

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF
PENNSYLVANIA

In Re: : No. _____ Disciplinary Docket No.
: _____ - Supreme Court
:
David Tevis Shulick : No. ____ DB _____
:
: Attorney Registration No. 74333
:
PETITION FOR REINSTATEMENT : (Montgomery County)

PETITION

AND NOW, this 21 day of June 2024, David Tevis Shulick petitions for reinstatement to the Bar of the Supreme Court of the Commonwealth of Pennsylvania and in support thereof states as follows:

1. On October 12, 2023, your Petitioner was Disbarred on Consent by Order of the Supreme Court of Pennsylvania, which disbarment became effective on October 12, 2023, and retroactive to September 11, 2018.
2. The terms of disbarment imposed by the Supreme Court of Pennsylvania having expired on September 11, 2023, your Petitioner desires reinstatement to the Bar of the Supreme Court of the Commonwealth of Pennsylvania.
3. Your Petitioner believes and therefore avers that he has the moral qualifications, competency and learning in law required for admission to practice in this Commonwealth and that his resumption of the practice of law within the Commonwealth

will be neither detrimental to the integrity and standing of the Bar nor of the administration of justice nor subversive of the public interest.

4. Further, your Petitioner has completed and submits herewith his Reinstatement Questionnaire in support of the instant Petition.

WHEREFORE, your Petitioner respectfully prays that this Honorable Board refer this Petition to a Hearing Committee so that a Hearing on the within Petition may be held and, it is prayed, your Petitioner be readmitted to the Bar of the Supreme Court of the Commonwealth of Pennsylvania.

Respectfully submitted,

s/Robert W. Sink
Robert W. Sink
Attorney Id. 73201
Law Offices of Robert W. Sink
1417 Crosby Dr.
Fort Washington, PA 19034
Tel: 215-995-1000
rsink@sinklawoffices.com

Attorney for David Tevis Shulick

Date: June 21, 2024

THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA
601 Commonwealth Avenue, Suite 5600
P.O. Box 62625
Harrisburg, PA 17106-2625
(717) 231-3380

REINSTATEMENT QUESTIONNAIRE

PART I

Responses Must Be Complete and Typewritten

1. Contact Information

- (a) Full Name: David Tevis Shulick
- (b) Attorney ID: 74333
- (c) Mailing Address: 1499 Wesleys Run
Gladwyne, PA 19035
- (d) Telephone Number: 215 988 5488
- (e) Facsimile Number: _____
- (f) Have you ever used another name? Yes No

Has your name ever been legally changed by court order or marriage? Yes No

If the answer is "Yes" to either part of (f), provide the details below:

Previous Name	Current Name	Reason for Change	Date of Change

* If your current name differs from what the Attorney Registration Office has on file, you must attach a copy of the official document authorizing the name change (i.e. Court Order, Social Security Card, etc.).

2. List all educational institutions (after high school) which you have attended.

Educational Institution	Address	From (MM/YY)	To (MM/YY)	Degree Earned	Date Conferred (MM/YY)
University of Delaware	Newark, DE	09/1987	05/1991	Bachelor of Science	05/1991
Beasley Law School, Temple University	Philadelphia, PA	09/1991	05/1994	Juris Doctorate	05/1994

3. Date of admission to the Bar of Pennsylvania: January, 1995

4. Other Admission Information: Other than the Supreme Court of Pennsylvania, provide all jurisdictions where you are, or were, admitted to practice, including any federal district or appellate courts or administrative agencies, even those in Pennsylvania.

Jurisdiction	Date of Admission	Current Status	If current status is <u>not</u> active, list date of change and reason.
New Jersey	January, 1995	Inactive	Disbarment by Consent
United States District Court, ED Pa	March, 1998	Inactive	Disbarment by Consent
United States 3rd Circuit Court of Appeals	February, 1999	Inactive	Disbarment by Consent
United States District Court, District of New Jersey		Inactive	Disbarment by Consent

*** Attach a Certificate of Good Standing (or certification of current status, if not active) AND a Letter of Ethical Conduct (disciplinary history) from each jurisdiction listed above, including any U.S. District Courts or U.S. Courts of Appeal.**

5. Since your admission to the Pennsylvania Bar, list every application for admission, other than those provided in Question 4, which you submitted to any bar, attorney licensing agency, or court, including pro hac vice applications, whether pursued or subsequently withdrawn.

Name of Court or Licensing Agency	Date of Application	Disposition of Application and Explanation	Date of Disposition or Admission

6. Employment History

(a) Detail all employment history prior to your disbarment, suspension, or transfer to disability inactive status, including both legal and non-legal positions. If necessary, attach an additional listing. If you were in partnership or other association with another lawyer or with a law firm, list the name of the firm, the names of other partners, and dates of association.

Name of Employer:	Cohen & Huntington
Address:	1515 Market Street
Job Title:	Associate Attorney
Dates Employed:	01/1995 - 01/1996
Immediate Supervisor:	Steven Huntington
Supervisor Phone/Email:	Unknown
Paid Position? (Y/N):	Y
Law-related position? (Y/N):	Y
Reason for Departure:	Promotion at new firm

Name of Employer:	Frank & Rosen
Address:	1601 Market Street
Job Title:	Associate
Dates Employed:	01/1996 - 08/1999
Immediate Supervisor:	Alan Frank
Supervisor Phone/Email:	215.935.1500
Paid Position? (Y/N):	Y
Law-related position? (Y/N):	Y
Reason for Departure:	Started my own practice

Name of Employer:	Shulick Law
Address:	1499 Wesleys Run
Job Title:	Owner, Attorney
Dates Employed:	08/1999 - 09/2018
Immediate Supervisor:	Self
Supervisor Phone/Email:	215.988.5488
Paid Position? (Y/N):	Y
Law-related position? (Y/N):	Y
Reason for Departure:	Disbarment upon consent

Name of Employer:	
Address:	
Job Title:	
Dates Employed:	
Immediate Supervisor:	
Supervisor Phone/Email:	
Paid Position? (Y/N):	
Law-related position? (Y/N):	
Reason for Departure:	

(b) Detail all employment history (including self-employment) during the period of disbarment, suspension, or disability inactive status. If necessary, attach an additional listing.

Name of Employer:	WRDC
Address:	136 Coulter Avenue
Job Title:	Managing Director
Job Duties:	Oversaw Commercial RE Management and Development
Did job duties include law-related activity? (Y/N)	N
Dates Employed:	November, 2020 - October, 2021
Immediate Supervisor:	Benjamin Willner
Supervisor Phone/Email:	610.658.7077
Paid? (Y/N) (include amount of compensation):	Y - \$75,000 +/- per annum
Reason for Departure:	Promotion Another Position

Name of Employer:	ESD a/k/a Equipment Systems & Devices
Address:	270 Commerce Drive, Fort Washington, PA 19034
Job Title:	V.P. Corporate Affairs
Job Duties:	Oversee Operation of Affiliated Corporations in the Vended Laundry Industry
Did job duties include law-related activity? (Y/N)	N
Dates Employed:	November, 2021 - Current
Immediate Supervisor:	Douglas S. Goldstein
Supervisor Phone/Email:	610.513.8474
Paid? (Y/N) (include amount of compensation):	Y - \$114,000 per annum plus bonuses
Reason for Departure:	N/A

Name of Employer:	
Address:	
Job Title:	
Job Duties:	
Did job duties include law-related activity? (Y/N)	
Dates Employed:	
Immediate Supervisor:	
Supervisor Phone/Email:	
Paid? (Y/N) (include amount of compensation):	
Reason for Departure:	

Name of Employer:	
Address:	
Job Title:	
Job Duties:	
Did job duties include law-related activity? (Y/N)	
Dates Employed:	
Immediate Supervisor:	
Supervisor Phone/Email:	
Paid? (Y/N) (include amount of compensation):	
Reason for Departure:	

(i) If any of the employment listed above involved law-related activity in Pennsylvania, did you and your supervising attorney file a notice of engagement with the Disciplinary Board pursuant to Pa.R.D.E. 217(j)(5)?

Yes No N/A

If YES, attach proof of compliance.

(ii) If any of the employment listed above included law-related activity in Pennsylvania, and such law-related activity has terminated, did you and your supervising attorney file a notice with the Disciplinary Board pursuant to Pa.R.D.E. 217(j)(5)?

Yes No N/A

If YES, attach proof of compliance.

(iii) If any of the employment listed above included law-related activity in Pennsylvania, and you checked NO on question 6(b)(i) or (ii), please explain.

(c) Have you performed any legal services for clients, with or without fee, during the period of disbarment, suspension, or disability inactive status?

Yes No

If YES, provide the details below.

Only paralegal services with proper written notice to the Pennsylvania Disciplinary Board for Ardmore Bethel Church and Soumaley Lee with proper Attorney supervision.

7. Since the date of your present disbarment, suspension, or transfer to disability inactive status, have you acted as a fiduciary in any capacity, including but not limited to: Power of Attorney, Executor or Administrator of an Estate, Personal Representative, Guardian, Conservator, Receiver, or Trustee?

Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation. **Attach copies of any appointing orders or letters.**

Fiduciary Capacity	Court	Case or Docket Number	Payment Received

8. Have you ever applied for, obtained, or were denied licensing for non-legal services? Such licensing may include, but is not limited to: selling securities, selling insurance, real estate agent or broker, nurse, physician, massage therapist, cosmetology.

Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation. **Attach copies of each application, license, or denial.**

Type of License	Licensing Body	Current Status	Date of Most Recent Status

9. Discipline or Disqualification

(a) Describe the misconduct upon which your present suspension or disbarment is based.

Period of Time: 2009-2011: I owned a separate business (Unique Educational Experience, Inc.) which operated multiple for-profit private schools that contracted with various school districts. One of those schools held a contract with the Philadelphia School District which contained a written budget concerning how contract payments were to be deployed. I misapplied \$764,735 of those contract payments in violation of the budgeted categorized expenditures and violated 18 U.S.C. 666(A)(1)(a) and was guilty of 'conspiracy to embezzle from a program receiving federal funds'. The school also employed an individual who applied for an Offer in Compromise for his SBA loan with PNC Bank and I misrepresented his income in a letter to the bank and violated 18 U.S.C. 1344 and 1014 and was guilty of 'bank fraud and aiding and abetting and false statement to a bank' in the amount of \$5,000. I also made false statements on Tax Returns during the same period regarding approximately \$13,000 of expenditures out of \$21M of revenue/\$18M of expenditures and violated 26 U.S.C. 7206 and was guilty of 'filing false tax returns' with no judgment amount as all returns were amended before the indictment was brought. The restitution is joint and several with Chaka Fattah, Jr.

(b) Provide the following detailed information or attachments:

- (i) **Attach a Certified copy of the order imposing your present disbarment, suspension of more than one year, or transfer to disability inactive status pursuant to Pa.R.D.E. 301, along with any opinion which may have accompanied such order.**
- (ii) **Attach a copy of the Report and Recommendations of the Disciplinary Board or other similar body existing prior to the establishment of the Board or existing in another jurisdiction.**
- (iii) **Attach a copy of the findings of the hearing committee or other similar body which heard the evidence.**
- (iv) **If applicable, attach a copy of the Statement of Resignation or Joint Petition in Support of Discipline on Consent.**
- (v) **List the caption and docket number of the proceeding in which the order imposing your present disbarment, suspension, or transfer to disability inactive status was entered.**

ODC v. David Tevis Shulick, No. 2507 Disciplinary Docket No. 3
No. 117 DB 2018

(vi) **List the names and contact information of complaining or aggrieved parties. If necessary, attach an additional listing.**

Name:	PNC Bank
Address:	The Tower at PNC Plaza, 300 5th Avenue, Pittsburgh, PA 15222
Email:	

Name:	School District of Philadelphia
Address:	440 N. Broad Street, Suite 313, Phila, PA 19130
Email:	

Name:	
Address:	
Email:	

(c) If your present suspension or disbarment was based on the conviction of a crime in this or any other jurisdiction (including federal), provide the following detailed information and attachments.

(i) Describe the nature of the charges and provide the citation to the criminal statute(s).

Period of Time: 2008-2011: I owned a separate business (Unique Educational Experience, Inc.) which operated multiple for-profit private schools that contracted with various school districts. One of these schools held a contract with the Philadelphia School District which contained a written budget concerning how contract payments were to be deployed. I misapplied \$784,795 of those contract payments in violation of the budgeted categorized expenditures and violated 18 U.S.C. 688(A)(1)(a) and was guilty of 'conspiracy to embezzle from a program receiving federal funds'. The school also employed an individual who applied for an Offer in Compromise for his SBA loan with PNC Bank and I misrepresented his income in a letter to the bank and violated 18 U.S.C. 1344 and 1014 and was guilty of 'bank fraud and aiding and abetting and false statement to a bank' in the amount of \$5,000. I also made false statements on Tax Returns during the same period regarding approximately \$13,000 of expenditures out of \$21M of revenue/\$18M of expenditures and violated 26 U.S.C. 7208 and was guilty of 'filing false tax returns' with no judgment amount as all returns were amended before the indictment was brought. The restitution is joint and several with Chaka Fattah, Jr.

(ii) Attach a certified copy of indictment (or information), docket entries, and judgment and probation/commitment order (or equivalent thereof) and opinion(s). *If restitution was imposed, attach documentation demonstrating compliance with the restitution order.*

(iii) Provide the names and contact information of complaining witnesses. If necessary, attach an additional listing.

Name:	Paul McCarthy, Esquire, School District of Philadelphia
Address:	440 N. Broad Street, Phila, PA 19130
Email:	pnmccarthy@philasd.org

Name:	Corrado Savatore, Chief Counsel
Address:	PNC Bank, PNC Plaza, Pittsburgh, PA 15222
Email:	Unknown

(iv) Name, court, and address of trial judge.

Name:	Honorable Harvey Bartle
Court:	USDC, EDPa
Address:	601 Market Street, Philadelphia, PA

(v) Name, organization, and address of prosecutor.

Name:	Michael Donovan
Organization:	Department of Justice
Address:	601 Chestnut Street, Philadelphia PA

(vi) Citation or other reference to your criminal case, if reported in any bound volume(s) of reports.

994 F.3d 123 (3rd Cir. 2021), rehearing granted (3d Cir. Sep. 16, 2021); 290 F.Supp.3d (E.D.Pa.2017);

(d) In the proceeding that led to your present disbarment, suspension, or transfer to disability inactive status, was there a charge or finding of commingling, withholding, misuse, conversion, or neglecting to pay money on demand of clients, or any other similar charge involving improper handling of funds?

Yes No

If YES, provide answers to the following questions:

(i) Provide the name and address of any person(s) involved and amount(s) withheld. If necessary, attach an additional listing.

Name:	
Address:	
Amount Withheld:	

Name:	
Address:	
Amount Withheld:	

Name:	
Address:	
Amount Withheld:	

Name:	
Address:	
Amount Withheld:	

(ii) As to each of the foregoing, provide detailed information as to the way in which and for what purpose the funds were expended. If necessary, attach an additional listing.

(iii) To what extent, if any, has restitution been made? As to each person individually, state when and by whom restitution has been made and whether any interest was paid. If necessary, attach an additional listing.

(iv) Has any surety, guarantor, or bar association fund, or any similar organization, made any restitution payment?

Yes No

If YES, provide the name and contact information for the surety, guarantor, or bar association fund, or similar organization, who has made restitution. If necessary, attach an additional listing.

Name:	
Address:	
Telephone & Email:	

If YES, have you reimbursed, or made arrangements to reimburse, the entity which made restitution? Provide details. If necessary, attach an additional listing.

(e) After entry of the order imposing your present disbarment, suspension, or transfer to disability inactive status, did you file with the Disciplinary Board Prothonotary:

(i) Copies of notices substantially in the language of Form DB-23 (non-litigation notice of disbarment, suspension or transfer to disability inactive status) sent to clients pursuant to Pa.R.D.E. 217(a) and Disciplinary Board Rule 91.91?

Yes No

If YES, on what date? September, 2018

If NO, explain.

(ii) Copies of notices substantially in the language of Form DB-24 (litigation notice of disbarment, suspension or transfer to disability inactive status) sent to clients pursuant to Pa.R.D.E. 217(b) and Disciplinary Board Rule 91.92?

Yes No

If YES, on what date? September, 2018

If NO, explain.

(iii) Copy of the verified statement required by Pa.R.D.E. 217(e) and Disciplinary Board Rule 91.95?

Yes No

If YES, on what date? September 22, 2023

Attach a copy of the verified statement and all documents attached thereto demonstrating proof of compliance.

If NO, explain.

(iv) Were any costs or fees assessed by the Board in connection with your present disbarment, suspension, transfer to disability inactive status, withdrawn petition for reinstatement, or denial of reinstatement?

Yes No

If YES, attach the itemization of taxed expenses and proof that the Disciplinary Board has been paid in full. Note: Board Rule 89.272(b) prohibits an attorney from filing for reinstatement before all costs and fees have been paid in full.

(f) Have you ever sought reinstatement to practice as an attorney or counselor in any state, including Pennsylvania, or country or before a federal court or administrative agency?

Yes No

If YES, provide the following detailed information or attachment(s):

(i) **Attach a copy of any prior reinstatement petition or application with supporting documentation that you filed and the response of the attorney disciplinary agency.**

(ii) **Attach a certified copy of the order granting, withdrawing, or denying your reinstatement petition or application.**

(iii) **Attach a copy of the Report and Recommendation of the Disciplinary Board or other similar body existing prior to the establishment of the Board or existing in another jurisdiction.**

(iv) **Attach a copy of the findings of the hearing committee or other similar body that heard the evidence.**

(g) Other than your present disbarment, suspension, or transfer to disability inactive status, have you ever been disbarred, suspended from practice, reprimanded, censured, admonished, or otherwise disciplined or disqualified (including the revocation of a pro hac vice admission, or transfer to disability inactive status or administrative suspension) by a licensing agency, court, or professional organization for conduct as an attorney?

Yes No

If YES, attach copies of all reports or decisions relating to such discipline or disqualification, including the order and any opinions of discipline or disqualification.

(i) If you answered YES to question 9(g) above, provide date(s) discipline was imposed, jurisdiction, nature of disciplinary action taken, and name/address of person or office with possession of the record. For suspension or disbarment, provide the length of suspension and citation of case, if reported. If the sanction was imposed following the conviction of a crime, attach a copy of the judgment of conviction. If necessary, attach an additional listing and/or documentation.

Date Imposed	Jurisdiction	Action	Record Holder	Length of Suspension (if applicable)
8/15/18; 11/28/23	Fed Ct NJ; State Court NJ	Disbarment by Consent	United States District Court; Office Atty Ethics NJ	
9/11/18	USDC - EDPa	Disbarment by Consent	United States District Court EDPA	
5/22/24	US - 3rd Circuit	Disbarment by Consent	United States 3rd Circuit Appeals Court	

10. Investigations

(a) Other than the investigation(s) which led to your present disbarment, suspension, or transfer to disability inactive status, have you ever been the subject of a disciplinary complaint not otherwise referenced in this questionnaire, including any complaint(s) made against you in law school?

Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Name/Address of Complainant:	
Tribunal, Court, or Investigative Body:	
Charge(s):	
Date of Charge(s):	
Case Number or Identifier:	
Disposition:	
Citation (if any):	
Custodian of Records:	

Name/Address of Complainant:	
Tribunal, Court, or Investigative Body:	
Charge(s):	
Date of Charge(s):	
Case Number or Identifier:	
Disposition:	
Citation (if any):	
Custodian of Records:	

Name/Address of Complainant:	
Tribunal, Court, or Investigative Body:	
Charge(s):	
Date of Charge(s):	
Case Number or Identifier:	
Disposition:	
Citation (if any):	
Custodian of Records:	

(b) Are you currently the subject of any disciplinary complaint filed with any disciplinary agency?

Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Jurisdiction	Nature of Allegations

(c) Are you currently the subject of any investigation by any law enforcement agency?

Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Agency	Nature of Investigation	Court

11. Criminal Investigations or Convictions

(a) Other than the crime(s) which led to your present disbarment, suspension, or transfer to disability inactive status, have you ever been under investigation, arrested, or prosecuted for any crime(s) as defined in Pa.R.D.E. 214(h)?

Yes No

If YES, provide the details below. If you were convicted of a crime, **attach a copy of the judgment of conviction**. If necessary, attach an additional listing and/or documentation.

Name and Location of Tribunal, Court, or Investigative Body	Date, Case Number, and Citation or Other Reference	Nature of the Crime and Manner of Disposition	Location of the Record of the Proceeding

(b) If you answered YES to question 11(a), provide the following:

- (i) **Attach a certified copy of indictment (or information), docket entries, and judgment and probation/commitment order (or equivalent thereof) and opinion(s).**
- (ii) Provide the names and contact information of complaining witnesses. If necessary, attach an additional listing.

Name:	
Address:	
Email:	

Name:	
Address:	
Email:	

Name:	
Address:	
Email:	

(iii) Name, court, and address of trial judge.

Name:	
Court:	
Address:	

(iv) Name, organization, and address of prosecutor.

Name:	
Organization:	
Address:	

(v) Citation or other reference to your criminal case, if reported in any bound volume(s) of reports.

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12. Civil Actions and Administrative Proceedings

(a) Have you ever been involved in a civil action (including a bankruptcy proceeding) as a party or as one who claimed an interest?

Yes No

If YES, provide the details below including: (1) date on which the action commenced, (2) case caption, (3) court, (4) docket number, (5) summary of the allegations made in each such action, (6) current status, and (7) final disposition, if any. If necessary, attach an additional listing and/or documentation.

See attached Exhibit 12.

(b) Have you been the subject of any inquiry, investigation, or administrative proceeding involving your standing as a member of any profession or organization, or holder of any license or office (including licenses listed in response to Question 8)?

Yes No

If YES, provide the details below including: (1) date of inquiry or proceeding, (2) underlying facts, (3) forum where the charges or claims are or were considered, including the name and address of the authority in possession of the record, (5) current status, and (6) disposition, if any. If necessary, attach an additional listing and/or documentation.

(c) Has any malpractice action ever been filed against you?

Yes No

If YES, provide the details below including: (1) date of charge or claim, (2) name and address of claimant, (3) substance of the charge or claim, (4) forum where the charges or claims are or were considered, (5) current status, and (6) disposition, if any. If necessary, attach an additional listing and/or documentation.

