aichele, Esquire  
(Continued-2)

We now stand at a juncture where you and I can further waste precious resources in a court contest or direct those resources to remedy the problem. People are frustrated with government that doesn't address problems but instead legislates political "solutions" which does nothing other than deliver us to the next crisis, all the while escalating divisiveness amongst us.

As a litigator, I take no pride in having to obtain recourse through the courts. Frankly, I regard it as a failure on my part. Accordingly, I ask that you schedule a meeting with me at your first convenience in Harrisburg. Please include in the meeting those key lawmakers and their counsel, who have been the architects of the Harrisburg legislation. I feel strongly that this is a necessary step away from what otherwise promises to be acrimonious protracted and costly diversion.

I look forward to hearing from you.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Mark D. Schwartz". The signature is stylized and fluid, with a long horizontal stroke extending to the right.

Mark D. Schwartz, Esquire