

IN THE COURT OF COMMON PLEAS  
OF DELAWARE COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

No. 114-1937

RESIDUARY TRUST UNDER WILL OF  
GEORGE F. PENNOCK FOR THE  
BENEFIT OF THE PROHIBITION PARTY

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PROHIBITION NATIONAL COMMITTEE'S  
SECOND MOTION TO DISMISS PETITION

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The Prohibition National Committee, by Secretary Leroy J. Pletten, for its Second Motion to Dismiss, states as follows:

1. The Petition by the PNC Bank, N.A. was filed on or about 3 October 2005.
2. Response by each Real-Party-in-Interest was due by 27 October 2005.
3. Response was filed in a timely manner by Real-Party-in-Interest, the so-called "Webb group," the majority.
4. No response at all was filed by Real-Party-in-Interest, the so-called "Dodge group," the minority; none was received.
5. Said non-response (or non-service) is deemed tantamount of default, failure to prosecute, or otherwise failing to establish concern in the litigation.

WHEREFORE, the Prohibition National Committee moves for dismissal.

Respectfully,

28 November 2005

Leroy J. Pletten  
Secretary  
Prohibition National Committee  
8401 18 Mile Road #29  
Sterling Heights MI 48313-3042  
(586) 739-8343

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CERTIFICATE OF SERVICE

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I hereby certify that on this date, 28 November 2005, I transmitted the Second Motion to Dismiss, by at least first class mail, postage prepaid, to

Clerk of Court  
Orphans Court Division  
Court of Common Pleas of Delaware County  
201 W Front St  
Media, PA 19063-2708

Sue D. Lomas  
Wolf, Block, Schorr, and Solis-Cohn LLP  
1650 Arch Street, 22nd Floor  
Philadelphia, PA 19103-2097

Robert A. Carpenter  
200 North Monroe Street  
Media, PA 19063-2908

By: \_\_\_\_\_  
Leroy J. Pletten, Secretary,  
Prohibition National Committee

Re: Petition No. 114-1937

28 November 2005

Clerk of Court  
Orphans Court Division  
Court of Common Pleas of Delaware County  
201 W Front Street  
Media PA 19063-2708

Dear Clerk of Court:

Enclosed for filing is the Second Motion to Dismiss.

Three sets of documents are enclosed:

- a. one original for the record
- b. one copy for the judge, and
- c. one copy for time-stamping and returning in the enclosed pre-addressed postage pre-paid envelope.

Thank you. Your assistance is appreciated.

Respectfully,

Leroy J. Pletten  
Secretary  
Prohibition National Committee  
8401 18 Mile Road #29  
Sterling Heights MI 48313-3042  
(586) 739-8343

Enclosures:  
3 sets of documents, a/s  
1 return postpaid envelope