2018 - Caroline Kotler 32 White Drive, Voorhees, NJ 08043 - unhappy with results of litigation sued for malpractice but case was withdrawn after vexatious litigation notice and removed to Federal Court - see Exhibit Question 12.

2017 - Kirkland v. Glatt, et. al. - I represented Tobi Glatt who sued Mr. Kirkland over her brother's estate, and then Mr. Kirkland sued her and she joined me but matter was settled - see Exhibit Question 12.

(d) Has the Pennsylvania Lawyers Fund for Client Security ("Fund") ever made any disbursement to your former clients?

Yes No

In all instances, attach a copy of a letter from the Fund indicating that either (1) full restitution has been made to the Fund or (2) that no restitution is owed to the Fund. The request for this information must be made in writing and must include the attorney's full name, current mailing address, and the Pennsylvania Attorney ID number. Visit www.palawfund.com for more information.

13. Maintaining Currency, Competency, and Learning in the Law

(a) Provide a copy of your PA CLE Transcript reflecting that, within one year prior to the filing of this petition, you have earned at least 36 hours of PA CLE credits, 12 of which must be in the area of Ethics. Petitioners should ensure compliance with the most recent "Current Schedule of Continuing Legal Education Courses Required for Reinstatement" as published in the *Pennsylvania Bulletin*.

(b) List all legal periodicals, official reporters, advance sheets, or other materials which you read or to which you have subscribed during the period of disbarment, suspension, or disability inactive status. If necessary, attach an additional listing and/or documentation.

Pennsylvania Supreme Court public website of cases; ABA Journal (online); CLE Materials from Cape Institute and Pennsylvania Bar Institute; Researched cases on LEXIS in Pennsylvania.

(c) Have you conducted legal research during the period of disbarment, suspension, or disability inactive status? Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Entity for Whom Research was Conducted	Topic or Purpose	Date Completed	Payment Received (if any)
Soumaley Lee	Paralegal Assistance	2024	0
Ardmore Bethel Church	Paralegal Assistance	2023	0

(d) In addition to the courses listed on your PA CLE transcript, have you attended other continuing legal education courses, including law school courses, during the period of disbarment, suspension, or disability inactive status?

Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Course Title	Location of Course	Date of Course	Credits Received (if any)

(e) Have you purchased any law books or related online access to such materials during the period of disbarment, suspension, or disability inactive status?

Yes No

If YES, provide the details below. If necessary, attach an additional listing and/or documentation.

Title	Publisher or Website	Date of Purchase or Access
See CLE Course Listing	Pennsylvania Bar Institute	See Exhibit
See CLE Course Listing	Cape	See Exhibit

(f) What bar examination(s) or other test(s) for admission to practice in this or any other jurisdiction have you taken during the period of disbarment, suspension, or disability inactive status? Provide details and results. **Attach copies of notification from the testing authority.**

None

14. Practice after Reinstatement

- (a) Have you familiarized yourself with the requirements of Rule of Professional Conduct 1.15 (safekeeping property)? Yes No

If NO, explain.

- (b) Describe your plans for practicing law if you are reinstated to active status. Do you intend to practice law? If so, in what location (city, county, and courts) and with whom (if any associates or partners)? What area(s) of specialization or concentration of practice do you intend to pursue? Will you handle R.P.C. 1.15 funds? If you do not intend to actively practice law, provide the nature of your intended employment, including the location and whether or not you will have associates or partners. If necessary, attach additional information and/or documentation.

If granted reinstatement, I intend to practice law for former clients and friends and with attorneys I previously worked together with regarding general civil litigation matters and corporate work. I loved practicing law, being a lawyer was and is part of my soul and I pray to have the ability to continue to help and represent my dear friends, family and former clients.

- (c) If any, describe efforts taken to be covered by professional liability insurance if you are reinstated, including the results of such efforts.

15. State concisely any facts or matters you desire to have considered, other than those stated previously.

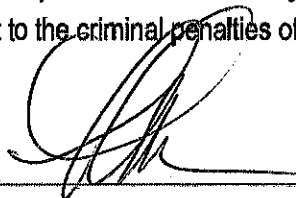
See Exhibit 15.

16. State concisely those facts upon which you rely to justify your reinstatement to the Bar of this Commonwealth, relating such facts to the requirements of Rule 218(c) of the Pennsylvania Rules of Disciplinary Enforcement.

See Exhibit 15.

17. Certification

I certify that the foregoing responses are true and correct to the best of my knowledge, information, and belief, and that I am aware of my obligation to supplement responses as set forth in the filing instructions for the Reinstatement Questionnaire. Further, I acknowledge that said responses will become a part of the record of my reinstatement proceeding and false statements made herein are subject to the criminal penalties of 18 Pa. C.S. §4904(b).



Signature of Petitioner

06/21/24
Date

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Robert Sink for David Sluslick

Signature: 

Name: Robert W. Sink

Attorney ID No. (if applicable): 73201

DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE

EXHIBIT TO QUESTION 4

INSTRUCTIONS 6a

DESCRIPTION: Disciplinary History

State of New Jersey

United States District Court – New Jersey

United States District Court – Eastern District Pennsylvania

United States Third Circuit Court of Appeals

Ethics History Report

A. Attorney/Law Firm Information

Attorney/Law Firm Name

SHULICK, DAVID T

State of NJ

Admitted to Bar **1994**

Bar Admission/Law Firm # **02384-1994**

Social Security #

Date of Birth **11/20/1969**

Private Practice **YES**

Home Address **1499 WESLEYS RUN, GLADWYNE, PA 19035**

Home Phone **610-520-1064**

B. Public Discipline and Related Actions

1) Closed Cases

Effective Date	Nature	Legal Citation	Termination Date	Docket No	DRB Docket No
11/28/2023	DISBARMENT BY CONSENT			XIV-2017-0645E	

Description of Misconduct

DAVID T. SHULICK – DISBARRED BY CONSENT ON NOVEMBER 28, 2023 (__ N.J. __) FOLLOWING HIS CRIMINAL CONVICTION IN THE UNITED STATES DISTRICT COURT-EASTERN DISTRICT OF PENNSYLVANIA OF VIOLATING 18 USC SECTION 371- CONSPIRACY TO EMBEZZLE FROM A PROGRAM RECEIVING FEDERAL FUNDS; 18 USC SECTION 666(A)(L)(A) - EMBEZZLEMENT FROM A PROGRAM RECEIVING FEDERAL FUNDS; 18 USC SECTION 1344 - BANK FRAUD AIDING AND ABETTING; 18 USC SECTION 1014- FALSE STATEMENT TO A BANK AIDING AND ABETTING; AND THREE COUNTS UNDER 18 USC 7206- 1 - FILING FALSE TAX RETURNS. DARRELL FELSENSTEIN REPRESENTED THE OAE AND ANDREW D. SWAIN REPRESENTED THE RESPONDENT.

5/24/2018	TEMPORARY SUSPENSION			XIV-2017-0645E	
-----------	----------------------	--	--	----------------	--

2) Pending Cases

Effective Date	Nature	Legal Citation	Termination Date	Docket No	DRB Docket No
No record found					

3) Out-of-State Discipline

Effective Date	Nature	Legal Citation	Termination Date	Docket No	DRB Docket No
No record found					

C. Other Public Cases (Hearings/Stipulations/MFD/MRD)

Complaint/MFD/MRD Date	Grievant	Violation	Status/Result	Docket No	DRB Docket No
No record found					

D. Private Discipline

Date of Letter / Final Decision Date	Final Violation / Supreme Court Decision	Docket No	DRB Docket No
No record found			

No record found

E. Completed Diversion

Final Diversion Disposition Date	Final Diversion Violation	Docket No	DRB Docket No
No record found			

F. Other Pending Cases

Date Docketed	Grievant	Alleged violation	Status	Docket No	DRB Docket No
No record found					

G. Closed Cases (Non-Disciplinary and/or Non-Public)

Date Closed	Grievant	Alleged violation	Result	Docket No	DRB Docket No
No record found					

H. Character and Bar Admission Cases (Non-Public)

Pending Cases:

Date Docketed	Grievant	Alleged violation	Status	Docket No	DRB Docket No
No record found					

Closed Cases:

Date Closed	Grievant	Alleged violation	Result	Docket No	DRB Docket No
No record found					

FEE ARBITRATION HISTORY

A. Pending Cases

Date Docketed	Client	Case Type	Docket No	DRB Docket No
No record found				

B. Closed Cases

Date Closed	Client	Fee to Client	Fee to Attorney	Case Type	Docket No	DRB Docket No
3/3/2011	FELZER, JOSHUA C	\$0.00	\$13056.70	REAL ESTATE	IV-2008-0087F	

RANDOM COMPLIANCE AUDITS

A. Pending Cases

Initial Audit Date	Law Firm Name	Auditor	Type	RA #
No record found				

B. Closed Cases

Closed Date	Law Firm Name	Auditor	Closing Code	RA #
No record found				

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

In the Matter of :
DAVID T. SHULICK : Civil Misc. 8:18-cv-10976-JLL
An Attorney-at-Law : ORDER OF DISBARMENT

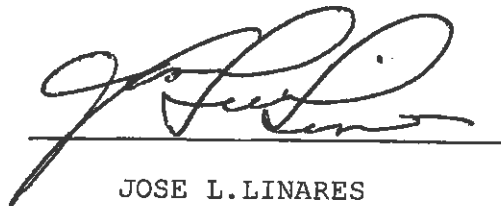
It appearing that by Order to Show Cause the respondent, DAVID T. SHULICK, was ordered to show cause before this Court on Monday, August 06, 2018, why the temporary suspension from the practice of law before this Court shall not be made permanent and that he be stricken from the roll of attorneys admitted to practice before this Court, and why he should not be disbarred and permanently restrained and enjoined from the practice of law before this Court until further order of this Court; and

It further appearing that, as of the return date, there was neither a personal appearance nor a written response in opposition filed by or on behalf of the respondent;

And good cause appearing,

It is on this 15th day of Aug., 2018,

ORDERED that DAVID T. SHULICK, be and he hereby is disbarred and permanently restrained and enjoined from the practice of law before this Court pursuant to L. Civ. R. 104.1(a)(4), effective immediately.



JOSE L. LINARES
Chief Judge

SEALED, dwb

Third Circuit Court of Appeals

Court of Appeals Docket #: 18-8049	Docketed: 10/05/2018
In Re: David T. Shulick	
Appeal From: null	
Fee Status: NA	
Case Type Information:	
1) Attorney Discipline	
2) Federal	
3) null	
Recusals:	
None	
Originating Court Information:	
None	
Current Cases:	
None	
Panel Assignment:	
Type: Attorney Discipline	
Panel: DMF KAJ PS	
Date of Hearing: Date of Decision:	

In re: DAVID T. SHULICK Respondent - Respondent	David T. Shulick, Esq. Direct: 215-988-5488 Email: Dshulick1@gmail.com Fax: 215-922-5478 [NTC Pro Se Atty] 1499 Wesleys Run
--	--

Gladwyne, PA 19035

Samuel C. Stretton, Esq.

Direct: 610-696-4243

Email: strettonlaw.samstretton@gmail.com

Fax: 610-696-2919

[COR NTC Retained]

103 S High Street

P.O. Box 3231

West Chester, PA 19381

In re: DAVID T. SHULICK,

Respondent

10/05/2018

ATTORNEY DISCIPLINE CASE DOCKETED. Notice from United States District Court for the District of New Jersey dated June 27, 2018, that Respondent David T. Shulick , Esq. was convicted of conspiracy to embezzle funds from a program receiving federal funds and Embezzlement from a program receiving federal funds in the United States District Court for the Eastern District of Pennsylvania Crim. No. 2:16-cr-000428-001. Length of Suspension: pending further disciplinary proceeding. Effective date 06/27/2018. (DW) [Entered: 10/05/2018 12:47 PM]

10/05/2018

Order by the Supreme Court of Pennsylvania dated September 11, 2018, placed David Tevis Shulick on temporary suspension. , filed. (DW) [Entered: 10/05/2018 01:17 PM]

10/05/2018

Order of the United States District Court for the New Jersey dated August 15, 2018, disbarred David T. Shulick, Esquire, effective immediately., filed. (DW) [Entered: 10/05/2018 01:24 PM]

10/11/2018

SHOW CAUSE ORDER (Clerk) directing an Answer to be filed on or before 11/13/2018. (DW) [Entered: 10/11/2018 03:17 PM]

10/24/2018	ECF FILER: ENTRY OF APPEARANCE from Samuel C. Stretton on behalf of Respondent(s) David T. Shulick. [18-8049] (SCS) [Entered: 10/24/2018 10:55 AM]	
10/24/2018	Response to the Clerk's Order to Show Cause; Request to be placed on interim suspension retroactive to September 11, 2018 and Stay discipline Proceedings pending Resolution of Appeal No. 8-2407., filed. [18-8049]-- [Edited 10/24/2018 by DW] (SCS) [Entered: 10/24/2018 10:59 AM]	
10/29/2018	ORDER (FISHER, JORDAN and SHWARTZ, Circuit Judges) This attorney-discipline matter was commenced after David T. Shulick, Esquire, was convicted of several serious crimes in the United States District Court for the Eastern District of Pennsylvania. It appearing that Mr. Shulick has appealed from that conviction, this disciplinary proceeding is hereby STAYED pending resolution of Mr. Shulick's appeal (No. 18-3305). The Clerk will thereafter lift the stay and establish a new deadline for contesting this disciplinary proceeding. Mr. Shulick must promptly notify the Clerk in writing when his appeal has concluded. Pursuant to Rule of Attorney Disciplinary Enforcement 7.1, upon receiving a copy of a judgment of conviction of a member of the bar of this Court of a serious crime, the Standing Committee may summarily issue an order suspending the attorney's privilege to practice before the Court pending the determination of appropriate discipline. Accordingly, it is hereby ORDERED that David T. Shulick, Esquire, is suspended from practice before this Court pending resolution of the above-captioned disciplinary proceeding., filed. FISHER, Authoring Judge. (DW) [Entered: 10/29/2018 02:17 PM]	
05/18/2022	<u>12</u>	REISSUED SHOW CAUSE ORDER (Clerk) directing an Answer to be filed on or before 06/17/2022. (DW) [Entered: 05/18/2022 08:33 AM]
07/06/2022	<u>13</u>	ECF FILER: Show Cause Response filed by Attorney David T. Shulick, Esq. for Respondent David T. Shulick. [18-8049] (SCS) [Entered: 07/06/2022 03:26 PM]
07/14/2022	<u>14</u>	ORDER (Court) Shwartz, Bibas and Porter, Circuit Judges. On May 18, 2022, the Clerk issued an order directing David T. Shulick, Esquire, to

show cause why he should not be disbarred from practice before this Court based upon his conviction of a serious crime. See R.A.D.E. 1.3, 3.2, 6.2(a). Mr. Shulick filed a response to the order to show cause indicating that he intends to file a habeas corpus petition challenging his conviction and requesting a stay of his disciplinary proceeding. A stay pending habeas proceedings is not required, as the rules provide that, in cases where the conviction of a serious crime is subsequently reversed or vacated, "any discipline imposed on the basis thereof will be promptly reviewed by the Standing Committee and the Court upon submission of a certified copy of the relevant mandate." R.A.D.E. 10.8. In addition, the Court is not inclined to grant stays of indefinite duration. Nevertheless, because the Court has temporarily suspended Mr. Shulick pursuant to R.A.D.E. 7.1, the Court will grant a stay of the disbarment proceeding pending disposition of the habeas corpus petition. Mr. Shulick must promptly notify the Court in writing when the habeas matter is resolved. (DW) [Entered: 07/14/2022 11:37 PM]

- | | | |
|------------|-----------|---|
| 10/17/2023 | <u>15</u> | Supreme Court of Pennsylvania dated October 12, 2023, disbaring David Tevis Shulick from the practice of law in this court, retroactive to September 11, 2018. (DW) [Entered: 10/17/2023 04:52 PM] |
| 11/16/2023 | <u>16</u> | SHOW CAUSE ORDER (Clerk) The Court stayed the attorney-disciplinary proceedings against Mr. Shulick pending disposition of his habeas corpus petition. On August 3, 2023, the Court declined to issue a certificate of appealability from the district court's order denying Mr. Shulick's habeas corpus petition. Accordingly, the stay of the attorney-discipline proceeding is LIFTED. It is hereby ORDERED pursuant to R.A.D.E. 6.1, 6.2(a), and 8.1, that David T. Shulick, Esquire, must show cause within thirty (30) days of the date of this order why he should not be disbarred in this Court. (DW) [Entered: 11/16/2023 09:04 AM] |
| 12/14/2023 | <u>17</u> | UNCONTESTED Response received in accordance with the Clerk's request to Show Cause from Respondent David T. Shulick as to why he should not be disbarred in this Court. (DW) [Entered: 12/14/2023 05:04 PM] |

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN THE MATTER OF: : **MISCELLANEOUS**
: **DAVID T. SHULICK** : **NO. 18-mc-0171**

ORDER

AND NOW, this 18th day of June, 2024, respondent having been ordered on June 13, 2024, to show cause, within thirty (30) days, why he should not be **disbarred on consent** from the practice of law in this court, retroactive to September 11, 2018, and respondent having answered and not requested a hearing, it is hereby

ORDERED that respondent is **disbarred on consent** from the practice of law in this court, retroactive to September 11, 2018, and until further order of this court.

BY THE COURT:

s/Mitchell S. Goldberg
MITCHELL S. GOLDBERG
Chief Judge

UNITED STATES DISTRICT COURT
Eastern District of Pennsylvania
United States Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106-1797

George Wylesol
Clerk of Court

Clerk's Office
215-597-7704

June 18, 2024

David T. Shulick
1499 Wesleys Run
Gladwyne, PA 19035

Dear Mr. Shulick:

In response to your request, you were admitted to the United States District Court for the Eastern District of Pennsylvania on March 24, 1998, and are currently listed as being disbarred on consent with the United States District Court for the Eastern District of Pennsylvania.

Please feel free to contact Gail Olson of my staff at 267-299-7060 if you require additional information on this matter.

Sincerely,


Clerk of Court

By: /s/ Gail R. Olson
Gail R. Olson, Deputy Clerk

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT
CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

May 22, 2024

TELEPHONE
215-597-2995

VIA ECF AND CERTIFIED MAIL RECEIPT NO.7018 0360 0000 8115 3661

David T. Shulick, Esq.
1499 Wesleys Run
Gladwyne, PA 19035

RE: In the Matter of:
David T. Shulick, Esquire
An Attorney at Law
C.A. Misc. No. 18-8049

(United States District Court for the District of New Jersey Civil Misc.
8:18-cv-10976-JLL)
(Supreme Court of Pennsylvania No. 2507 Disciplinary Docket No. 3
No. 117 DB 2018)

Dear Mr. Shulick:

Enclosed is a certified copy of an order **disbarring** you from the practice of law in this Court, effective May 22, 2024.

This Court's Rules of Attorney Disciplinary Enforcement are available on the Court's website at: www.ca3.uscourts.gov. Please refer to the provisions of Rule 16.3 regarding initiating a separate reinstatement proceeding.

Very Truly Yours,

s/ Patricia S. Dodszuweit
Clerk

By: s/ Desiree
Legal Assistant
Direct Dial: 267-299-4252

cc: U.S. District Court of New Jersey
Supreme Court of Pennsylvania

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Misc. No. 18-8049

In re: David T. Shulick, Esquire
(E.D. Pa. No. 2:16-cr-00428-001)

ORDER

Present: SHWARTZ, BIBAS, and PORTER, Circuit Judges

This attorney-discipline matter was commenced after the Clerk of this Court received notice that David T. Shulick, Esquire, was convicted of several serious crimes in the United States District Court for the Eastern District of Pennsylvania, E.D. Pa. No. 2:16-cr-000428-001. The presumptive discipline for conviction of a serious crime is disbarment. See R.A.D.E. 3.2. Based on this conviction, Mr. Shulick was disbarred by the United States District Court for the District of New Jersey and the Supreme Court of Pennsylvania.

This Court stayed the attorney-discipline proceeding against Mr. Shulick pending disposition of his direct criminal appeal and habeas corpus petition. The Court affirmed Mr. Shulick's criminal conviction and declined to issue a certificate of appealability from the district court's order denying his habeas corpus petition.

On November 16, 2023, this Court lifted the stay and directed Mr. Shulick to show cause why he should not be disbarred in this Court pursuant to this Court's Rules of Attorney Disciplinary Enforcement 6.2(a) and 8.1. Mr. Shulick filed a response consenting to the imposition of the presumptive discipline.

It is therefore ORDERED that David T. Shulick, Esquire, is hereby disbarred from the practice of law in this Court effective immediately, pursuant to Rule 9.1.

The Clerk of this Court will forward a certified copy of this order to Mr. Shulick by email and certified mail, return receipt requested, to his last known address. See R.A.D.E. 6.4. Reinstatement to practice in this Court is governed by Rule 13. An attorney who has been disbarred may not apply for reinstatement until the expiration of five years from the effective date of the disbarment. See R.A.D.E. 13.2.

This Court's Rules of Attorney Disciplinary Enforcement are available on the Court's website at: www.ca3.uscourts.gov.

For the Court,

s/ Patty Shwartz
Chairperson of the Standing
Committee on Attorney
Discipline

Dated: May 22, 2024



A True Copy:

Patricia S. Dodszeit

Patricia S. Dodszeit, Clerk

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

May 21, 2024

TELEPHONE
215-597-2995

David T. Shulick, Esq.
1499 Wesleys Run
Gladwyne, PA 19035

In Re: David T. Shulick, Esquire
Attorney Discipline Proceeding No. 18-8049

Dear Mr. Shulick:

The Clerk acknowledges receipt of your email dated May 19, 2024, requesting a copy of the docket of attorney discipline proceeding no.18-8049. Although the case is sealed until completion, enclosed please find a list of the docket entries filed in no.18-8049. The Court's Committee on Attorney Discipline will determine as to whether your request for disbarment retroactive to September 2018, will be granted. You will be notified once the committee makes its decision.

February 22, 1999 is The date of your admission to the bar of the United States Court of Appeals for the Third Circuit.

Please contact the appropriate United States District Court directly, to request a copy of the docket sheet or for copies of any documents filed in that court.

Very Truly Yours,

s/ Patricia S. Dodszuweit

Clerk

By: s/ Desiree

Legal Assistant

267-299-4252

EXHIBIT TO
QUESTION 9(b)

Instructions 6(d) and 6(e)



THE DISCIPLINARY BOARD
OF THE
SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 5600
PO Box 62625
Harrisburg, PA 17106-2625
(717) 231-3300
www.padisciplinaryboard.org

November 2, 2023

David Tevis Shulick
1499 Wesleys Run
Gladwyne, PA 19035

RE: No. 117 DB 2018
Attorney Registration No. 74333

Dear David Tevis Shulick:

You have been previously advised of a determination that you receive discipline in connection with the above-mentioned matter. In accordance with Rule 208(g) of the Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.), the expenses incurred in the investigation and processing of the matter, as described in detail on the enclosed Notice of Taxed Expenses, have been assessed.

Disposition of Matter:	Disbarment
Date of Decision:	10/12/2023
Total Amount Due:	\$1,271.69
Due Date:	12/2/2023

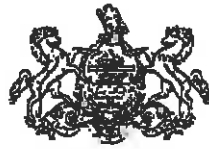
In accordance with Pa.R.D.E. 208(g)(5), failure to pay the total amount due by the due date shall result in the levy of a monthly penalty until all expenses are paid in full.

Very truly yours,


Meghan L. Sloan
Finance Coordinator

MLS/
Enclosure

cc: Elizabeth A. Livingston, Disciplinary Counsel, District II
Robert W. Sink, Counsel for Respondent
Thomas J. Farrell, Chief Disciplinary Counsel



**THE DISCIPLINARY BOARD
OF THE**

SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 5600
PO Box 62625
Harrisburg, PA 17106-2625
Phone: (717) 231-3380 Fax: (717) 231-3381
www.padisiplinaryboard.org

NOTICE OF TAXED EXPENSES

RE: Office of Disciplinary Counsel
V. DAVID TEVIS SHULICK
No. 117 DB 2018
Attorney Registration No. 74333
(Montgomery County)

Date of Expense	Description of Expense	Amount
April 19, 2023	Service on Respondent	75.00
October 12, 2023	Administrative Fee	1,000.00
November 1, 2023	Publication <i>Montgomery Co. Legal Journal</i>	107.00
November 1, 2023	Publication <i>The Times Herald</i>	89.69

TOTAL AMOUNT DUE \$ 1,271.69

Check or Money Order made payable to: PA Disciplinary Board
Also accepting major credit cards

dshulick1@gmail.com

From: David Shulick <dshulick1@gmail.com>
Sent: Saturday, June 01, 2024 11:56 AM
To: David Shulick
Subject: Fwd: Shulick
Attachments: image001.jpg; Untitled attachment 00023.htm; image002.jpg; Untitled attachment 00026.htm; image003.jpg; Untitled attachment 00029.htm; image004.png; Untitled attachment 00032.htm; Shulick Statement of Compliance.pdf; Untitled attachment 00035.htm; Cost Paid Letter - Shulick.pdf; Untitled attachment 00038.htm

Begin forwarded message:

From: Robert Sink <rsink@sinklawoffices.com>
Date: May 4, 2023 at 4:21:53 PM EDT
To: DShulick1@gmail.com
Subject: FW: Shulick

From: Marcee Sloan <Marcee.Sloan@pacourts.us>
Sent: Thursday, May 4, 2023 4:19 PM
To: Robert Sink <rsink@sinklawoffices.com>
Subject: Shulick

Mr. Sink,

Please find attached the Statement of Compliance filed on September 26, 2018 by Respondent David Shulick, in compliance with SC Order dated 09/11/2018. Also attached is a letter advising that the costs were paid. Please let me know if you need further assistance.

Thank you,

Marcee D. Sloan, Board Prothonotary
Executive Office

Disciplinary Board of the Supreme Court of PA
601 Commonwealth Avenue, Suite 5600

PO Box 62625

Harrisburg, PA 17106-2625

Phone: (717) 231-3393

Fax: (717) 231-3381

Web: www.padisciplinaryboard.org

dshulick1@gmail.com

From: David Shulick <david@esdcard.com>
Sent: Saturday, June 01, 2024 11:03 AM
To: David Shulick
Subject: Fwd: SHULICK, ROBERT T. - 117 DB 2018 (Resignation Statement)
Attachments: image001.jpg; image002.jpg; image003.jpg; image004.png; Shulick - Resignation Letter to Marcee 9.25.23.pdf; Shulick Resignation Packet Signed 09222023.pdf; EAL Certificate of Compliance - Resignation Statement 9.25.23.pdf

Flag Status: Flagged

Begin forwarded message:

From: David Shulick <dshulick1@gmail.com>
Date: June 1, 2024 at 11:01:30 AM EDT
To: David Shulick <dshulick@esdcard.com>
Subject: Fwd: SHULICK, ROBERT T. - 117 DB 2018 (Resignation Statement)

Begin forwarded message:

From: Robert Sink <rsink@sinklawoffices.com>
Date: September 26, 2023 at 9:39:08 AM EDT
To: DShulick1@gmail.com
Subject: FW: SHULICK, ROBERT T. - 117 DB 2018 (Resignation Statement)

See email below.

From: DBoard D2 <DBoard.D2@pacourts.us>
Sent: Monday, September 25, 2023 4:32 PM
To: Robert Sink <rsink@sinklawoffices.com>
Subject: SHULICK, ROBERT T. - 117 DB 2018 (Resignation Statement)

Mr. Sink:

Please find attached a Cover Letter, a signed Resignation, and Certificate of Compliance for David Tevis Shulick prepared by Disciplinary Counsel, Elizabeth A. Livingston. This has been filed and accepted via our Online Gateway Filing System. This is also being sent to you via First Class Mail.

Thank you,

Gabrielle Ciampoli, Secretary
Office of Disciplinary Counsel, District II
Disciplinary Board of the Supreme Court of PA
820 Adams Avenue, Suite 170
Trooper, PA 19403
Phone: (610) 650-8210
Fax: (610) 650-8213
Web: www.padisciplinaryboard.org

WARNING! This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and is legally privileged. It contains information from the Office of Disciplinary Counsel which may be privileged, confidential and exempt from disclosure under applicable law. Dissemination or copying of this by anyone other than the addressee or the addressee's agent is strictly prohibited. If this electronic mail transmission is received in error, please notify the Office of Disciplinary Counsel at (610) 650-8210. Thank you.

**BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA**

IN THE MATTER OF

DAVID TEVIS SHULICK

:
:
: No. 117 DB 2018
:
: Atty. Registration No. 74333
:
: (Montgomery County)

RESIGNATION
UNDER Pa.R.D.E. 215

David Tevis Shulick, hereby tenders his unconditional resignation from the practice of law in the Commonwealth of Pennsylvania in conformity with Pa.R.D.E. 215 and further states as follows:

1. He is a formerly admitted attorney, having been admitted to the Bar of the Commonwealth of Pennsylvania on or about January 4, 1995 and assigned attorney registration number 74333.
2. By Order dated September 11, 2018, the Supreme Court of Pennsylvania placed him on temporary suspension.
3. On September 26, 2018, he filed with the Disciplinary Board a verified statement of compliance pursuant to Pa.R.D.E. 217(e)(1).
4. He desires to submit his resignation as a member of said bar.
5. His resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress and he is fully aware of the implications of

submitting this resignation.

6. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has retained, consulted with and acted upon the advice of his counsel, Robert Sink, Esq., in connection with his decision to execute this resignation.

7. He is aware that there is presently pending an investigation into allegations that he has been guilty of misconduct relating to his March 8, 2018 criminal convictions in *United States of America v. David T. Shulick*, Docket No. 2:16-cr-00428-HB-1, in the United States Court for the Eastern District of Pennsylvania. A true and correct copy of the *JUDGMENT IN A CRIMINAL CASE* is attached as Exhibit A.

8. He acknowledges that the material facts upon which his professional misconduct is predicated, contained in Exhibit A, are true.

9. He submits this resignation because he knows that he could not successfully defend himself against charges of professional misconduct.

10. He is fully aware that the submission of this Resignation Statement is irrevocable and that he can only apply for reinstatement to the practice of law pursuant to the provisions of Pa.R.D.E. 218(b) and (c).

11. He is aware that pursuant to Pa.R.D.E. 215(c) the fact that he has

tendered his resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Board Prothonotary.

12. Upon entry of the order disbaring him on consent, he will promptly comply with the notice, withdrawal, resignation, trust account, and cease-and-desist provisions of Pa.R.D.E. 217(a), (b), (c) and (d).

13. After entry of the order disbaring him on consent, he will file a supplemental verified statement as required by Pa.R.D.E. 217(e)(1).

14. He is aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Pa.R.D.E. 218(b) shall not begin until he files the supplemental verified statement of compliance required by Pa.R.D.E. 217(e)(1). If the order of disbarment contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on that earlier date.

15. He requests that the order of disbarment contain a provision that makes the disbarment retroactive to the date of his temporary suspension.

16. He understands the decision whether to grant his request for retroactivity is within the Court's discretion.

It is understood that the statements made herein are subject to the

penalties of 18 Pa.C.S., Section 4904 (relating to unsworn falsification to authorities).

Signed this 22 day of September, 2023.



David Tevis Shulick
(Respondent)

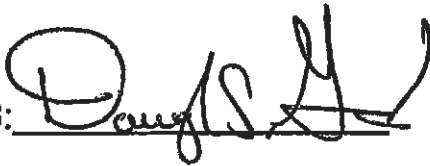
WITNESS: 

EXHIBIT A

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

UNITED STATES OF AMERICA

v.

DAVID T. SHULICK

JUDGMENT IN A CRIMINAL CASE

Case Number: DPAE2:16CR000428-1

USM Number: 75603-066

Hope C. Lefebber
Defendant's Attorney

FILED

OCT 03 2018

KATE BARKMAN, Clerk
By _____ Dep Clerk

THE DEFENDANT:

pleaded guilty to count(s)

pleaded nolo contendere to count(s) which was accepted by the court.

was found guilty on count(s) 1, 2, 7, 8, 9, 10, and 11 after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18:371	Conspiracy to embezzle from a program receiving federal funds	2/28/2012	1
18:666(A)(1)(A)	Embezzlement from a program receiving federal funds	8/8/2012	2

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s)

Count(s) 3, 4, 5, and 6 is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Copies to:
 Defendant
 Hope Lefebber, Def Atty
 Michael Donoran, Asst
 Leslie Maxwell (2), P.O.
 PTS
 Fiscal (via ECF)
 FLCU
 US Marshal (2)

9/27/2018
Date of Imposition of Judgment

Signature of Judge

Harvey Bartle III, USDJ
Name and Title of Judge

Date

October 3, 2018

10

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

60 months consisting of:

60 months on each of counts 1, 2, 7, and 8. The sentences on counts 1, 2, 7, and 8 shall run concurrently with each other
20 months on each of counts 9, 10, and 11. The sentences on counts 9, 10, and 11 shall run consecutively to each other.
The sentences on counts 9, 10, and 11 shall run concurrently with the sentences on counts 1, 2, 7, and 8

The court makes the following recommendations to the Bureau of Prisons:

That the defendant participate in a program of mental health testing and treatment while in custody.
That the defendant be designated to FDC Fort Dix

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on 10/24/2018

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAA2:16CR000428-1

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

3 years on each of counts 1, 2, 7, and 8. 1 year on each of counts 9, 10, and 11 All terms of supervised release shall run concurrently.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature

Date

DEFENDANT: DAVID T. SHULICK
 CASE NUMBER: DPAE2:16CR000428-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 700.00	\$	\$ 20,000.00	\$ 764,735.00

The determination of restitution is deferred until _____ . An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
PNC Bank c/o Corrado Salvatore, Chief Counsel	\$5,000.00	\$5,000.00	
The PNC Financial Services Group, Inc. The Tower at PNC Plaza 300 Fifth Avenue Pittsburgh, PA 15222			
School District of Philadelphia c/o Rob Blron, Deputy General Counsel	\$759,735.00	\$759,735.00	
School District of Philadelphia 440 North Broad Street, Suite 313 Philadelphia, PA 19130			

TOTALS \$ 764,735.00 \$ 764,735.00

Restitution amount ordered pursuant to plea agreement \$

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ 700.00 due immediately, balance due
 - not later than _____, or
 - in accordance with C, D, E, or F below, or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g. weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g. months or years), to commence _____ (e.g. 30 or 60 days) after the date of this judgment, or
- D Payment in equal _____ (e.g. weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g. months or years), to commence _____ (e.g. 30 or 60 days) after release from imprisonment to a term of supervision, or

E Payment during the term of supervised release will commence within _____ (e.g. 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time, or

F Special instructions regarding the payment of criminal monetary penalties:

Defendant shall pay \$20,000 in restitution within 30 days of the date of this judgment. The defendant shall satisfy the remaining amount due in monthly installments of not less than \$1,000 per month to commence 30 days after release from imprisonment

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

Chaka Fattah, Jr., DPAE2:14CR000409-1
School District of Philadelphia - Joint and Several Amount: \$759,735
PNC Bank - Joint and Several Amount: \$5,000

- The defendant shall pay the cost of prosecution
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States
\$649,735

Payments shall be applied in the following order. (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT A assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs

EXHIBIT TO
QUESTION 9(c)(ii)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 16-
	:	DATE FILED: October 11, 2016
v.	:	VIOLATION:
DAVID T. SHULICK	:	18 U.S.C. § 371 (conspiracy to embezzle from a program receiving federal funds – 1 count)
	:	18 U.S.C. § 666(A)(1)(A) (embezzlement from a program receiving federal funds – 1 count)
	:	18 U.S.C. § 1343 (wire fraud – 4 counts)
	:	18 U.S.C. §§ 1344 and 2 (bank fraud – 1 count)
	:	18 U.S.C. §§ 1014 and 2 (false statement to a bank – 1 count)
	:	26 U.S.C. § 7206(1) (filing false tax returns – 3 counts)
	:	Notices of Forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

BACKGROUND

At times relevant to this indictment:

1. The School District of Philadelphia (“SDP”) provided elementary, middle, and high school education to students in Philadelphia, Pennsylvania.

2. SDP provided alternative education for high school students who had difficulty succeeding in school due to discipline or attendance problems. The SDP Multiple Pathways program provided an accelerated program for students who had attended high school but had poor attendance or had dropped out of school altogether.

3. Defendant DAVID T. SHULICK was the sole shareholder of Delaware Valley High School Management Corporation (“DVHS”). DVHS had various wholly owned subsidiaries including Unique Educational Experiences, Inc. (“UEE”). Defendant SHULICK was the President of UEE. DVHS and UEE had offices at 2 Logan Square, Suite 1900, in Philadelphia, Pennsylvania. UEE contracted with school districts, including SDP, to operate schools which provided education services to high school students in Philadelphia, Bucks County, Montgomery County, and Berks County, Pennsylvania.

4. In June 2009, Chaka Fattah Jr., charged elsewhere, was hired as an employee of DVHS. Fattah Jr. owned and operated a business entity called 259 Strategies, LLC (“259 Strategies”). In March 2010, 259 Strategies entered into the first of three contracts with UEE. Under the terms of these contracts, 259 Strategies was to serve as the certified minority business enterprise for, and provide services to, UEE related to UEE’s contracts with SDP. During 2010 and 2011, 259 Strategies received over \$500,000 from UEE pursuant to its contracts with UEE. Also during 2010 and 2011, 259 Strategies made payments to persons who were

working for defendant DAVID T. SHULICK and UEE. At times during 2010 and 2011, Fattah Jr. held the title of Chief Development Officer and Chief Operating Officer for UEE.

UEE Obtains the Contract for the SDP Southwest School

5. In or around September 2008, SDP issued Request for Proposal 233 (“RFP 233”) seeking bids from education companies to provide alternative education to at-risk students.

6. In or around the summer of 2010, SDP cancelled the contract of a company that was operating several schools for SDP, including a Multiple Pathways program school located at 6404 Elmwood Avenue, in Philadelphia, Pennsylvania (the “Southwest School”).

7. UEE submitted a proposal pursuant to RFP 233 to educate the students at the Southwest School for the 2010-2011 and 2011-2012 school years.

8. UEE and SDP entered into a contract effective July 1, 2010 (“the Contract”), in which UEE agreed to provide educational services to SDP students enrolled at the Southwest School.

9. The Contract provided that SDP would pay UEE \$2,143,274 over the two years of the Contract, and in return, UEE would perform the educational services described in the Contract, as well as the work described in a) the School District Statement of Work provided by SDP; b) RFP 233; c) UEE’s Statement of Work submitted in response to the RFP; and d) UEE’s budget.

10. Pursuant to the Contract, UEE agreed to operate a Multiple Pathways program at the Southwest School which would educate high school students who previously had difficulty attending school and completing the requirements necessary to obtain a high school diploma.

11. Pursuant to the Contract, UEE also agreed to provide, counseling services for students at the Southwest School.

12. The Contract also included, as an attached exhibit, a two-year budget that defendant DAVID T. SHULICK submitted to SDP.

13. SDP and UEE entered into an amended contract for school year 2011-2012 ("the Amended Contract"). The Amended Contract, which was effective July 1, 2011, made minor changes to the Contract, including reducing the overall compensation to be paid to UEE for the two-year period to \$2,096,000.

14. The Amended Contract also included a budget for school year 2011-2012 which UEE submitted to SDP in or around July 2011.

THE CONSPIRACY

15. Beginning in or around September 2010, and continuing until in or around February 2012, in Philadelphia, in the Eastern District of Pennsylvania, defendant,

DAVID T. SHULICK

and Chaka Fattah Jr. conspired and agreed together to commit an offense against the United States; namely, that defendant DAVID T. SHULICK and Fattah Jr.,

being agents of the School District of Philadelphia, which during one-year periods beginning July 1, 2010, and continuing until June 30, 2011, and beginning July 1, 2011, and continuing until June 30, 2012, received federal benefits in excess of \$10,000, under a federal program involving a grant, contract, subsidy, loan, guarantee, insurance and other form of federal assistance, would embezzle, obtain by fraud and otherwise without authority knowingly convert to the use of any person other than the rightful owner, and intentionally misapply, property valued at \$5,000 or more which was owned by, and was under the care, custody, and control of the School District of Philadelphia, in violation of Title 18, United States Code, Section 666(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

16. Defendant DAVID T. SHULICK and Chaka Fattah Jr. misrepresented to the School District of Philadelphia the educational services that would be provided to students at the Southwest School, and the true costs of those services, in part by submitting false budgets to the School District of Philadelphia. Defendant SHULICK and Fattah Jr. inflated the costs of the services actually provided and failed to provide other services that they had agreed to provide under the terms of the contract. In doing so, defendant SHULICK and Fattah Jr. fraudulently obtained funds from the School District of Philadelphia that were supposed to be used to educate students. Defendant SHULICK and Fattah Jr.

used those funds to enrich themselves and advance their personal business interests.

In particular:

17. Defendant DAVID T. SHULICK and Chaka Fattah Jr., submitted budgets to SDP that contained a) false entries for benefit costs; b) inflated staff salaries; and c) salaries for staff positions that were never filled at the Southwest School.

18. Defendant DAVID T. SHULICK and Chaka Fattah Jr. operated the Southwest School with a minimum of labor and maintenance costs and failed to provide services required under the Contract and the Amended Contract, including psychological and counseling services.

19. Defendant DAVID T. SHULICK and Chaka Fattah Jr. maintained secret budgets reflecting the true expenditures associated with operating the Southwest School.

20. At the end of the school year in 2011, defendant DAVID T. SHULICK caused teachers who were employed at the Southwest School to be laid off to avoid paying their salaries.

21. Defendant DAVID T. SHULICK and Fattah Jr. directed a portion of the payments from the Contract and the Amended Contract to pay expenses of UEE incurred in providing education services to schools in Bucks

County, Pennsylvania.

22. Defendant DAVID T. SHULICK misused payments from the Contract and the Amended Contract to pay his personal expenses. Specifically, defendant SHULICK caused checks to be drawn on the account of UEE and made payable to numerous contractors who performed work at SHULICK's residence and vacation homes, as well as to persons who performed housekeeping and nanny services for SHULICK.

23. Defendant DAVID T. SHULICK and Chaka Fattah Jr. concealed, misrepresented, and hid, and caused to be concealed, misrepresented, and hidden, the existence and purpose of the conspiracy and the acts done in furtherance of the conspiracy.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, defendant DAVID T. SHULICK and Chaka Fattah, Jr., committed the following overt acts in the Eastern District of Pennsylvania and elsewhere:

1. Defendant DAVID T. SHULICK signed a contract with SDP in which UEE agreed to operate a Multiple Pathways program at the Southwest School.
2. On or about September 27, 2010, defendant DAVID T. SHULICK submitted to SDP a budget for the Contract for the Southwest School.
3. On or about October 20, 2010, defendant DAVID T. SHULICK

submitted to SDP a revised two-year budget for the Contract for the Southwest School.

4. On or about July 13, 2011, Chaka Fattah Jr. submitted a budget for the Amended Contract for school year 2011-2012 to SDP.

5. In or around November 2011, defendant DAVID T. SHULICK signed the Amended Contract on behalf of UEE.

6. At various times during 2010, 2011, and 2012, defendant DAVID T. SHULICK caused to be submitted to SDP invoices detailing the amounts owed to UEE pursuant to the Contract and the Amended Contract.

7. At various times during 2010, 2011, and 2012, defendant DAVID T. SHULICK caused to be deposited into UEE's bank account payments made by SDP pursuant to the Contract and the Amended Contract.

8. At various times during 2010 and 2011, defendant DAVID T. SHULICK and Fattah Jr. directed that UEE pay a portion of the proceeds of the Southwest Contract to 259 Strategies so that 259 Strategies could pay Person K for services rendered in Bucks County, Pennsylvania.

9. During 2010, 2011, and 2012, defendant DAVID T. SHULICK caused checks to be drawn on the account of UEE and made payable to numerous contractors who performed work at SHULICK's residence and vacation homes, as well as to persons who performed housekeeping and nanny services for defendant SHULICK.

10. At the end of the 2010-2011 school year, defendant DAVID T. SHULICK caused teachers who were employed at the Southwest School to be laid off to avoid paying their salaries.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 and paragraphs 16 - 23 of Count One are incorporated here.

2. From on or about October 28, 2011, to at least on or about August 6, 2012, in Philadelphia, in the Eastern District of Pennsylvania, defendant,

DAVID T. SHULICK,

an agent of the School District of Philadelphia, which during a one-year period beginning July 1, 2011, and continuing until June 30, 2012, received federal benefits in excess of \$10,000, under a federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of federal assistance, embezzled, obtained by fraud and otherwise without authority knowingly converted to the use of any person other than the rightful owner, and intentionally misapplied, property that was valued at \$5,000 or more and was owned by, or under the care, custody, and control of the School District of Philadelphia, in violation of Title 18, United States Code, Section 666(a)(1)(A).

COUNTS THREE THROUGH SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 14 of Count One are incorporated here.

The Scheme to Defraud

2. Between in or around July 2010, through at least in or around August 2012, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

DAVID T. SHULICK

and, at certain times, with Chaka Fattah Jr. knowingly and with intent to defraud, devised and intended to devise, a scheme to defraud the School District of Philadelphia, and to obtain money and property from the School District of Philadelphia, by means of false and fraudulent pretenses, representations, and promises.

4. Defendant DAVID T. SHULICK and Chaka Fattah Jr. misrepresented to the School District of Philadelphia the educational services that would be provided to students at the Southwest School, and the true costs of those services, in part by submitting false budgets to the School District of Philadelphia. Defendant SHULICK and Fattah Jr. inflated the costs of the services actually provided and failed to provide other services that they had agreed to provide under the terms of the contract. In doing so, defendant SHULICK and Fattah Jr.

fraudulently obtained funds from the School District of Philadelphia that were supposed to be used to educate students. Defendant SHULICK and Fattah Jr. used those funds to enrich themselves and advance their personal business interests.

Manner and Means

5. It was part of the scheme to defraud that defendant DAVID T. SHULICK and Chaka Fattah Jr. engaged in the manner and means described in paragraphs 16 - 23 of Count One of this indictment.

Acts in Furtherance of the Scheme

6. On or about the dates set forth below, defendant DAVID T. SHULICK, and at times with Chaka Fattah Jr. executed and attempted to execute the scheme and artifice to defraud and to obtain money by means of false and fraudulent pretenses, representations, and promises, by transmitting and causing to be transmitted by means of wire in interstate commerce the following wire communications in the form of writings, signs, signals, pictures, and sounds, each communication constituting a separate count:

Count	Interstate Wire Communication	On or about the date of:
3	Electronic transmission of deposit information from Citizen's Bank, from the Federal Reserve Bank of Philadelphia, Pennsylvania, to the Federal Reserve processing center in East Rutherford, New Jersey	10/28/2011
4	Electronic transmission of deposit information from Citizen's Bank, from the Federal Reserve Bank of Philadelphia, Pennsylvania, to the Federal Reserve processing center in East Rutherford, New Jersey	11/21/2011
5	Electronic transmission of deposit information from Citizen's Bank, from the Federal Reserve Bank of Philadelphia, Pennsylvania, to the Federal Reserve processing center in East Rutherford, New Jersey	2/21/2012
6	Electronic transmission of deposit information from Citizen's Bank, from the Federal Reserve Bank of Philadelphia, Pennsylvania, to the Federal Reserve processing center in East Rutherford, New Jersey	7/10/2012

All in violation of Title 18, United States Code, Section 1343.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 3 and 4 of Count One are incorporated here.

At times material to this count of the indictment:

2. PNC Bank was a financial institution the deposits of which were insured by the Federal Deposit Insurance Corporation. PNC Bank had branches in the Philadelphia area, including a branch located at 1600 Market Street, in Philadelphia, Pennsylvania.

3. On or about July 1, 2005, Chaka Fattah Jr. entered into a loan agreement with PNC Bank in which PNC agreed to loan \$15,000 to Fattah Jr. and Fattah Jr. agreed to repay the loan, with interest.

4. Chaka Fattah Jr. defaulted on his obligations to repay the loan to PNC Bank.

5. In or around November 2009, the balance owed by Chaka Fattah Jr. on the PNC Bank loan was approximately \$17,693.

6. In or around May 2009, defendant DAVID T. SHULICK signed an employment agreement on behalf of DVHS in which DVHS hired Chaka Fattah Jr. at an annual salary of \$75,000.

The Scheme to Defraud PNC

7. Beginning in or around than November 2009, and continuing until in or around July 2010, in Philadelphia, in the Eastern District of

Pennsylvania and elsewhere, defendant

DAVID T. SHULICK

and Chaka Fattah Jr., knowingly devised and participated in a scheme to defraud PNC Bank, by means of false and fraudulent pretenses, representations, and promises.

8. It was part of the scheme defendant DAVID T. SHULICK and Chaka Fattah Jr. agreed that they would falsely represent to PNC Bank that Fattah Jr. had very little income with which to repay the PNC loan.

9. It was also part of the scheme that defendant DAVID T. SHULICK would act as Fattah Jr.'s lawyer and threaten PNC Bank with the possibility that Fattah Jr. may file bankruptcy if he were unable to resolve his outstanding debts, which would result in the bank receiving little or no repayment on the loan.

10. It was also part of the scheme that defendant DAVID T. SHULICK and Chaka Fattah Jr. would conceal from PNC Bank the fact that defendant SHULICK's companies were regularly paying Fattah Jr. a salary of \$75,000 per year beginning in or around July 2009.

11. It was also part of the scheme that defendant DAVID T. SHULICK and Chaka Fattah Jr. would conceal from PNC Bank that, based on an agreement signed in or around March 2010, the compensation paid to Fattah Jr. in

2010 would be much higher than the salary Fattah Jr. had been paid in 2009 and early 2010.

12. It was also part of the scheme that on or about March 26, 2010, defendant DAVID T. SHULICK caused a letter to be sent to PNC Bank, offering to settle PNC Bank's claim for \$2,500, which letter attached a Small Business Administration Offer in Compromise form containing Chaka Fattah Jr.'s financial statement, which form stated that Fattah Jr.'s monthly income was \$2,500.

All in violation of Title 18, United States Code, Section 1344 and Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 3 and 4 of Count One are incorporated here.

Paragraphs 1 through 5 of Count Seven are incorporated here.

2. On or about March 26, 2010, in Philadelphia, in the Eastern District of Pennsylvania and elsewhere, defendant

DAVID T. SHULICK

knowingly made and caused to be made to PNC Bank a false statement for the purpose of influencing in any way the action of PNC Bank upon a \$15,000 loan made to Chaka Fattah Jr., doing business as 259 Strategies. SHULICK submitted a form on behalf of Fattah Jr. which claimed, among other things, that Fattah Jr.'s monthly income was \$2,500. In fact, defendant SHULICK knew that SHULICK's company, UEE, was at that time contractually obligated to pay Fattah Jr. a salary of \$75,000 per year, and had been making regular payments of that salary to Fattah Jr. since in or around July 2009.

In violation of Title 18, United States Code, Sections 1014 and 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about October 15, 2010, in the Eastern District of Pennsylvania, defendant

DAVID T. SHULICK

willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2009, which was verified by a written declaration that it was made under the penalty of perjury and filed with the Internal Revenue Service, which defendant SHULICK did not believe to be true and correct as to every material matter, in that the return reported taxable income of \$125,804, when in fact, as SHULICK knew, he had approximately \$117,458 in additional taxable income, and he had improperly claimed at least approximately \$12,420 of itemized deductions.

In violation of Title 26, United States Code, Section 7206(1).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 15, 2011, in the Eastern District of Pennsylvania, defendant

DAVID T. SHULICK

willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2010, which was verified by a written declaration that it was made under the penalty of perjury and filed with the Internal Revenue Service, which defendant SHULICK did not believe to be true and correct as to every material matter, in that the return reported taxable income of negative \$144,676, when in fact, as SHULICK knew, he had \$48,332 in additional taxable income, and he had improperly claimed \$18,372 of itemized deductions.

In violation of Title 26, United States Code, Section 7206(1).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. On or about April 15, 2012, in the Eastern District of Pennsylvania, defendant

DAVID T. SHULICK

willfully made and subscribed a United States income tax return, Form 1040, for the calendar year 2011, which was verified by a written declaration that it was made under the penalty of perjury and filed with the Internal Revenue Service, which defendant SHULICK did not believe to be true and correct as to every material matter, in that the return reported taxable income of \$8,914, when in fact, as SHULICK knew, he had \$89,916 in additional taxable income, and he had improperly claimed \$13,690 of itemized deductions.

In violation of Title 26, United States Code, Section 7206(1).

FIRST NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 666(a)(1)(A), set forth in this indictment, defendants

DAVID T. SHULICK

shall forfeit to the United States of America any property, real or personal, which represents or is traceable to the gross receipts obtained, directly, or indirectly from a violation of section 666(a)(1) of Title 18 of the United States Code.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

then it is the intent of the United States, in accordance with Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property that is subject to forfeiture.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(D)(i) and 28 United States Code, Section 2461(c).

SECOND NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1343, set forth in this indictment, defendant

DAVID T. SHULICK

shall forfeit to the United States of America: (a) any property, real or personal, which constitutes or is derived from proceeds traceable to violation of such offense or a conspiracy to commit such offense.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

then it is the intent of the United States, in accordance with Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property that is subject to forfeiture.

All pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 28 United States Code, Section 2461.

THIRD NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1014 and 1344, set forth in this indictment, defendant

DAVID T. SHULICK

shall forfeit to the United States of America any property constituting or derived from, proceeds the person obtained directly or indirectly, as a result of such a violation.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

then it is the intent of the United States, in accordance with Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property that is subject to forfeiture.

All pursuant to Title 18, United States Code, Sections 982(a)(2)(A).

A TRUE BILL:

GRAND JURY FOREPERSON



ZANE DAVID MEMEGER
United States Attorney

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CRIMINAL DOCKET FOR CASE #: 2:16-cr-00428-HB-1**

Case title: USA v. SHULICK

Date Filed: 10/11/2016

Other court case number: 14-409 related to

Date Terminated: 10/03/2018

Assigned to: HONORABLE HARVEY
BARTLE, III

Appeals court case numbers: 18-3305
USCA FOR THE THIRD CIRCUIT, 19-
1011 THIRD CIRCUIT, 23-1865 USCA for
the Third Circuit

Defendant (1)

DAVID T. SHULICK
TERMINATED: 10/03/2018

represented by **DAVID T. SHULICK**
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Designation: Retained

Pending Counts

18:371 - CONSPIRACY TO EMBEZZLE
FROM A PROGRAM RECEIVING
FEDERAL FUNDS
(1)

18:666(A)(1)(A) - EMBEZZLEMENT
FROM A PROGRAM RECEIVING
FEDERAL FUNDS
(2)

18:1344 - BANK FRAUD AND 18:2 -
AIDING AND ABETTING
(7)

18:1014 - FALSE STATMENT TO A
BANK AND 18:2 - AIDING AND
ABETTING
(8)

26:7206(1) - FILING FALSE TAX
RETURNS
(9-11)

Disposition

IMPRISONMENT: 60 MONTHS;
SUPERVISED RELEASE: 3 YEARS;
FINE: \$20,000; RESTITUTION: \$764,735;
SPECIAL ASSESSMENT: \$700

IMPRISONMENT: 60 MONTHS;
SUPERVISED RELEASE: 3 YEARS;
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IMPRISONMENT: 60 MONTHS;
SUPERVISED RELEASE: 3 YEARS;
FINE: \$20,000; RESTITUTION: \$764,735;
SPECIAL ASSESSMENT: \$700

IMPRISONMENT: 20 MONTHS
CONSECUTIVELY TO EACH OTHER
BUT CONCURRENTLY TO COUNTS 1,
2, 7, AND 8; SUPERVISED RELEASE: 1
YEAR; FINE: \$20,000; RESTITUTION:
\$764,735; SPECIAL ASSESSMENT: \$700

Highest Offense Level (Opening)

Felony

Terminated Counts

18:1343 - WIRE FRAUD
(3-6)

Disposition

DISMISSED ON GOVERNMENT'S
MOTION

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **FRANK R. COSTELLO**
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Designation: Assistant US Attorney

Date Filed	#	Docket Text
10/11/2016	1	INDICTMENT as to DAVID T. SHULICK (1) count(s) 1, 2, 3-6, 7, 8, 9-11. (Attachments: # 1 Civil Cover Sheet) (jwl,) (Entered: 10/11/2016)
10/13/2016	2	Minute Entry for proceedings held before MAGISTRATE JUDGE LYNNE A. SITARSKI: IA/PTD/ARR as to DAVID T. SHULICK (1) Count 1,2,3-6,7,8,9-11 held on 10/13/2016. The Govt and defense have agreed to conditions of release. See attached conditions of release order. Plea entered by DAVID T. SHULICK: Not Guilty on all counts. Counsel have 14 days to file pretrial motions. Signed by United States Magistrate Judge Lynne A. Sitarski. Court Reporter: ESR.(tomg,) (Entered: 10/14/2016)
10/13/2016	3	NOTICE OF ATTORNEY APPEARANCE HOPE C. LEFEBER appearing for DAVID T. SHULICK (tomg,) (Entered: 10/14/2016)
10/13/2016	4	ORDER SETTING CONDITIONS OF RELEASE AS TO DAVID T. SHULICK (1) THAT THE DEFT IS RELEASED ON BAIL IN THE AMOUNT OF \$50,000 O/R WITH THE FOLLOWING CONDITIONS AS OUTLINED HEREIN. Signed by MAGISTRATE JUDGE LYNNE A. SITARSKI on 10/13/2016.10/14/2016 Entered and Copies E-Mailed. (tomg,) Modified on 10/14/2016 (tomg,). (Entered: 10/14/2016)
10/13/2016		O/R Bond Entered as to DAVID T. SHULICK in amount of \$ 50,000. (tomg,) (Entered: 10/14/2016)
10/18/2016	5	NOTICE Regarding United States Passport for Criminal Defendant as to DAVID T. SHULICK (ap,) (Entered: 10/18/2016)
10/19/2016	6	NOTICE OF HEARING as to DAVID T. SHULICK JURY TRIAL SET FOR 5/8/2017 10:00 AM IN COURTROOM 16-A BEFORE HONORABLE HARVEY BARTLE III. (km,) (Entered: 10/19/2016)
10/19/2016	7	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III : Telephone Conference as to DAVID T. SHULICK held on 10/19/2016.(ap,) (Entered: 10/19/2016)
10/19/2016	8	ORDER AS TO DAVID T. SHULICK THAT THE ABOVE CAPTIONED CASE IS SPECIALLY LISTED FOR TRIAL TO COMMENCE ON 5/8/2017 AT 10 AM IN COURTROOM 16A. Signed by HONORABLE HARVEY BARTLE, III on 10/19/2016.10/19/2016 Entered and Copies E-Mailed. (ap,) (Entered: 10/19/2016)
10/19/2016	9	ORDER AS TO DAVID T. SHULICK THE CASE TAKEN AS A WHOLE IS SO UNUSUAL AND SO COMPLEX, ETC.; WHEREFORE, IN ACCORDANCE WITH 18

		U.S.C. §3161(H)(7)(A),(B), THE COURT FINDS THAT THE ENDS OF JUSTICE SERVED BY GRANTING THIS CONTINUANCE OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE DEFENDANT IN A SPEEDY TRIAL AND, THEREFORE, ORDERS THIS CASE CONTINUED TO MAY 8, 2017. Signed by HONORABLE HARVEY BARTLE, III on 10/19/2016.10/19/2016 Entered and Copies E-Mailed. (ap,) (Entered: 10/19/2016)
10/19/2016	10	FIRST SCHEDULING ORDER AS TO DAVID T. SHULICK THE PARTIES SHALL FILE AND SERVE, ON OR BEFORE 1/18/2017, ANY PRETRIAL MOTIONS TOGETHER WITH SUPPORTING BRIEFS, ETC.; FINAL PRETRIAL CONFERENCE IN CHAMBERS AT 9:30 AM ON 5/8/2016; TRIAL WILL COMMENCE WITH JURY SELECTION AT 5/8/2017 AT 10 AM. Signed by HONORABLE HARVEY BARTLE, III on 10/19/2016.10/19/2016 Entered and Copies E-Mailed. (ap,) (Entered: 10/19/2016)
11/22/2016	11	MOTION for Protective Order <i>Concerning Disclosure of Discovery Material</i> by USA as to DAVID T. SHULICK. (DONOVAN, MICHAEL) (Entered: 11/22/2016)
11/28/2016	12	PROTECTIVE ORDER CONCERNING DISCLOSURE OF DISCOVERY MATERIAL AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 11/28/2016.11/28/2016 ENTERED AND COPIES E-MAILED.(tomg,) (Entered: 11/28/2016)
01/10/2017	13	SECOND SCHEDULING ORDER AS TO DAVID T. SHULICK THAT THE FIRST SCHEDULING ORDER DOC 10 IS VACATED; THE PARTIES SHALL FILE AND SERVE, ON OR BEFORE 2/24/2017, ANY PRETRIAL MOTIONS TOGETHER WITH SUPPORTING BRIEFS, ETC.; EACH PARTY SHALL FILE AND SERVE PROPOSED POINTS FOR CHARGE AND ANY PROPOSED SPECIAL JURY INTERROGATORIES AND MOTIONS IN LIMINE: GOVERNMENT ON OR BEFORE 4/24/2017; DEFENDANT ON OR BEFORE 5/1/2017; THE COURT WILL HOLD A FINAL PRETRIAL CONFERENCE IN CHAMBERS AT 9:30 AM ON 5/8/2017. TRIAL WILL COMMENCE WITH JURY SELECTION AT 10 AM ON 5/8/2017 IN COURTROOM 16A. Signed by HONORABLE HARVEY BARTLE, III on 1/9/2017.1/10/2017 Entered and Copies E-Mailed. (ap,) (Entered: 01/10/2017)
02/23/2017	14	MOTION to Continue <i>Trial Date</i> by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 02/23/2017)
02/24/2017	15	MOTION TO DISMISS COUNT SEVEN OR EIGHT OF THE INDICTMENT by DAVID T. SHULICK. (Attachments: # 1 Exhibit A)(LEFEBER, HOPE) Modified on 2/27/2017 (ap,). (Entered: 02/24/2017)
02/24/2017	16	MOTION to SEVER COUNTS SEVEN AND EIGHT OF THE INDICTMENT by DAVID T. SHULICK. (LEFEBER, HOPE) Modified on 2/27/2017 (ap,). (Entered: 02/24/2017)
02/24/2017	17	MOTION TO SUPPLEMENT MOTIONS UPON RECEIPT OF MATERIAL PURSUANT TO DISCOVERY AND REVIEW OF EXISTING DISCOVERY by DAVID T. SHULICK. (LEFEBER, HOPE) Modified on 2/27/2017 (ap,). (Entered: 02/24/2017)
02/24/2017	18	DEFENDANT DAVID SHULICKS MOTION TO COMPEL DISCOVERY AND PRODUCTION OF EXCULPATORY EVIDENCE by DAVID T. SHULICK. (LEFEBER, HOPE) Modified on 2/27/2017 (ap,). (Entered: 02/24/2017)
02/24/2017	19	MOTION for Order <i>Granting Early Return Of Trial Subpoenas</i> by USA as to DAVID T. SHULICK. (DONOVAN, MICHAEL) (Entered: 02/24/2017)
03/06/2017	20	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III : Telephone Conference as to DAVID T. SHULICK held on 3/6/2017.(ap,) (Entered: 03/06/2017)

		03/06/2017)
03/06/2017	21	ORDER as to DAVID T. SHULICK (1) THAT THE 19 MOTION FOR EARLY RETURN OF TRIAL SUBPOENAS IS GRANTED AS OUTLINED HEREIN. Signed by HONORABLE HARVEY BARTLE, III on 3/6/2017.3/6/2017 ENTERED AND COPIES E-MAILED.(ap,) (Entered: 03/06/2017)
03/06/2017	22	ORDER AS TO DAVID T. SHULICK THAT COUNSEL NEEDS ADDITIONAL TIME TO PREPARE; WHEREFORE, IN ACCORDANCE WITH 18 U.S.C.§3161(H)(7)(A), (B), THE COURT FINDS THAT THE ENDS OF JUSTICE SERVED BY GRANTING THIS CONTINUANCE OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE DEFENDANT IN A SPEEDY TRIAL AND, THEREFORE, ORDERS THIS CASE CONTINUED TO SEPTEMBER 19, 2017. Signed by HONORABLE HARVEY BARTLE, III on 3/6/2017.3/6/2017 Entered and Copies E-Mailed. (ap,) (Entered: 03/06/2017)
03/06/2017	23	ORDER AS TO DAVID T. SHULICK THAT THE ABOVE-CAPTIONED CASE IS SPECIALLY LISTED FOR TRIAL TO COMMENCE ON 9/19/2017 AT 10 AM IN COURTROOM 16A. Signed by HONORABLE HARVEY BARTLE, III on 3/6/2017.3/6/2017 Entered and Copies E-Mailed. (ap,) (Entered: 03/06/2017)
03/06/2017	24	THIRD SCHEDULING ORDER AS TO DAVID T. SHULICK THAT THE SECOND SCHEDULING ORDER IS VACATED, ETC.; EACH PARTY SHALL FILE AND SERVE PROPOSED POINTS FOR CHARGE AND ANY PROPOSED SPECIAL JURY INTERROGATORIES AND MOTIONS IN LIMINE AS FOLLOWS: GOVERNMENT ON OR BEFORE 9/5/2017; DEFENDANT ON OR BEFORE 9/12/2017. THE COURT WILL HOLD A FINAL PRETRIAL CONFERENCE IN CHAMBERS AT 9:30 AM ON 9/19/2017; TRIAL WILL COMMENCE WITH JURY SELECTION ON 9/19/2017 IN COURTROOM 16A. Signed by HONORABLE HARVEY BARTLE, III on 3/6/2017.3/6/2017 Entered and Copies E-Mailed. (ap,) (Entered: 03/06/2017)
03/17/2017	25	NOTICE OF HEARING as to DAVID T. SHULICK JURY TRIAL SET FOR 9/19/2017 10:00 AM IN COURTROOM 16-A BEFORE HONORABLE HARVEY BARTLE III. (km,) (Entered: 03/17/2017)
03/28/2017	26	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III : Telephone Conference as to DAVID T. SHULICK held on 3/28/2017.(ap,) (Entered: 03/28/2017)
03/28/2017	27	FOURTH SCHEDULING ORDER AS TO DAVID T. SHULICK THAT THE THIRD SCHEDULING ORDER DATED 3/6/2017 IS VACATED, ETC.; THE COURT WILL HOLD A FINAL PRETRIAL CONFERENCE IN CHAMBERS AT 9:30 AM ON 9/19/2017. TRIAL WILL COMMENCE WITH JURY SELECTION AT 10 AM ON 9/19/2017. Signed by HONORABLE HARVEY BARTLE, III on 3/28/2017.3/29/2017 Entered and Copies E-Mailed. (ap,) (Entered: 03/29/2017)
04/11/2017	28	RESPONSE to Motion by USA as to DAVID T. SHULICK re 15 MOTION to Dismiss filed by USA (DONOVAN, MICHAEL) (Entered: 04/11/2017)
04/11/2017	29	RESPONSE to Motion by USA as to DAVID T. SHULICK re 16 MOTION to Sever filed by USA (Attachments: # 1 Exhibit)(DONOVAN, MICHAEL) (Entered: 04/11/2017)
04/11/2017	30	RESPONSE to Motion by USA as to DAVID T. SHULICK re 18 MOTION to Compel filed by USA (DONOVAN, MICHAEL) (Entered: 04/11/2017)
04/18/2017	31	REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 16 MOTION to Sever (LEFEBER, HOPE) (Entered: 04/18/2017)

04/18/2017	32	REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 18 MOTION to Compel (LEFEBER, HOPE) (Entered: 04/18/2017)
04/18/2017	33	REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 15 MOTION to Dismiss (LEFEBER, HOPE) (Entered: 04/18/2017)
04/28/2017	34	NOTICE OF HEARING ON MOTION in case as to DAVID T. SHULICK 15 MOTION to Dismiss : MOTION HEARING SET FOR 5/9/2017 09:30 AM IN COURTROOM 16-A BEFORE HONORABLE HARVEY BARTLE III. (km,) (Entered: 04/28/2017)
05/09/2017	35	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16A: Oral Argument as to DAVID T. SHULICK held on 5/9/2017. Ms. Lefebber addresses the court regarding defendant's motion to dismiss count 7 or 8 (Doc. #15). Mr. Donovan responds. Ms. Lefebber replies. CAV. Ms. Lefebber address the court regarding defendant's motion to sever (Doc. #16). Mr. Donovan responds. The court permits the government to file a reply brief in 10 days. CAV. Court Reporter J CRUZ.(ap,) (Entered: 05/10/2017)
05/09/2017	36	ORDER AS TO DAVID T. SHULICK THAT THE GOVERNMENT SHALL FILE AND SERVE ON OR BEFORE 5/19/17 A SUR-REPLY IN OPPOSITION TO THE MOTION OF DEFENDANT DAVID T. SHULICK TO SEVER COUNTS; DEFENDANT SHALL FILE AND SERVE ON OR BEFORE 5/26/2017 A RESPONSE TO THE SURREPLY. Signed by HONORABLE HARVEY BARTLE, III on 5/9/2017.5/10/2017 Entered and Copies E-Mailed. (ap,) (Entered: 05/10/2017)
05/10/2017		***Set/Reset Deadlines re Motion or Report and Recommendation in case as to DAVID T. SHULICK 16 MOTION to Sever , 15 MOTION to Dismiss . RESPONSES DUE BY 5/26/2017. REPLIES DUE BY 5/19/2017. (ap,) (Entered: 05/10/2017)
05/17/2017	37	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Telephone Conference as to DAVID T. SHULICK held on 5/17/2017.Court Reporter ESR.(eibo,) (Entered: 05/17/2017)
05/19/2017	38	RESPONSE in Opposition as to DAVID T. SHULICK re 16 MOTION to Sever <i>Government's Sur-Reply</i> filed by USA . CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 5/22/2017 (ap,). (Entered: 05/19/2017)
05/23/2017	39	MEMORANDUM AND/OR OPINION RE: MOTION TO DISMISS AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 5/23/2017.5/23/2017 Entered and Copies E-Mailed. (tomg,) (Entered: 05/23/2017)
05/23/2017	40	MEMORANDUM AND/OR OPINION ORDER AS TO DAVID T. SHULICK THAT THE DEFT'S MOTION TO DISMISS COUNT SEVEN OR COUNT EIGHT OF THE INDICTMENT (DOC. #15) IS DENIED. Signed by HONORABLE HARVEY BARTLE, III on 5/23/2017.5/23/2017 Entered and Copies E-Mailed. (tomg,) (Entered: 05/23/2017)
05/30/2017	41	REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 16 MOTION to Sever <i>Sur-Reply to Government Sur-Reply</i> (LEFEBER, HOPE) (Entered: 05/30/2017)
06/05/2017	42	MEMORANDUM AND/OR OPINION AS TO DAVID T. SHULICK REGARDING MOTION TO SEVER COUNTS SEVEN AND EIGHT OF THE INDICTMENT. Signed by HONORABLE HARVEY BARTLE, III on 6/5/17.6/5/17 Entered and Copies E-Mailed. (eibo,) (Entered: 06/05/2017)
06/05/2017	43	MEMORANDUM AND/OR OPINION ORDER THAT THE MOTION OF DEFENDANT TO SEVER FOR TRIAL COUNTS 7 AND 8 FROM COUNTS 1 THROUGH 6 OF THE INDICTMENT (DOC #16) IS DENIED AS TO DAVID T.

		SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 6/5/17.6/5/17 Entered and Copies E-Mailed. (eibo,) (Entered: 06/05/2017)
06/06/2017	44	ORDER THAT THE DEFENDANTS 17 MOTION TO "SUPPLEMENT MOTIONS UPON RECEIPT OF MATERIAL PURSUANT TO DISCOVERY AND REVIEW OF EXISTING DISCOVERY" IS DENIED WITHOUT PREJUDICE as to DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 6/6/17.6/6/17 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 06/06/2017)
06/06/2017	45	ORDER THAT THE DEFENDANTS 18 MOTION TO COMPEL DISCOVERY AND PRODUCTION OF EXCULPATORY EVIDENCE IS DENIED AS MOOT as to DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 6/6/17.6/6/17 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 06/06/2017)
07/13/2017	46	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Telephone Conference as to DAVID T. SHULICK held on 7/13/2017.(eibo,) (Entered: 07/13/2017)
07/13/2017	47	ORDER TO CONTINUE - ENDS OF JUSTICE PURSUANT TO 18 U.S.C. SECTION 3161(h)(7)(A)(B) AS TO DAVID T. SHULICK THAT THE COURT FINDS THAT THE ABOVE ACTION CANNOT PROCEED TO TRIAL AND DISPOSITION AND MUST BE CONTINUED BECAUSE COUNSEL NEEDS ADDITIONAL TIME TO PREPARE. THE COURT FINDS THAT THE ENDS OF JUSTICE SERVED BY GRANTING THIS CONTINUANCE OUTWEIGH THE BEST INTEREST OF THE PUBLIC AND THE DEFENDANT IN A SPEEDING TRIAL AND, THEREFORE, ORDERS THIS CASE CONTINUED TO OCTOBER 2, 2017. Signed by HONORABLE HARVEY BARTLE, III on 7/13/17.7/13/17 Entered and Copies E-Mailed. (eibo,) (Entered: 07/13/2017)
07/14/2017	48	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Telephone Conference as to DAVID T. SHULICK held on 7/14/2017.Court Reporter ESR.(eibo,) (Entered: 07/14/2017)
07/14/2017	49	Letter from Defense Counsel as to DAVID T. SHULICK dated 7/12/17 re: Request for Continuance. (eibo,) (Entered: 07/14/2017)
07/14/2017	50	Letter from the Government as to DAVID T. SHULICK re: Response to Defense Letter (eibo,) (Entered: 07/14/2017)
07/14/2017	51	ORDER THAT THE REQUEST OF DEFENDANT FOR A CONTINUANCE OF THE TRIAL IS GRANTED. THE TRIAL WILL BEGIN ON OCTOBER 2, 2017 AND THE GOVERNMENT (BUT NOT THE DEFENDANT) IS BARRED FROM INTRODUCING OR OTHERWISE USING AT TRIAL ANY DOCUMENTS THE GOVERNMENT DID NOT PRODUCE TO DEFENDANT BY JUNE 1, 2017 AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 7/14/17.7/14/17 Entered and Copies E-Mailed. (eibo,) (Entered: 07/14/2017)
07/14/2017	52	FIFTH SCHEDULING ORDER AS TO DAVID T. SHULICK THAT THE FOURTH SCHEDULING ORDER (DOC# 27) IS VACATED, ETC. THE COURT WILL HOLD A FINAL PRETRIAL CONFERENCE IN CHAMBERS AT 9:30 ON MONDAY, OCTOBER 2, 2017. TRIAL WILL COMMENCE WITH JURY SELECTION AT 10:00 AM ON OCTOBER 2, 2017 IN COURTROOM 16A BEFORE HONORABLE HARVEY BARTLE III. Signed by HONORABLE HARVEY BARTLE, III on 7/14/17.7/14/17 Entered and Copies E-Mailed. (eibo,) (Entered: 07/14/2017)
07/20/2017	53	ORDER AS TO DAVID T. SHULICK THAT THE ABOVE-CAPTIONED CASE IS SPECIALLY LISTED FOR TRIAL TO COMMENCE ON OCTOBER 2, 2017 AT 10:00 A.M. IN COURTROOM 16A, U.S. COURTHOUSE, 601 MARKET STREET, PHILADELPHIA, PA. TRIAL IS EXPECTED TO LAST 4 WEEKS. Signed by

		HONORABLE HARVEY BARTLE, III on 7/19/2017. 7/20/2017 Entered and Copies E-Mailed. (ems) (Entered: 07/20/2017)
08/14/2017	54	NOTICE OF ATTORNEY APPEARANCE ANN CAMPBELL FLANNERY appearing for DAVID T. SHULICK (FLANNERY, ANN) (Entered: 08/14/2017)
08/24/2017	55	MOTION to Compel by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 08/24/2017)
08/24/2017	56	MEMORANDUM OF LAW in Support of 55 MOTION to Compel by DAVID T. SHULICK. (LEFEBER, HOPE) Modified on 8/24/2017 (afm,). (Entered: 08/24/2017)
08/27/2017	57	RESPONSE to Motion by USA as to DAVID T. SHULICK re 55 MOTION to Compel , CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 8/28/2017 (afm,). (Entered: 08/27/2017)
08/28/2017	58	NOTICE OF ATTORNEY APPEARANCE CHRISTOPHER JOHN MANNION appearing for USA. (MANNION, CHRISTOPHER) (Entered: 08/28/2017)
09/13/2017	59	Letter RE: Status Report as to DAVID T. SHULICK. (eibo,) (Entered: 09/13/2017)
09/14/2017	60	SIXTH SCHEDULING ORDER AS TO DAVID T. SHULICK THAT THE FIFTH SCHEDULING ORDER (DOC #52) IS VACATED, ETC. COUNSEL ARE NOW NOTIFIED, FOR PLANNING PURPOSES, THAT THE TRIAL WILL TENTATIVELY BE SCHEDULED TO BEGIN ON FEBRUARY 28, 2018 AT 10 AM IF THE COURT DENIES THE DEFENDANT'S MOTION TO DISMISS THE INDICTMENT. IF THE COURT DENIES THE DEFENDANT'S MOTION TO DISMISS THE INDICTMENT, THE COURT AT THAT TIME WILL EITHER CONFIRM OR MODIFY THE TRIAL DATE WITH SPECIFIC FINDINGS AS REQUIRED UNDER 18:3161. Signed by HONORABLE HARVEY BARTLE, III on 9/14/17.9/15/17 Entered and Copies E-Mailed. (eibo,) (Entered: 09/15/2017)
09/18/2017	61	Declaration of Documents Produced by USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 9/19/2017 (afm,). (Entered: 09/18/2017)
09/20/2017	62	NOTICE of <i>Objection to Trial Date</i> by DAVID T. SHULICK (Attachments: # 1 Exhibit Exhibit A)(FLANNERY, ANN) (Entered: 09/20/2017)
09/27/2017	63	MOTION to Dismiss Indictment on Speedy Trial by DAVID T. SHULICK, MEMORANDUM AND CERTIFICATE OF SERVICE. (Attachments: # 1 Memorandum, # 2 Exhibit 2, # 3 Exhibit 7, # 4 Exhibit 10)(LEFEBER, HOPE) Modified on 9/28/2017 (afm,). (Entered: 09/27/2017)
09/28/2017	64	ORDER THAT THE 55 MOTION TO COMPEL DISCOVER IS DENIED as to DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 9/28/17.9/28/17 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 09/28/2017)
09/29/2017	65	ORDER THAT COUNSEL CONFER AND MAKE A GOOD FAITH EFFORT TO STIPULATE TO THE RELEVANT FACTS WHICH ARE UNDISPUTED SO AS TO EXPEDITE THE HEARING SCHEDULED FOR OCTOBER 17, 2017 AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 9/28/17.9/29/17 Entered and Copies E-Mailed. (eibo,) (Entered: 09/29/2017)
10/02/2017	66	SEALED EXHIBITS by DAVID T. SHULICK. (FILED UNDER SEAL) (ems) (ems). (Main Document 66 replaced on 10/3/2017) (eibo,). (Entered: 10/02/2017)
10/02/2017	67	SEALED MOTION WITH CERTIFICATE OF SERVICE by DAVID T. SHULICK. (FILED UNDER SEAL) (ems) (ems). (Entered: 10/02/2017)

10/03/2017	68	SEALED ORDER RE: 67 MOTION as to DAVID T. SHULICK (1). (FILED UNDER SEAL) Signed by HONORABLE HARVEY BARTLE, III on 10/3/17.10/3/17 ENTERED AND COPIES MAILED.(eibo,) (eibo,). (Entered: 10/03/2017)
10/04/2017	69	RESPONSE to Motion by USA as to DAVID T. SHULICK re 63 MOTION to Dismiss on Speedy Trial, CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 10/5/2017 (afm,). (Entered: 10/04/2017)
10/12/2017	70	MOTION to Compel by USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(DONOVAN, MICHAEL) Modified on 10/13/2017 (ke,). (Entered: 10/12/2017)
10/13/2017	71	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Telephone Conference as to DAVID T. SHULICK held on 10/13/2017.Court Reporter ESR.(eibo,) (Entered: 10/16/2017)
10/13/2017	72	ORDER THAT THE 70 MOTION OF THE GOVERNMENT TO COMPEL IS DENIED as to DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 10/13/17.10/16/17 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 10/16/2017)
10/16/2017	73	MOTION to Quash <i>Subpoena</i> by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 10/16/2017)
10/16/2017	74	NOTICE OF ATTORNEY APPEARANCE FRANK R. COSTELLO appearing for USA. (COSTELLO, FRANK) (Entered: 10/16/2017)
10/16/2017	75	ORDER THAT THE 73 MOTION TO QUASH SUBPOENA IS GRANTED as to DAVID T. SHULICK (1). THE SUBPOENA IS QUASHED WITHOUT PREJUDICE. Signed by HONORABLE HARVEY BARTLE, III on 10/16/17.10/16/17 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 10/16/2017)
10/16/2017	76	MEMORANDUM CONCERNING HEARING ON MOTION TO DISMISS by DAVID T. SHULICK. Certificate of Service. (FLANNERY, ANN) Modified on 10/17/2017 (ap,). (Entered: 10/16/2017)
10/16/2017	77	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Telephone Conference as to DAVID T. SHULICK held on 10/16/2017.Court Reporter ESR.(eibo,) (Entered: 10/16/2017)
10/18/2017	78	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16A: Motions Hearing as to DAVID T. SHULICK held on 10/17/2017. Defense witnesses called and sworn. Court Reporter: ESR. (ems) (Entered: 10/18/2017)
10/20/2017	79	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16A: Evidentiary Hearing as to DAVID T. SHULICK held on 10/19/17. Parties address the Court. Witnesses are called by Defense and sworn by Court. Following exhibits identified. Court adjourned. Court Reporter ESR.(eibo,) (Main Document 79 replaced on 10/20/2017) (eibo,). (Entered: 10/20/2017)
10/20/2017		***Terminate Deadlines and Hearings as to DAVID T. SHULICK: (eibo,) (Entered: 10/20/2017)
10/24/2017	80	BENCH MEMORANDUM by DAVID T. SHULICK, Certificate of Service. (FLANNERY, ANN) Modified on 10/25/2017 (afm,). (Entered: 10/24/2017)
10/24/2017	81	Memorandum Regarding Burden of Proof by USA as to DAVID T. SHULICK , CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 10/25/2017 (afm,). (Entered: 10/24/2017)

10/25/2017	82	Response by USA as to DAVID T. SHULICK Bench Memorandum 80 , CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 10/26/2017 (afm,). (Entered: 10/25/2017)
10/25/2017	83	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Evidentiary Hearing/Motion as to DAVID T. SHULICK held on 10/18/17. Defense witnesses called and sworn, continuation of testimoney. Court Reporter ESR.(eibo,) (Entered: 10/25/2017)
10/25/2017	84	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Evidentiary Hearing/Motion as to DAVID T. SHULICK held on 10/20/17. Government witnesses called and sworn. Defense exhibits admitted. Government exhibits admitted. Court Reporter ESR.(eibo,) (Entered: 10/25/2017)
10/26/2017	85	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-B:Evidentiary Hearing/Motion as to DAVID T. SHULICK held on 10/26/17. Arguments heard. CAVCourt Reporter ESR.(eibo,) (Entered: 10/26/2017)
10/27/2017	86	TRANSCRIPT of MOTION HEARING as to DAVID T. SHULICK held on OCTOBER 17, 2017, before Judge HARVEY BARTLE, III. TRANSCRIBED: TK TRANSCRIPTION SERVICE (eibo,) (Entered: 10/27/2017)
10/27/2017	87	TRANSCRIPT of MOTION HEARING as to DAVID T. SHULICK held on OCTOBER 18, 2017, before Judge HARVEY BARTLE, III. TRANSCRIBED: TK TRANSCRIPTION SERVICE(eibo,) (Entered: 10/27/2017)
10/27/2017	88	TRANSCRIPT of MOTION HEARING as to DAVID T. SHULICK held on OCTOBER 19, 2017, before Judge HARVEY BARTLE, III. TRANSCRIBED: UBIQUUS REPORTING (eibo,) (Entered: 10/27/2017)
10/27/2017	89	TRANSCRIPT of MOTION HEARING as to DAVID T. SHULICK held on OCTOBER 20, 2017, before Judge HARVEY BARTLE, III. TRANSCRIBED: UBIQUUS REPORTING (eibo,) (Entered: 10/27/2017)
10/27/2017	90	Letter re: Oral Argument/Speedy Trial Delay as to DAVID T. SHULICK (eibo,) (Entered: 10/27/2017)
11/08/2017	91	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Telephone Conference as to DAVID T. SHULICK held on 8/23/2017. This conference was not on the record. Court Reporter ESR.(eibo,) Modified on 11/9/2017 (ke,). (Entered: 11/08/2017)
11/08/2017	92	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III Status Conference as to DAVID T. SHULICK held on 8/28/17. This conference was not on the record. Court Reporter ESR.(eibo,) (Entered: 11/08/2017)
11/14/2017	93	MEMORANDUM AND/OR OPINION AS TO DAVID T. SHULICK RE: DEFENDANTS MOTION TO DISMISS THE INDICTMENT. Signed by HONORABLE HARVEY BARTLE, III on 11/14/17.11/14/17 Entered and Copies E-Mailed. (eibo,) (Main Document 93 replaced on 11/16/2017) (ke,). (Entered: 11/14/2017)
11/14/2017	94	ORDER AS TO DAVID T. SHULICK THAT THE MOTION OF THE DEFENDANT TO DISMISS THE INDICTMENT (DOC #63) IS DENIED. THE TRIAL IN THIS ACTION IS CONTINUED UNTIL APRIL 11, 2018 AT 10:00 AM, ETC. THE SIXTH SCHEDULING ORDER (DOC #60) IS VACATED. Signed by HONORABLE HARVEY BARTLE, III on 11/14/17.11/14/17 Entered and Copies E-Mailed. (eibo,) (Entered: 11/14/2017)

11/14/2017		***Set/Reset Hearings as to DAVID T. SHULICK: JURY TRIAL SET FOR 4/11/2018 10:00 AM BEFORE HONORABLE HARVEY BARTLE III. (eibo,) (Entered: 11/14/2017)
11/15/2017	95	SEVENTH SCHEDULING ORDER AS TO DAVID T. SHULICK JURY TRIAL SET FOR APRIL 11, 2018 10:00 AM IN COURTROOM 16A BEFORE HONORABLE HARVEY BARTLE III. MOTION IN LIMINE DUE BY MARCH 29, 2018, RESPONSES BY APRIL 6, 2018. PRETRIAL CONFERENCE SET FOR APRIL 11, 2018 9:15 AM IN JUDGE CHAMBERS. EACH PARTY SHALL FILE AND ASERVE PROPOSED POINTS FOR CHARGE AND ANY PROPOSED SPECIAL JURY INTERROGATORIES AS FOLLOWS: GOVERNMENT-ON OR BEFORE MARCH 29, 2018 AND DEFENDANT-ON OR BEFORE APRIL 6, 2018. Signed by HONORABLE HARVEY BARTLE, III on 11/15/17.11/15/17 Entered and Copies Mailed, E-Mailed and Faxed. (eibo,) (Entered: 11/15/2017)
11/15/2017		***Set/Reset Deadlines re Motion or Report and Recommendation in case as to DAVID T. SHULICK (RESPONSES DUE BY 4/6/2018.) (eibo,) (Entered: 11/15/2017)
11/16/2017	96	ORDER THAT THE FOLLOWING CLERICAL CORRECTIONS ARE MADE NUNC PRO TUNC TO THE COURT'S MEMORANDUM DATED NOVEMBER 14, 2017 (DOC #93): 1-THE WORD "INDICATED" IS DELETED AND THE WORD "INDICTED" IS INSERTED ON PAGE 1, LINE 8 AND; 2-THE WORD "ON" IS INSERTED AFTER THE WORD "BASED" ON PAGE 3, LINE 14 AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 11/16/17.11/16/17 Entered and Copies E-Mailed. (eibo,) (Entered: 11/16/2017)
11/29/2017	97	ORDER THAT THE ABOVE-CAPTIONED CASE IS SPECIALLY LISTED FOR TRIAL TO COMMENCE ON APRIL 11, 2018 AT 10:00 AM IN COURTROOM 16-A AS TO DAVID T. SHULICK. TRIAL IS EXPECTED TO LAST 4 WEEKS. Signed by HONORABLE HARVEY BARTLE, III on 11/29/17.11/29/17 Entered and Copies E-Mailed. (eibo,) (Entered: 11/29/2017)
11/30/2017	98	Defendant's Second Objection to Trial Date by DAVID T. SHULICK, CERTIFICATE OF SERVICE. (FLANNERY, ANN) Modified on 11/30/2017 (afm,). (Entered: 11/30/2017)
02/05/2018	99	MOTION to Preclude <i>Use of Evidence Produced After June 1, 2017</i> by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 02/05/2018)
02/09/2018	100	RESPONSE to Motion by USA as to DAVID T. SHULICK re 99 MOTION to Preclude <i>Use of Evidence Produced After June 1, 2017</i> filed by USA (DONOVAN, MICHAEL) (Entered: 02/09/2018)
02/12/2018	101	REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 99 MOTION to Preclude <i>Use of Evidence Produced After June 1, 2017</i> (LEFEBER, HOPE) (Entered: 02/12/2018)
02/16/2018	102	ORDER THAT THE DEFENDANT'S 99 MOTION TO PRECLUDE USE OF EVIDENCE PRODUCED AFTER JUNE 1, 2017 IS DENIED AND THE RENEWED MOTION OF DEFENDANT TO DISMISS THE INDICTMENT (DOC #101) IS DENIED as to DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 2/16/18.2/16/18 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 02/16/2018)
03/09/2018	103	MOTION to Continue <i>Trial Date</i> by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 03/09/2018)
03/12/2018	104	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Status Conference as to DAVID T. SHULICK held on 3/8/2018. (ems) (Entered: 03/12/2018)

03/12/2018	105	ORDER AS TO DAVID T. SHULICK THAT THE UNOPPOSED MOTION FOR CONTINUANCE OF THE TRIAL IS GRANTED DUE TO THE PHYSICAL INJURY AND SURGERY OF DEFENDANT'S COUNSEL AND THE TRIAL SHALL COMMENCE ON MONDAY, APRIL 16, 2018 AT 10:00 A.M. IN COURTROOM 16A. COUNSEL SHALL APPEAR IN CHAMBERS AT 9:30 A.M.. Signed by HONORABLE HARVEY BARTLE, III on 3/12/2018. 3/12/2018 Entered and Copies E-Mailed. (ems) (Entered: 03/12/2018)
03/20/2018	106	MOTION to Exclude <i>Evidence of Uncharged Conduct and Inappropriate Character Trait Evidence</i> by DAVID T. SHULICK, CERTIFICATE OF SERVICE. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(FLANNERY, ANN) Modified on 3/22/2018 (afm,). (Entered: 03/20/2018)
03/28/2018	107	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III : Status Conference as to DAVID T. SHULICK held on 3/28/18. Conference not on the record.(eibo,) (Entered: 03/28/2018)
03/29/2018	108	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Status Conference as to DAVID T. SHULICK held on 3/27/18. This conference was not on the record.(eibo,) (Entered: 03/29/2018)
03/29/2018	109	Memorandum (Supplemental) in Support re 106 MOTION to Exclude <i>Evidence of Uncharged Conduct and Inappropriate Character Trait Evidence</i> as to DAVID T. SHULICK , CERTIFICATE OF SERVICE. (Attachments: # 1 Exhibit D, # 2 Exhibit E) (FLANNERY, ANN) Modified on 3/30/2018 (ke,). (Entered: 03/29/2018)
03/29/2018	110	Proposed Jury Instructions by USA as to DAVID T. SHULICK (CERTIFICATE OF SERVICE)(MANNION, CHRISTOPHER) (Entered: 03/29/2018)
03/29/2018	111	MOTION in Limine (<i>CERTIFICATE OF SERVICE</i>) by USA as to DAVID T. SHULICK. (MANNION, CHRISTOPHER) (Entered: 03/29/2018)
03/29/2018	112	MOTION in Limine (<i>Consolidated</i>), <i>MOTION to Admit</i> , <i>MOTION to Exclude</i> , <i>MOTION to Permit</i> by USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE. (MANNION, CHRISTOPHER). Modified on 3/30/2018 (ke,). (Entered: 03/29/2018)
03/30/2018	113	SEALED MOTION by USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE. (FILED UNDER SEAL) (eibo,) (eibo,). (Entered: 04/02/2018)
03/30/2018	114	SEALED MOTIONby USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE. (FILED UNDER SEAL) (eibo,) (eibo,). (Entered: 04/02/2018)
04/03/2018	115	MOTION to Dismiss <i>Counts Three, Four, Five, and Six from the Indictment</i> by USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 4/4/2018 (ke,). (Entered: 04/03/2018)
04/03/2018	116	MOTION in Limine <i>to Limit Testimony of Revenue Agent, to Give Contemporaneous Limiting Instruction, and to Require Advance Production of Expected Tax Calculations</i> by DAVID T. SHULICK, CERTIFICATE OF SERVICE. (Attachments: # 1 Exhibit A) (FLANNERY, ANN) Modified on 4/4/2018 (ke,). (Entered: 04/03/2018)
04/03/2018	117	MOTION for Reconsideration of <i>Motion to Dismiss Indictment</i> by DAVID T. SHULICK, CERTIFICATE OF SERVICE. (Attachments: # 1 Exhibit A, # 2 Exhibit B1, # 3 Exhibit B2, # 4 Exhibit B3, # 5 Exhibit B4, # 6 Exhibit C, # 7 Exhibit D, # 8 Exhibit E) (LEFEBER, HOPE) Modified on 4/4/2018 (ke,). (Entered: 04/03/2018)
04/03/2018	118	ORDER THAT THE 115 MOTION TO DISMISS COUNTS THREE, FOUR, FIVE AND SIX FROM THE INDICTMENT IS GRANTED as to DAVID T. SHULICK (1). Signed

		by HONORABLE HARVEY BARTLE, III on 4/3/18.4/3/18 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 04/03/2018)
04/03/2018	119	SEALED ORDER RE: 114 SEALED MOTION as to DAVID T. SHULICK (1). (FILED UNDER SEAL) Signed by HONORABLE HARVEY BARTLE, III on 4/3/18.4/3/18 ENTERED AND COPIES MAILED.(eibo,) (eibo,). (Entered: 04/03/2018)
04/03/2018	120	TRIAL MEMORANDUM by USA as to DAVID T. SHULICK(Certificate of Service) (Attachments: # 1 Exhibit A)(MANNION, CHRISTOPHER) (Entered: 04/03/2018)
04/04/2018	121	RESPONSE in Opposition re 106 MOTION to Exclude <i>Evidence of Uncharged Conduct and Inappropriate Character Trait Evidence</i> filed by USA , CERTIFICATE OF SERVICE. (MANNION, CHRISTOPHER) Modified on 4/4/2018 (ke,). (Entered: 04/04/2018)
04/04/2018	122	MOTION to Dismiss <i>Counts 1 & 2</i> , MOTION to Produce <i>Grand Jury Transcripts</i> by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 04/04/2018)
04/04/2018	123	MOTION to Exclude by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 04/04/2018)
04/04/2018	124	REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 106 MOTION to Exclude <i>Evidence of Uncharged Conduct and Inappropriate Character Trait Evidence</i> (*CORRECTED - SEE DOC # 125) (FLANNERY, ANN) Modified on 4/5/2018 (ap,). (Entered: 04/04/2018)
04/04/2018	125	AMENDED REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 106 MOTION to Exclude <i>Evidence of Uncharged Conduct and Inappropriate Character Trait Evidence</i> CORRECTED - TO REPLACE DE 124 (FLANNERY, ANN) Modified on 4/5/2018 (ap,). (Entered: 04/04/2018)
04/04/2018	126	RESPONSE in Opposition as to DAVID T. SHULICK re 122 MOTION to Dismiss <i>Counts 1 & 2</i> MOTION to Produce <i>Grand Jury Transcripts</i> filed by USA . CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 4/5/2018 (ap,). (Entered: 04/04/2018)
04/05/2018	127	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Status Conference as to DAVID T. SHULICK held on 4/5/18. Conference was not on the record. (eibo,) (Entered: 04/05/2018)
04/06/2018	128	RESPONSE in Opposition as to DAVID T. SHULICK re 112 MOTION in Limine (<i>Consolidated</i>) MOTION to Admit MOTION to Exclude MOTION to Permit . CERTIFICATE OF SERVICE. (LEFEBER, HOPE) Modified on 4/10/2018 (ap,). (Entered: 04/06/2018)
04/06/2018	129	Memorandum re 106 MOTION to Exclude <i>Evidence of Uncharged Conduct and Inappropriate Character Trait Evidence</i> as to DAVID T. SHULICK filed by USA (MANNION, CHRISTOPHER) (Entered: 04/06/2018)
04/06/2018	130	SEALED EX PARTE ORDER AS TO DAVID T. SHULICK. (FILED UNDER SEAL) Signed by HONORABLE HARVEY BARTLE, III on 4/6/18.4/6/18 Entered and Copies Mailed. (eibo,) (Additional attachment(s) added on 4/6/2018: # 1 EXHIBIT, # 2 EXHIBIT) (eibo,). (Entered: 04/06/2018)
04/06/2018	131	NOTICE OF ATTORNEY APPEARANCE PAUL L. GRAY appearing for USA. (GRAY, PAUL) (Entered: 04/06/2018)
04/06/2018	132	ORDER THAT THE 122 MOTION TO DISMISS COUNTS 1 & 2, AND MOTION TO PRODUCE GRAND JURY TRANSCRIPTS IS DENIED as to DAVID T. SHULICK (1).

		Signed by HONORABLE HARVEY BARTLE, III on 4/6/18.4/6/18 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 04/06/2018)
04/06/2018	133	NOTICE OF ATTORNEY APPEARANCE ERIC L. GIBSON appearing for USA. (GIBSON, ERIC) (Entered: 04/06/2018)
04/06/2018	134	MEMORANDUM in Opposition re 116 MOTION in Limine <i>to Limit Testimony of Revenue Agent, to Give Contemporaneous Limiting Instruction, and to Require Advance Production of Expected Tax Calculations</i> filed by USA (MANNION, CHRISTOPHER) Modified on 4/9/2018 (ap,). (Entered: 04/06/2018)
04/06/2018	135	Proposed Voir Dire by DAVID T. SHULICK Certificate of Service (FLANNERY, ANN) (Entered: 04/06/2018)
04/09/2018	136	RESPONSE in Opposition AS TO DAVID T. SHULICK re 111 MOTION in Limine (<i>CERTIFICATE OF SERVICE</i>) (LEFEBER, HOPE) Modified on 4/10/2018 (ap,). (Entered: 04/09/2018)
04/10/2018	137	RESPONSE in Opposition as to DAVID T. SHULICK re 117 MOTION for Reconsideration of <i>Motion to Dismiss Indictment</i> filed by USA . CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 4/11/2018 (ap,). (Entered: 04/10/2018)
04/10/2018	138	RESPONSE in Opposition as to DAVID T. SHULICK re 123 MOTION to Exclude filed by USA . CERTIFICATE OF SERVICE. (DONOVAN, MICHAEL) Modified on 4/11/2018 (ap,). (Entered: 04/10/2018)
04/10/2018	139	TRIAL MEMORANDUM by DAVID T. SHULICK Certificate of Service (FLANNERY, ANN) (Entered: 04/10/2018)
04/10/2018	140	SEALED REPLY by USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE (FILED UNDER SEAL)(eibo,) (eibo,). (Entered: 04/10/2018)
04/10/2018	141	SEALED MOTION by USA as to DAVID T. SHULICK, CERTIFICATE OF SERVICE. (FILED UNDER SEAL) (eibo,) (eibo,). (Entered: 04/10/2018)
04/11/2018	142	TRIAL MEMORANDUM by DAVID T. SHULICK (LEFEBER, HOPE) (Entered: 04/11/2018)
04/11/2018	143	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Status Conference as to DAVID T. SHULICK held on 4/10/18. Conference not on the record. (eibo,) (Entered: 04/11/2018)
04/12/2018	144	SEALED ORDER RE: 141 MOTION as to DAVID T. SHULICK (1). (FILED UNDER SEAL) Signed by HONORABLE HARVEY BARTLE, III on 4/11/18.4/12/18 ENTERED AND COPIES MAILED.(eibo,) (eibo,). (Entered: 04/12/2018)
04/12/2018	145	Proposed Voir Dire by USA as to DAVID T. SHULICK (Certificate of Service) (MANNION, CHRISTOPHER) (Entered: 04/12/2018)
04/13/2018	146	MEMORANDUM AND/OR OPINION AS TO DAVID T. SHULICK RE: MOTION FOR RECONSIDERATION OF HIS MOTION TO DISMISS THE INDICTMENT. Signed by HONORABLE HARVEY BARTLE, III on 4/13/18.4/13/18 Entered and Copies E-Mailed. (eibo,) (Entered: 04/13/2018)
04/13/2018	147	ORDER AS TO DAVID T. SHULICK THAT THE MOTION OF THE DEFENDANT FOR RECONSIDERATION OF HIS MOTION TO DISMISS THE INDICTMENT IS DENIED. Signed by HONORABLE HARVEY BARTLE, III on 4/13/18.4/13/18 Entered and Copies E-Mailed. (eibo,) (Entered: 04/13/2018)

04/13/2018	148	RESPONSE IN OPPOSITION TO DEFENDANTS BENCH MEMORANDUM IN SUPPORT OF EVIDENCE SUPPORTING HIS DEFENSE by USA as to DAVID T. SHULICK . (DONOVAN, MICHAEL) Modified on 4/16/2018 (ap,). (Entered: 04/13/2018)
04/13/2018	149	TRIAL MEMORANDUM by DAVID T. SHULICKReply in Support of Defense Evidence(FLANNERY, ANN) (Entered: 04/13/2018)
04/16/2018	150	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Pretrial Conference as to DAVID T. SHULICK held on 4/16/2018.(tomg,) (Entered: 04/16/2018)
04/17/2018	151	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: JURY TRIAL - DAY 1 held on 4/16/18 as to DAVID T. SHULICK. Voir Dire. Jurors and alternates selected. Court Reporter ESR.(eibo,) (Entered: 04/17/2018)
04/17/2018	152	WAIVER of Presence of Court Stenographer or Electronic Sound Recording Operator and Defendant(s) at Drawing of Jury Panel Members in Criminal Trials as to DAVID T. SHULICK (eibo,) (Entered: 04/17/2018)
04/18/2018	153	Minute Entry for proceeding s held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 2 as to DAVID T. SHULICK held on 4/17/18. Defendant present and jury sworn. Opening statements and government witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 04/18/2018)
04/18/2018	154	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 3 as to DAVID T. SHULICK held on 4/18/18. Defendant present. Government's case continues and witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 04/18/2018)
04/20/2018	155	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 4 as to DAVID T. SHULICK held on 4/19/18. Government's case continues, witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 04/20/2018)
04/20/2018	156	TRANSCRIPT of TRIAL as to DAVID T. SHULICK held on APRIL 17, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (pc). (Entered: 04/20/2018)
04/23/2018	157	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 5 as to DAVID T. SHULICK held on 4/20/18. Government's case continues, witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 04/23/2018)
04/24/2018	158	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 6 as to DAVID T. SHULICK held on 4/23/18. Government's case continues, witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 04/24/2018)
04/25/2018	159	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A:Jury Trial - DAY 7 as to DAVID T. SHULICK held on 4/24/18. Court Reporter ESR.(eibo,) (Entered: 04/25/2018)
04/27/2018	160	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 8 as to DAVID T. SHULICK held on 4/26/18. Government's case continues, witnesses sworn and testify. Court Reporter ESR.(eibo,) (Main Document 160 replaced on 4/30/2018) (eibo,). (Entered: 04/27/2018)

04/30/2018	161	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 9 as to DAVID T. SHULICK held on 4/27/18. Government's case continues, witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 04/30/2018)
04/30/2018	162	ORDER AS TO DAVID T. SHULICK THAT THE CLERK OF COURT FOR THE EDPA BE AND SHE IS HEREBY DIRECTED TO FURNISH REFRESHMENTS FOR JURORS ENGAGED IN THE ABOVE ENTITLED CASE AS FOLLOWS: APRIL 17-20, 23, 24, 26, 27, 2018. Signed by HONORABLE HARVEY BARTLE, III on 4/30/18.4/30/18 Entered and Copies E-Mailed. (eibo,) (Entered: 04/30/2018)
04/30/2018	163	TRANSCRIPT of CRIMINAL JURY TRIAL as to DAVID T. SHULICK held on APRIL 20, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: ASC SERVICES, LLC (eibo,) (Additional attachment(s) added on 11/28/2022: # 1 Transcript) (pc). (Entered: 04/30/2018)
04/30/2018	164	TRANSCRIPT of JURY HEARING as to DAVID T. SHULICK held on APRIL 23, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: ASC SERVICES, LLC (eibo,) (Additional attachment(s) added on 11/28/2022: # 1 Transcript) (pc). (Entered: 04/30/2018)
05/01/2018	165	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 10 as to DAVID T. SHULICK held on 4/30/18. Government's case continues, witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 05/01/2018)
05/02/2018	166	TRIAL MEMORANDUM by DAVID T. SHULICK Concerning Evidence of Expenditure of Funds for the Education of Students and Lack of Complaint by PSD(FLANNERY, ANN) (Entered: 05/02/2018)
05/02/2018	167	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 11 as to DAVID T. SHULICK held on 5/1/18. Government's case continues, witnesses sworn and testify. Court Reporter ESR.(eibo,) (Entered: 05/02/2018)
05/02/2018	168	MOTION to Permit <i>the Introduction of Defendant's Proffer Material</i> by USA as to DAVID T. SHULICK. (Attachments: # 1 Exhibit Proffer Letter)(GIBSON, ERIC) (Entered: 05/02/2018)
05/03/2018	169	RESPONSE in Opposition as to DAVID T. SHULICK re 168 MOTION to Permit <i>the Introduction of Defendant's Proffer Material</i> (FLANNERY, ANN) Modified on 5/7/2018 (ap,). (Entered: 05/03/2018)
05/03/2018	170	TRANSCRIPT of TRIAL as to DAVID T. SHULICK held on APRIL 17, 2018 before Judge HARVEY BARTLE III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 05/03/2018)
05/03/2018	171	TRANSCRIPT of TRIAL WITNESS TESTIMONY as to DAVID T. SHULICK held on APRIL 18, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (pc). (Entered: 05/03/2018)
05/03/2018	172	TRANSCRIPT of TRIAL as to DAVID T. SHULICK held on APRIL 19, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (mac). (Entered: 05/03/2018)
05/03/2018	173	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 12 as to DAVID T. SHULICK held on 5/2/18.

		Government's case continues, witnesses sworn and testify. Counsel makes an oral motion for mistrial, Government responds and Court denies the motion. Court Reporter ESR. (eibo,) (Entered: 05/03/2018)
05/04/2018	174	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 13 as to DAVID T. SHULICK held on 5/3/18. Government's case continues, witnesses sworn and testify. Counsel makes an oral motion for mistrial, Government responds and Court denies the motion. Government addresses the court regarding the motion to permit the introduction of defendant's proffer material, Counsel responds, CAV. Court Reporter ESR.(eibo,) (Entered: 05/04/2018)
05/06/2018	175	Proposed Jury Instructions by DAVID T. SHULICK(FLANNERY, ANN) (Entered: 05/06/2018)
05/06/2018	176	TRIAL MEMORANDUM by DAVID T. SHULICK Regarding Impeachment Under Rule 806(FLANNERY, ANN) (Entered: 05/06/2018)
05/06/2018	177	Response by USA as to DAVID T. SHULICK <i>Regarding Dkt. No. 175 Proposed Jury Instructions</i> (DONOVAN, MICHAEL) (Entered: 05/06/2018)
05/06/2018	178	TRIAL MEMORANDUM by DAVID T. SHULICK Defendant's Objection to Sending Unredacted Indictment to the Jury (Attachments: # 1 Exhibit)(FLANNERY, ANN) (Entered: 05/06/2018)
05/06/2018	179	Proposed Jury Instructions by DAVID T. SHULICK Defendant's Supplemental Proposed Jury Instructions(FLANNERY, ANN) (Entered: 05/06/2018)
05/07/2018	180	TRIAL MEMORANDUM by DAVID T. SHULICK Regarding Jury Instructions on 18 USC 666(FLANNERY, ANN) (Entered: 05/07/2018)
05/07/2018	181	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 14 as to DAVID T. SHULICK held on 5/4/18. Court places ruling on the record regarding governments motion to permit the introduction of defendant's proffer material (Doc # 168). Court colloquy, Government rests. Defendant's case commences, witnesses sworn and testify and defendant rests. Charge conference with counsel. Court Reporter ESR.(eibo,) (Entered: 05/07/2018)
05/07/2018	182	ORDER AS TO DAVID T. SHULICK THAT THE CLERK OF COURT FOR THE EDPA BE AND SHE IS HEREBY DIRECTED TO FURNISH MORNING AND AFTERNOON REFRESHMENTS FOR JURORS ENGAGED IN THE ABOVE ENTITLED CASE AS FOLLOWS: APRIL 30, MAY 1-4, 2018. Signed by HONORABLE HARVEY BARTLE, III on 5/7/18.5/7/18 Entered and Copies E-Mailed. (eibo,) (Entered: 05/07/2018)
05/09/2018	183	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: Jury Trial - DAY 15 as to DAVID T. SHULICK held on 5/7/18. Charge Conference in chambers with counsel. Court's colloquy with defendant regarding his right to testify or not to testify. Closing arguments. Court Reporter ESR.(eibo,) (Entered: 05/09/2018)
05/09/2018	184	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A: JURY VERDICT - DAY 16 held on 5/8/18 as to DAVID T. SHULICK (1) Judge charge to Jury. Guilty on Counts 1,2,7,8,9-11. PSR Ordered. Sentencing set for 8/16/18 at 9:30 am. Conditions of release continue. Court Reporter ESR.(eibo,) (Entered: 05/09/2018)
05/09/2018	185	Jury Verdict Sheet as to DAVID T. SHULICK.(eibo,) (Entered: 05/09/2018)
05/16/2018	186	NOTICE OF HEARING as to DAVID T. SHULICK Sentencing set for 8/16/2018 09:30 AM in COURTROOM 16-A before HONORABLE HARVEY BARTLE III. (km,)

		(Entered: 05/16/2018)
05/23/2018	187	ORDER THAT THE CLERK OF COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA BE AND SHE IS HEREBY DIRECTED TO FURNISH REFRESHMENTS FOR JURORS ENGAGED IN THE ABOVE ENTITLED CASE AS FOLLOWS: MAY 7, 2018, MORNING AND AFTERNOON REFRESHMENTS AND MAY 8, 2018, MORING REFRESHMENTS AND LUNCH FOR 12 JURORS AND 4 ALTERNATES.. Signed by HONORABLE HARVEY BARTLE, III on 5/23/18.5/23/18 Entered and Copies E-Mailed. (eibo,) (Entered: 05/23/2018)
05/30/2018	188	SEALED RESPONSE by DAVID T. SHULICK. (FILED UNDER SEAL) (eibo,) (eibo,). (Entered: 05/30/2018)
05/30/2018	189	SEALED ORDER AS TO DAVID T. SHULICK RE 188 . (FILED UNDER SEAL) Signed by HONORABLE HARVEY BARTLE, III on 5/30/18.5/30/18 Entered and Copies Mailed. (eibo,) (eibo,). (Entered: 05/30/2018)
06/21/2018	190	MOTION to Withdraw as Attorney by Ann C. Flannery. by DAVID T. SHULICK. (FLANNERY, ANN) (Entered: 06/21/2018)
06/25/2018	191	ORDER THAT THE 190 MOTION TO WITHDRAW AS ATTORNEY IS GRANTED as to DAVID T. SHULICK (1). THE CLERK IS DIRECTED TO TERMINATE MS. FLANNERY'S APPEARANCE AS COUNSEL FOR DEFENDANT IN THIS CASE. Signed by HONORABLE HARVEY BARTLE, III on 6/25/18.6/25/18 ENTERED AND COPIES E-MAILED.(eibo,) (Entered: 06/25/2018)
06/25/2018	192	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III. Status Conference as to DAVID T. SHULICK held on 6/25/18. This conference was not on the record.(eibo,) (Entered: 06/25/2018)
06/25/2018	193	ORDER AS TO DAVID T. SHULICK THAT THE CURRENT SENTENCING DATE OF AUGUST 16, 2018 IS VACATED. THE SENTENCING HEARING SHALL TAKE PLACE ON SEPTEMBER 26, 2018 AT 2:00 PM BEFORE HONORABLE HARVEY BARTLE III. A HEARING ON THE ISSUE OF FINANCIAL LOSS SHALL TAKE PLACE ON SEPTEMBER 11, 2018 AT 9:30 AM, ETC. Signed by HONORABLE HARVEY BARTLE, III on 6/25/18.6/25/18 Entered and Copies E-Mailed. (eibo,) (Entered: 06/25/2018)
06/25/2018	194	TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on APRIL 24, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: ASC SERVICES, LLC (eibo,) (mac). (Entered: 06/25/2018)
06/25/2018	195	TRANSCRIPT of TRIAL as to DAVID T. SHULICK held on APRIL 26, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: ASC SERVICES, LLC (eibo,) (tomg). (Entered: 06/25/2018)
06/25/2018	196	TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on APRIL 27, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: ASC SERVICES, LLC (eibo,) (tomg). (Entered: 06/25/2018)
06/25/2018	197	TRANSCRIPT of JURY HEARING as to DAVID T. SHULICK held on MAY 7, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: ASC SERVICES, LLC (eibo,) (pc). (Entered: 06/25/2018)
06/25/2018	198	TRANSCRIPT of JURY HEARING as to DAVID T. SHULICK held on MAY 8, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: ASC SERVICES, LLC (eibo,) (pc). (Entered: 06/25/2018)

06/26/2018	199	NOTICE OF HEARING as to DAVID T. SHULICK Sentencing set for 9/26/2018 02:00 PM in COURTROOM 16-A before HONORABLE HARVEY BARTLE III. (km,) (Entered: 06/26/2018)
08/06/2018	200	NOTICE OF HEARING as to DAVID T. SHULICK Hearing on the issue of financial loss set for 9/14/2018 09:30 AM in COURTROOM before HONORABLE HARVEY BARTLE III. (km,) (Entered: 08/06/2018)
08/13/2018	201	Memorandum by USA as to DAVID T. SHULICK <i>Regarding Loss Calculation</i> (DONOVAN, MICHAEL) (Entered: 08/13/2018)
08/17/2018	202	SENTENCING MEMORANDUM Certificate of Service by DAVID T. SHULICK (Attachments: # 1 Exhibit)(LEFEBER, HOPE) (Entered: 08/17/2018)
08/23/2018	203	TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on APRIL 30, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 08/23/2018)
08/23/2018	204	TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on MAY 1, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 08/23/2018)
08/23/2018	205	TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on MAY 2, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 08/23/2018)
08/23/2018	206	TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on MAY 3, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 08/23/2018)
08/23/2018	207	TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on MAY 4, 2018 before Judge HARVEY BARTLE, III. TRANSCRIBED BY: UBIQUS REPORTING (eibo,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 08/23/2018)
09/07/2018	208	Supplemental SENTENCING DOCUMENT CERTIFICATE OF SERVICE by USA as to DAVID T. SHULICK (MANNION, CHRISTOPHER) (Entered: 09/07/2018)
09/11/2018	209	NOTICE OF HEARING as to DAVID T. SHULICK Hearing on financial loss set for 9/26/2018 10:30 AM in COURTROOM 16-A before HONORABLE HARVEY BARTLE III. This proceeding is rescheduled from 9/14/2018.(km,) (Entered: 09/11/2018)
09/17/2018	210	SENTENCING MEMORANDUM CERTIFICATE OF SERVICE by USA as to DAVID T. SHULICK (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12)(MANNION, CHRISTOPHER) (Entered: 09/17/2018)
09/19/2018	211	MOTION for Forfeiture of Property by USA as to DAVID T. SHULICK. (DONOVAN, MICHAEL) (Entered: 09/19/2018)
09/24/2018	212	Memorandum by DAVID T. SHULICK <i>Response to Govt Suppl. Loss Memo</i> (LEFEBER, HOPE) (Entered: 09/24/2018)
09/24/2018	213	SENTENCING MEMORANDUM by DAVID T. SHULICK (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(LEFEBER, HOPE) (Entered: 09/24/2018)

09/27/2018	214	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16-A RE: LOSS HEARING AND SENTENCING (DAY 1)held on 9/26/2018 for DAVID T. SHULICK. LOSS HEARING. DEFT PRESENT. USPO PRESENT. COURT'S COLLOQUY WITH COUNSEL REGARDING THE GOVT'S LOSS CALCULATIONS. COUNSEL ADDRESS THE COURT. WITNESS CALLED AND SWORN. ARGUMENT ON LOSS WILL TAKE PLACE ON 9/27/2018. SENTENCING. WITNESSES CALLED AND SWORN.Court Reporter J. CRUZ.(kk,) (Entered: 09/27/2018)
09/28/2018	215	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 16A: LOSS HEARING AND SENTENCING (DAY 2) held on 9/27/2018 for DAVID T. SHULICK (1), Count(s) 1, 2, 7, 8, IMPRISONMENT: 60 MONTHS; SUPERVISED RELEASE: 3 YEARS; FINE: \$20,000; RESTITUTION: \$764,735; SPECIAL ASSESSMENT: \$700; Count(s) 9-11, IMPRISONMENT: 20 MONTHS CONSECUTIVELY; SUPERVISED RELEASE: 1 YEAR; FINE: \$20,000; RESTITUTION: \$764,735; SPECIAL ASSESSMENT: \$700. The Court advises the deft of his right to appeal. Court Reporter: ESR.(tomg,) (Entered: 09/28/2018)
10/03/2018	216	ORDER OF FORFEITURE AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 10/3/2018.10/3/2018 Entered and Copies E-Mailed AND CC FBI. (tomg,) (Main Document 216 replaced on 10/3/2018) (ke,). (Entered: 10/03/2018)
10/03/2018	217	JUDGMENT AS TO DAVID T. SHULICK (1), Count(s) 1, 2, 7, 8, IMPRISONMENT: 60 MONTHS; SUPERVISED RELEASE: 3 YEARS; FINE: \$20,000; RESTITUTION: \$764,735; SPECIAL ASSESSMENT: \$700; Count(s) 3-6, DISMISSED ON GOVERNMENT'S MOTION; Count(s) 9-11, IMPRISONMENT: 20 MONTHS CONSECUTIVELY TO EACHOTHER BUT CONCURRENTLY TO COUNTS 1, 2, 7, AND 8; SUPERVISED RELEASE: 1 YEAR; FINE: \$20,000; RESTITUTION: \$764,735; SPECIAL ASSESSMENT: \$700. Signed by HONORABLE HARVEY BARTLE, III on 10/3/2018.10/3/2018 Entered and Copies E-Mailed. (tomg,) (Entered: 10/03/2018)
10/12/2018	218	MEMORANDUM OF LAW in Support of Motion for Release Pending Appeal by DAVID T. SHULICK. CERTIFICATE OF SERVICE. (LEFEBER, HOPE) Modified on 10/15/2018 (ap,). (Entered: 10/12/2018)
10/15/2018	219	TRANSCRIPT of SENTENCING as to DAVID T. SHULICK held on 9/26/2018, before Judge HARVEY BARTLE, III. Transcribed by: UBIQUS REPORTING, INC. (tomg,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 10/15/2018)
10/15/2018	220	TRANSCRIPT of LOSS HEARING AND SENTENCING (DAY 2) as to DAVID T. SHULICK held on 9/27/2018, before Judge HARVEY BARTLE, III. Transcribed by: UBIQUS REPORTING, INC. (tomg,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 10/15/2018)
10/15/2018	221	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Status Conference as to DAVID T. SHULICK held on 10/15/2018.(tomg,) (Entered: 10/16/2018)
10/16/2018	222	NOTICE OF APPEAL by DAVID T. SHULICK RE: 217 JUDGMENT, CERTIFICATE OF SERVICE. (LEFEBER, HOPE) Modified on 10/16/2018 (ke,). Modified on 10/16/2018 (ke,). (Entered: 10/16/2018)
10/17/2018	223	RESPONSE to Motion by USA as to DAVID T. SHULICK re 218 MOTION for Bail <i>Pending Appeal</i> filed by USA (DONOVAN, MICHAEL) (Entered: 10/17/2018)

10/18/2018	224	NOTICE of Docketing Record on Appeal from USCA as to DAVID T. SHULICK re 222 Notice of Appeal - Final Judgment filed by DAVID T. SHULICK. USCA Case Number 18-3305. (tomg,) (Entered: 10/18/2018)
10/19/2018	225	MEMORANDUM AND/OR OPINION AS TO DAVID T. SHULICK RE: MOTION FOR RELEASE ON BAIL PENDING APPEAL 218 . Signed by HONORABLE HARVEY BARTLE, III on 10/19/2018.10/19/2018 Entered and Copies E-Mailed. (kk,) (Entered: 10/19/2018)
10/19/2018	226	ORDER AS TO DAVID T. SHULICK THAT THE MOTION FOR RELEASE ON BAIL PENDING APPEAL 218 IS DENIED. Signed by HONORABLE HARVEY BARTLE, III on 10/19/2018.10/19/2018 Entered and Copies E-Mailed. (kk,) (Entered: 10/19/2018)
10/19/2018		USCA Appeal Fees received \$ 505, receipt number PPE186592 as to DAVID T. SHULICK re 222 Notice of Appeal - Final Judgment : (tomg,) (Entered: 10/22/2018)
10/23/2018	227	ORDER AS TO DAVID T. SHULICK THAT THE DEFT SHALL SELF-SURRENDER ON 10/31/2018. Signed by HONORABLE HARVEY BARTLE, III on 10/23/2018.10/24/2018 Entered and Copies E-Mailed. (tomg,) (Entered: 10/24/2018)
10/29/2018	228	MOTION to Supplement <i>Sentencing Record</i> by USA as to DAVID T. SHULICK. (Attachments: # 1 Text of Proposed Order)(MANNION, CHRISTOPHER) (Entered: 10/29/2018)
10/29/2018	229	MOTION to Compel <i>Compliance With Court Order</i> by USA as to DAVID T. SHULICK. (Attachments: # 1 Text of Proposed Order)(MANNION, CHRISTOPHER) (Entered: 10/29/2018)
11/21/2018	230	ORDER of USCA (certified copy) as to DAVID T. SHULICK re 222 Notice of Appeal - Final Judgment. IT IS ORDERED THAT THE FOREGOING MOTION BY APPELLANT FOR BAIL PENDING APPEAL IS DENIED. (ke,) (Entered: 11/21/2018)
12/03/2018	231	Copy of TPO Form re 222 Notice of Appeal - Final Judgment : (kk,) (Entered: 12/04/2018)
12/07/2018	232	RESPONSE to Motion by DAVID T. SHULICK re 228 MOTION to Supplement <i>Sentencing Record</i> (LEFEBER, HOPE) (Entered: 12/07/2018)
12/07/2018	233	RESPONSE to Motion by DAVID T. SHULICK re 229 MOTION to Compel <i>Compliance With Court Order</i> (Attachments: # 1 Exhibit A)(LEFEBER, HOPE) (Entered: 12/07/2018)
12/17/2018	234	MEMORANDUM AND/OR OPINION AS TO DAVID T. SHULICK Signed by HONORABLE HARVEY BARTLE, III on 12/17/18.12/17/18 Entered and Copies E-Mailed. (ti,) (Entered: 12/17/2018)
12/17/2018	235	ORDER AS TO DAVID T. SHULICK THAT THE MOTION OF THE GOVERNMENT TO SUPPLEMENT THE RECORD 228 IS GRANTED; THE MOTION OF THE GOVERNMENT TO COMPEL 229 IS GRANTED; AND DEFENSE COUNSEL SHALL COMPLY WITH THIS ORDER FORTHWITH. Signed by HONORABLE HARVEY BARTLE, III on 12/17/18.12/17/18 Entered and Copies E-Mailed. (ti,) (Entered: 12/17/2018)
12/24/2018	236	MOTION for Reconsideration by DAVID T. SHULICK. (LEFEBER, HOPE) (Entered: 12/24/2018)
12/27/2018	237	ORDER AS TO DAVID T. SHULICK (1) THAT THE MOTION OF DEFENDANT FOR RECONSIDERATION OF THIS COURT'S ORDER DATED DECEMBER 17, 2018 (DOC. NO. 236) IS DENIED. Signed by HONORABLE HARVEY BARTLE, III on

		12/27/2018. 12/27/2018 ENTERED AND COPIES E-MAILED. (ems) (Entered: 12/27/2018)
12/28/2018	238	NOTICE OF APPEAL by DAVID T. SHULICK re 235 Order (Memorandum and/or Opinion), 234 Memorandum and/or Opinion, 237 Order on Motion for Reconsideration, Certificate of Service. (LEFEBER, HOPE) Modified on 12/28/2018 (ke,). (Entered: 12/28/2018)
01/04/2019	239	NOTICE of Docketing Record on Appeal from USCA as to DAVID T. SHULICK re 238 Notice of Appeal - Final Judgment filed by DAVID T. SHULICK. USCA Case Number 19-1011 (ke,) (Entered: 01/04/2019)
01/08/2019		USCA Appeal Fees received \$ 505, receipt number PPE198615 as to DAVID T. SHULICK re 238 Notice of Appeal - Final Judgment. (tomg,) (Entered: 01/08/2019)
01/09/2019	240	AMENDED TRANSCRIPT OF CRIMINAL JURY TRIAL as to DAVID T. SHULICK held on 4/20/2018, before Judge HARVEY BARTLE, III. Transcribed by: ASC SERVICES, LLC. (tomg,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 01/09/2019)
01/09/2019	241	AMENDED TRANSCRIPT OF JURY HEARING as to DAVID T. SHULICK held on 4/23/2018, before Judge HARVEY BARTLE, III. Transcribed by: ASC SERVICES, LLC. (tomg,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 01/09/2019)
01/09/2019	242	AMENDED TRANSCRIPT OF CRIMINAL JURY TRIAL as to DAVID T. SHULICK held on 4/24/2018, before Judge HARVEY BARTLE, III. Transcribed by: ASC SERVICES, LLC. (tomg,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 01/09/2019)
01/09/2019	243	AMENDED TRANSCRIPT OF TRIAL as to DAVID T. SHULICK held on 4/26/2018, before Judge HARVEY BARTLE, III. Transcribed by: ASC SERVICES, LLC. (tomg,) (Additional attachment(s) added on 12/6/2022: # 1 TRANSCRIPT) (pc). (Entered: 01/09/2019)
02/26/2019	244	TRANSCRIPT of ORAL ARGUMENT as to DAVID T. SHULICK held on 5/9/2017, before Judge HARVEY BARTLE, III. Transcribed by: TK TRANSCRIBERS. (tomg,) (pc). (Entered: 02/26/2019)
02/26/2019	245	TRANSCRIPT of MOTION HEARING as to DAVID T. SHULICK held on 10/26/2017, before Judge HARVEY BARTLE, III. Transcribed by: TK TRANSCRIBERS. (tomg,) (pc). (Entered: 02/26/2019)
02/26/2019	246	TRANSCRIPT of JURY SELECTION as to DAVID T. SHULICK held on 4/16/2018, before Judge HARVEY BARTLE, III. Transcribed by: TK TRANSCRIBERS. (tomg,) (Additional attachment(s) added on 12/7/2022: # 1 TRANSCRIPT) (pc). (Entered: 02/26/2019)
02/26/2019	247	TRANSCRIPT of COLLOQUY as to DAVID T. SHULICK held on 4/16/2018, before Judge HARVEY BARTLE, III. Transcribed by: TK TRANSCRIBERS. (tomg,) (pc). (Entered: 02/26/2019)
03/20/2019	248	AMENDED TRANSCRIPT of TRIAL WITNESS TESTIMONY as to DAVID T. SHULICK held on 4/18/2018, before Judge HARVEY BARTLE, III. Transcribed by: UBIQUS. (tomg,) (pc). (Entered: 03/20/2019)
03/20/2019	249	AMENDED TRANSCRIPT of JURY TRIAL as to DAVID T. SHULICK held on 5/2/2018, before Judge HARVEY BARTLE, III. Transcribed by: UBIQUS. (tomg,)

		(Additional attachment(s) added on 12/7/2022: # 1 TRANSCRIPT) (pc). (Entered: 03/20/2019)
08/23/2019	250	Consent MOTION to Settle and Approve Statement of Proceedings Pursuant to Fed.R.App.P. 10(c) by DAVID T. SHULICK. (Attachments: # 1 Exhibit A - Statement of Proceedings, # 2 Text of Proposed Order)(MATHEWSON, LISA) (Entered: 08/23/2019)
08/27/2019	251	ORDER AS TO DAVID T. SHULICK (1) THAT THE CONSENT MOTION TO SETTLE AND APPROVE STATEMENT OF PROCEEDINGS IS GRANTED. THE STATEMENT OF PROCEEDINGS ATTACHED AS EXHIBIT "A" TO THE MOTION, WITH TRANSCRIPTS ATTACHED AS EXHIBITS 1-4, IS SETTLED AND APPROVED PURSUANT TO FED.R.APP.P.10(c). Signed by HONORABLE HARVEY BARTLE, III on 8/27/2019.8/27/2019 ENTERED AND COPIES E-MAILED.(tomg,) (Entered: 08/27/2019)
08/27/2019		COPY OF THE STATEMENT OF PROCEEDINGS SENT TO USCA PER CHAMBERS AS TO DAVID T. SHULICK (tomg,) (Entered: 08/27/2019)
11/18/2019	252	SEALED PRO SE MOTION by DAVID T. SHULICK. (FILED UNDER SEAL) (ems) (ems). (Entered: 11/18/2019)
01/09/2020	253	SEALED ORDER AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 1/9/2020. (FILED UNDER SEAL).1/9/2020 ENTERED AND COPIES MAILED.(tomg,) (tomg,). (Entered: 01/09/2020)
05/15/2020	254	(PRO SE) EMERGENCY MOTION FOR COMPASSIONATE RELEASE by DAVID T. SHULICK. (Attachments: # 1 PART 2, # 2 PART 3)(tomg,) (Entered: 05/15/2020)
05/21/2020	255	NOTICE OF ATTORNEY APPEARANCE ANDREW D. SWAIN appearing for DAVID T. SHULICK (SWAIN, ANDREW) (Entered: 05/21/2020)
05/22/2020	256	Consent MOTION to Seal Document by DAVID T. SHULICK. (SWAIN, ANDREW) (Entered: 05/22/2020)
05/26/2020	257	SEALED RESPONSE filed by USA AS TO DAVID T. SHULICK. (FILED UNDER SEAL). (ahf) (Additional attachment(s) added on 5/26/2020: # 1 EXHIBIT A, # 2 EXHIBIT B) (ahf,). (Entered: 05/26/2020)
05/26/2020	258	SEALED MOTION by USA as to DAVID T. SHULICK. (FILED UNDER SEAL) (ahf,) (ahf,). (Entered: 05/26/2020)
05/29/2020	259	REPLY TO RESPONSE to Motion by DAVID T. SHULICK re 258 MOTION to Seal Document (<i>FILED UNDER SEAL</i>) (Attachments: # 1 Exhibit Exhibits A-C)(SWAIN, ANDREW) (Entered: 05/29/2020)
05/29/2020	260	MOTION to Seal Document by DAVID T. SHULICK. (SWAIN, ANDREW) (Entered: 05/29/2020)
06/01/2020	261	RESPONSE in Support by DAVID T. SHULICK re 254 MOTION for Release from Custody <i>Referencing New Asthma Test June 1, 2020</i> (SWAIN, ANDREW) (Entered: 06/01/2020)
06/03/2020	262	ORDER AS TO DAVID T. SHULICK THAT THE COURT SETTLES AND APPROVES THE STATEMENT ATTACHED HERETO AS EXHIBIT A CONCERNING WHAT OCCURRED ON APRIL 24, 2018 AND MAY 7, 2018. Signed by HONORABLE HARVEY BARTLE, III on 6/3/2020. (Attachments: # 1 Exhibit A)6/3/2020 Entered and Copies E-Mailed. (ahf) (Entered: 06/03/2020)
06/03/2020	263	SEALED ORDER AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 6/3/2020. (FILED UNDER SEAL).6/3/2020 ENTERED AND

		COPIES E-MAILED.(tomg,) (tomg,). (Entered: 06/03/2020)
06/03/2020	264	SEALED ORDER AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 6/3/2020. (FILED UNDER SEAL).6/3/2020 ENTERED AND COPIES E-MAILED.(tomg,) (tomg,). (Entered: 06/03/2020)
06/03/2020	265	SEALED ORDER AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 6/3/2020. (FILED UNDER SEAL).6/3/2020 ENTERED AND COPIES E-MAILED.(tomg,) (tomg,). (Entered: 06/03/2020)
06/09/2020	266	SEALED SUPPLEMENTAL RESPONSE by USA as to DAVID T. SHULICK. (FILED UNDER SEAL). (tomg,) (Additional attachment(s) added on 6/9/2020: # 1 EXHIBIT) (tomg,). (Entered: 06/09/2020)
06/09/2020	267	SEALED MOTION by USA as to DAVID T. SHULICK. (FILED UNDER SEAL). (tomg,) (tomg,). (Entered: 06/09/2020)
06/09/2020	268	SEALED SUPPLEMENTAL MEDICAL RECORD BY DAVID T. SHULICK. (FILED UNDER SEAL). (tomg,) (tomg,). (Entered: 06/10/2020)
06/10/2020	269	SEALED REPLY by DAVID T. SHULICK. (FILED UNDER SEAL). (tomg,) (tomg,). (Entered: 06/10/2020)
06/12/2020	270	SEALED RESPONSE by DAVID T. SHULICK. (FILED UNDER SEAL)(ahf) (ahf,) (Entered: 06/15/2020)
06/16/2020	271	SEALED ORDER AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 6/16/2020. (FILED UNDER SEAL).6/16/2020 ENTERED AND COPIES E-MAILED.(tomg,) (tomg,). (Entered: 06/16/2020)
06/16/2020	272	MEMORANDUM AND/OR OPINION AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 6/16/2020.6/16/2020 Entered and Copies E-Mailed. (tomg,) (Entered: 06/16/2020)
06/16/2020	273	MEMORANDUM AND/OR OPINION ORDER AS TO DAVID T. SHULICK THAT THE EMERGENCY MOTION FOR COMPASSIONATE RELEASE UNDER 18:3582(c)(1)(A) (DOC. #254) IS DISMISSED FOR LACK OF JURISDICTION. Signed by HONORABLE HARVEY BARTLE, III on 6/16/2020.6/16/2020 Entered and Copies E-Mailed. (tomg,) (Entered: 06/16/2020)
06/29/2020	274	MOTION to Withdraw as Attorney by Andrew D. Swain, Esq.. by DAVID T. SHULICK. (SWAIN, ANDREW) (Entered: 06/29/2020)
06/29/2020	275	ORDER AS TO DAVID T. SHULICK THAT COUNSEL'S LEAVE TO WITHDRAW AS CO-COUNSEL FILED BY ANDREW D. SWAIN, ESQ. IS GRANTED. MR SWAIN AND HIS FIRM ARE PERMITTED TO WITHDRAW AS COUNSEL OF RECORD FOR DEFENDANT. Signed by HONORABLE HARVEY BARTLE, III on 6/29/2020.6/29/2020 ENTERED AND COPIES E-MAILED.(ahf) (Entered: 06/29/2020)
07/09/2020		Copies of Documents # 263-265, 271 mailed to counsel as to DAVID T. SHULICK (mac,) (Entered: 07/09/2020)
10/07/2020		DOC. #272 AND #273 MAILED TO PRO SE DAVID T. SHULICK (tomg,) (Entered: 10/07/2020)
01/27/2022	276	USCA JUDGMENT (certified copy) as to DAVID T. SHULICK re 222 Notice of Appeal - Final Judgment that the Judgment of the District Court entered 10/3/18, be and the same is hereby affirmed, etc. (mac,) (Entered: 01/27/2022)

01/27/2022	277	USCA JUDGMENT (certified copy) as to DAVID T. SHULICK re 238 Notice of Appeal - Final Judgment that the judgment of the District Court entered 12/27/18, be and the same is hereby affirmed, etc (mac,) (Entered: 01/27/2022)
02/10/2022	278	PRO SE MOTION FOR RETURN OF PASSPORT FILED BY DAVID T. SHULICK. (NO ENVELOPE ATTACHED) (Attachments: # 1 EMAIL)(mac,) (Entered: 02/10/2022)
02/14/2022	279	ORDER AS TO DAVID T. SHULICK THAT THE CLERK OF THE USDC FOR THE EDPA SHALL RETURN TO DEFENDANT HIS PASSPORT BY MAILING IT TO HIM AT HIS HOME ADDRESS, ETC. Signed by HONORABLE HARVEY BARTLE, III on 2/14/22.2/14/22 ENTERED AND COPIES E-MAILED.(mac) (Entered: 02/14/2022)
03/22/2022	280	REQUEST AND ORDER FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION WITH THE CONSENT OF THE OFFENDER AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 3/22/22.3/23/22 Entered and Copies Mailed and E-Mailed. (mac) (Entered: 03/23/2022)
05/24/2022	281	STIPULATION REGARDING RESTITUTION AS OUTLINED HEREIN AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 5/17/22.5/24/22 Entered and Copies E-Mailed. (mac) (Main Document 281 replaced on 6/9/2022) (ke). (Entered: 05/24/2022)
10/05/2022	282	NOTICE OF ATTORNEY APPEARANCE SAMUEL C. STRETTON appearing for DAVID T. SHULICK (Attachments: # 1 Certificate of Service Certificate of Service) (STRETTON, SAMUEL) (Entered: 10/05/2022)
10/05/2022	283	First MOTION to Vacate/Set Aside/Correct Sentence (2255) under 28 U.S.C. 2255 by DAVID T. SHULICK. (CIVIL ACTION 22Ccv3990). (Attachments: # 1 Exhibit Exhibits "A" and "B", # 2 Certificate of Service Certificate of Service)(STRETTON, SAMUEL) Modified on 10/6/2022 (ke). (Entered: 10/05/2022)
10/19/2022	284	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III: Status Conference as to DAVID T. SHULICK held on 10/19/22.(mac) (Entered: 10/19/2022)
10/19/2022	285	ORDER AS TO DAVID T. SHULICK THAT THE GOVERNMENT SHALL FILE A RESPONSE TO DEFENDANT'S 28:2255 BY NOVEMBER 21, 2022. DEFENDANT SHALL REPLY IN SUPPORT OF HIS MOTION BY DECEMBER 21, 2022, ETC. Signed by HONORABLE HARVEY BARTLE, III on 10/19/22.10/19/22 Entered and Copies E-Mailed. (mac) (Entered: 10/19/2022)
11/10/2022	286	First MOTION to Supplement <i>the Habeas Corpus Petition</i> by DAVID T. SHULICK. (Attachments: # 1 Text of Proposed Order Proposed Order, # 2 Exhibit Exhibit "A", # 3 Exhibit Exhibit "B", # 4 Certificate of Service Certificate of Service)(STRETTON, SAMUEL) (Entered: 11/10/2022)
11/10/2022	287	ORDER AS TO DAVID T. SHULICK THAT DEFENDANT'S HABEAS CORPUS PETITION UNDER 28:2255 IS ALLOWED RO BE SUPPLEMENTED BY GROUND FOUR. Signed by HONORABLE HARVEY BARTLE, III on 11/10/22.11/14/22 Entered and Copies E-Mailed. (mac) (Entered: 11/14/2022)
11/21/2022	288	RESPONSE in Opposition re 283 First MOTION to Vacate/Set Aside/Correct Sentence (2255) under 28 U.S.C. 2255 , 286 First MOTION to Supplement <i>the Habeas Corpus Petition</i> filed by USA (MANNION, CHRISTOPHER) (Entered: 11/21/2022)
12/15/2022	289	First MOTION for Extension of Time to File Response/Reply as to 288 Response in Opposition by DAVID T. SHULICK. (Attachments: # 1 Text of Proposed Order Proposed Order, # 2 Certificate of Service Certificate of Service)(STRETTON, SAMUEL) (Entered: 12/15/2022)

12/15/2022	290	ORDER AS TO DAVID T. SHULICK THAT MR. STRETTON'S MOTION FOR EXTENSION OF TIME TO FILE A BRIEF IN RESPONSE IS GRANTED AND SAID RESPONSE BRIEF SHALL BE DUE BY FRIDAY, DECEMBER 30, 2022. Signed by HONORABLE HARVEY BARTLE, III on 12/15/22.12/16/22 Entered and Copies E-Mailed. (mac) (Entered: 12/16/2022)
12/29/2022	291	RESPONSE in Support by DAVID T. SHULICK re 283 First MOTION to Vacate/Set Aside/Correct Sentence (2255) under 28 U.S.C. 2255 <i>and in Opposition to the Government's Brief to Dismiss</i> (Attachments: # 1 Exhibit Exhibit "A", # 2 Exhibit Exhibit "B", # 3 Certificate of Service Certificate of Service)(STRETTON, SAMUEL) (Entered: 12/29/2022)
02/01/2023		***Case Reopened as to DAVID T. SHULICK (mac) (Entered: 02/01/2023)
02/01/2023	292	ORDER AS TO DAVID T. SHULICK THAT THE COURT WILL HOLD ORAL ARGUMENT ON DEFENDANT'S 28:2255 MOTION ON WEDNESDAY, FEBRUARY 15, 2023 AT 10:00 A.M. ION COURTROOM 16A, ETC. Signed by HONORABLE HARVEY BARTLE, III on 2/1/23.2/1/23 Entered and Copies E-Mailed. (mac) (Entered: 02/01/2023)
02/09/2023	293	NOTICE: Oral argument on the pending Motion of David Shulick 283 scheduled for February 15, 2023 at 10:00 a.m. before the HONORABLE HARVEY BARTLE III will be heard in COURTROOM 15A (instead of 16A), etc. (nds) (Entered: 02/09/2023)
02/15/2023	294	Minute Entry for proceedings held before HONORABLE HARVEY BARTLE, III in Courtroom 15: Motion Hearing as to DAVID T. SHULICK held on 2/15/23. Oral argument. Additional briefing ordered.Court Reporter ESR.(mac) (Entered: 02/15/2023)
02/21/2023	295	RESPONSE in Support by DAVID T. SHULICK re 283 First MOTION to Vacate/Set Aside/Correct Sentence (2255) under 28 U.S.C. 2255 <i>and in Opposition to the Government's Motion to Dismiss and in Support of Mr. Shulick's Request for a Hearing</i> (Attachments: # 1 Exhibit Exhibit "A", # 2 Certificate of Service Certificate of Service) (STRETTON, SAMUEL) (Entered: 02/21/2023)
02/23/2023	296	NOTICE <i>Withdrawal of Appearance of former AUSA Eric L. Gibson</i> by USA as to DAVID T. SHULICK (COSTELLO, FRANK) (Entered: 02/23/2023)
02/23/2023	297	NOTICE <i>Withdrawal of Appearance of former AUSA Christopher J. Mannion</i> by USA as to DAVID T. SHULICK (COSTELLO, FRANK) (Entered: 02/23/2023)
02/23/2023	298	NOTICE <i>Withdrawal of Appearance of former AUSA Paul L. Gray</i> by USA as to DAVID T. SHULICK (COSTELLO, FRANK) (Entered: 02/23/2023)
03/02/2023	299	First MOTION to Supplement <i>Brief and Provide Affidavit of Frederick Hamilton</i> by DAVID T. SHULICK. (Attachments: # 1 Exhibit Exhibit "A", # 2 Exhibit Exhibit "B", # 3 Certificate of Service Certificate of Service)(STRETTON, SAMUEL) (Entered: 03/02/2023)
03/06/2023	300	RESPONSE in Opposition re 299 First MOTION to Supplement <i>Brief and Provide Affidavit of Frederick Hamilton</i> filed by USA (DONOVAN, MICHAEL) (Entered: 03/07/2023)
03/07/2023	301	TRANSCRIPT: Oral Argument held on 2/15/23, before Judge HARVEY BARTLE, III. Court Reporter/Transcriber ESR. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/28/2023. Redacted Transcript Deadline set for 4/7/2023. Release of

		Transcript Restriction set for 6/5/2023. Transcriber: Ubiquis Reporting, Inc.(mac) (Entered: 03/07/2023)
03/07/2023	302	Notice of Filing of Official Transcript with Certificate of Service re 301 Transcript - PDF,, 3/7/23 Entered and Copies Emailed. (mac) (Entered: 03/07/2023)
03/13/2023		***Case Reopened as to DAVID T. SHULICK (mac) (Entered: 03/13/2023)
03/13/2023	303	ORDER THAT DEFENDANT'S MOTION TO SUPPLEMENT HIS BRIEF AND PROVIDE THE AFFIDAVIT OF FREDERICK HAMILTON 299 IS GRANTED AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 3/13/23.3/13/23 ENTERED AND COPIES E-MAILED.(mac) (Entered: 03/13/2023)
03/13/2023	304	MEMORANDUM AS TO DAVID T. SHULICK. Signed by HONORABLE HARVEY BARTLE, III on 3/13/23.3/13/23 Entered and Copies E-Mailed. (mac) (Entered: 03/13/2023)
03/13/2023	305	ORDER AS TO DAVID T. SHULICK THAT DEFENDANT'S 28:2255 MOTION IS DENIED. NO COA IS ISSUED. Signed by HONORABLE HARVEY BARTLE, III on 3/13/23.3/13/23 Entered and Copies E-Mailed. (mac) (Entered: 03/13/2023)
03/23/2023	306	First MOTION for Reconsideration re 305 Order (Memorandum and/or Opinion), 304 Memorandum and/or Opinion <i>and Request to Vacate Order</i> by DAVID T. SHULICK. (Attachments: # 1 Exhibit Exhibit "A", # 2 Exhibit Exhibit "B", # 3 Certificate of Service Certificate of Service)(STRETTON, SAMUEL) (Entered: 03/23/2023)
03/24/2023	307	First MOTION to Withdraw as Attorney <i>for the Petitioner, David T. Shulick</i> by Samuel C. Stretton, Esquire. by DAVID T. SHULICK. (Attachments: # 1 Certificate of Service Certificate of Service)(STRETTON, SAMUEL) (Entered: 03/24/2023)
03/27/2023	308	Pro Se Brief in Support Motion for Reconsideration filed by DAVID T. SHULICK, certificate of service. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Cover Sheet)(mac) (Entered: 03/27/2023)
03/27/2023	309	Pro Se Email as to DAVID T. SHULICK. (mac) (Entered: 03/27/2023)
03/27/2023		***Case Reopened as to DAVID T. SHULICK (mac) (Entered: 03/27/2023)
03/27/2023	310	ORDER AS TO DAVID T. SHULICK THAT THE SAMUEL C. STRETTON TO WITHDRAW AS COUNSEL FOR PETITIONER DAVID T. SHULICK - A MOTION TO WHICH PETITIONER CONSENTS - IS GRANTED. Signed by HONORABLE HARVEY BARTLE, III on 3/27/23.3/27/23 Entered and Copies E-Mailed. (mac) (Entered: 03/27/2023)
04/03/2023	311	RESPONSE in Opposition re 306 First MOTION for Reconsideration re 305 Order (Memorandum and/or Opinion), 304 Memorandum and/or Opinion <i>and Request to Vacate Order</i> filed by USA (DONOVAN, MICHAEL) (Entered: 04/03/2023)
04/03/2023	312	Pro Se Sur-Reply Brief filed by by DAVID T. SHULICK, certificate of service. (Attachments: # 1 cover sheet)(mac) (Entered: 04/04/2023)
04/06/2023		***Case Reopened as to DAVID T. SHULICK (mac) (Entered: 04/06/2023)
04/06/2023	313	ORDER THAT DEFENDANT'S MOTION FOR RECONSIDERATION AND REQUEST TO VACATE ORDER 306 IS DENIED. NO CERTIFICATE OF APPEALABILITY IS ISSUED AS TO DAVID T. SHULICK (1). Signed by HONORABLE HARVEY BARTLE, III on 4/6/23.4/6/23 ENTERED AND COPIES E-MAILED.(mac) (Entered: 04/06/2023)

05/09/2023	314	PRO SE NOTICE OF APPEAL filed by DAVID T. SHULICK, certificate of service re 305 Order (Memorandum and/or Opinion), 304 Memorandum and/or Opinion (No Filing Fee Paid) (Attachments: # 1 cover sheet)(mac) (Entered: 05/10/2023)
05/19/2023	315	NOTICE of Docketing Record on Appeal from USCA as to DAVID T. SHULICK re 314 Notice of Appeal - Final Judgment filed by DAVID T. SHULICK. USCA Case Number 23-1865 (mac) (Entered: 05/19/2023)
06/20/2023	316	Filing fee: \$ 505.00, receipt number 20010423 (mac) (Entered: 06/20/2023)
08/03/2023	317	MANDATE of USCA (certified copy) as to DAVID T. SHULICK re 314 Notice of Appeal - Final Judgment THAT THE REQUEST FOR A CERTIFICATE OF APPEALABILITY IS DENIED.(tomg) (Entered: 08/03/2023)

PACER Service Center			
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PACER Login:	RobertSink	Client Code:	Shulick
Description:	Docket Report	Search Criteria:	2:16-cr-00428-HB
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DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE

EXHIBIT PART II QUESTION 5(a)

DESCRIPTION: Copy of any Judgment

8pg

AO 243B (Rev 02/16) Judgment in a Criminal Case Sheet 1

UNITED STATES DISTRICT COURT

2018-24592

Eastern District of Pennsylvania

UNITED STATES OF AMERICA

v.

DAVID T. SHULICK

JUDGMENT IN A CRIMINAL CASE

Case Number: DPAE2:16CR000428

USM Number: 75603-063

Hope C. Lefebvre
Defendant's Attorney

FILED
OCT 03 2018

KATE BARKMAN, Clerk
By _____ Dep Clerk

THE DEFENDANT:

- pleaded guilty to count(s)
- pleaded not guilty to count(s) which was accepted by the court.
- was found guilty on count(s) 1, 2, 7, 8, 9, 10, and 11 after a plea of not guilty.

- A TRUE COPY HEREOF IS FILED WITH THE CLERK

DATED: 10/9/2018

ATTEST: Kenneth E. O'Neil

DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18-272	Conspiracy to embezzle from a program receiving federal funds	2/28/2012	1
18-272(A)(1)(A)	Embezzlement from a program receiving federal funds	8/8/2012	2

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s)
- Count(s) 3, 4, 5, and 6 is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Copies to:
 Defendant
 Hope Lefebvre, Def Atty
 Michael Donoran, Asst
 Leslie Maxwell (2), P.O.
 PTS
 FISCHL (via ECF)
 FLCU
 US Marshal (2)

01/27/2018
 Date of Imposition of Judgment
 Signature of Judge
 Harvey Berde III, USDJ

Harvey Berde III, USDJ
 Name and Title of Judge
 Date: October 3, 2018



FS

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR00428-1

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

60 months consisting of:
30 months on each of counts 1, 2, 7, and 8. The sentences on counts 1, 2, 7, and 8 shall run concurrently with each other.
20 months on each of counts 9, 10, and 11. The sentences on counts 9, 10, and 11 shall run consecutively to each other.
The sentences on counts 9, 10, and 11 shall run concurrently with the sentences on counts 1, 2, 7, and 8

The court makes the following recommendations to the Bureau of Prisons:

That the defendant participate in a program of mental health testing and treatment while in custody.
That the defendant be designated to FDC Fort Dix

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ .. a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on 10/24/2018

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAA2:16CR000428-1

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:
3 years on each of counts 1, 2, 7, and 8. 1 year on each of counts 9, 10, and 11. All terms of supervised release shall run concurrently.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature

Date

DEFENDANT: DAVID T. SHULICK
 CASE NUMBER: DPAA2:16CR000428-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 700.00	\$	\$ 20,000.00	\$ 764,735.00

- The determination of restitution is deferred until _____ . An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(f), all nonfederal victims must be paid before the United States is paid.

Name of Payee	Total Loss**	Restitution Ordered	Priority or Percentage
PNC Bank c/o Corrado Salvatori, Chief Counsel	\$5,000.00	\$5,000.00	
The PNC Financial Services Group, Inc. The Tower at PNC Plaza 300 Fifth Avenue Pittsburgh, PA 15222			
School District of Philadelphia c/o Rob Biron, Deputy General Counsel	\$764,735.00	\$764,735.00	
School District of Philadelphia 440 North Broad Street, Suite 313 Philadelphia, PA 19130			

TOTALS	\$	764,735.00	\$	764,735.00
--------	----	------------	----	------------

- Restitution amount ordered pursuant to plea agreement \$ _____
- The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- the interest requirement is waived for the fine restitution.
- the interest requirement for the fine restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

**DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE**

EXHIBIT QUESTION 9(e)

DESCRIPTION: Rule 217 Statement of Compliance from 2018

STATEMENT OF COMPLIANCE

To: The Disciplinary Board of the Supreme
Court of Pennsylvania
601 Commonwealth Avenue, Suite 5600
PO Box 62625
Harrisburg, PA 17106-2625

Re: DAVID TEVIS SHULICK
(Respondent)

No. 201 Disciplinary Docket No. 3

No. ___ DB ___

Attorney Registration No. 74333

Pursuant to Rule 217(e) of the Pennsylvania Rules of Disciplinary Enforcement, I hereby certify as follows in connection with my Disbarment, Suspension for a period exceeding one year, temporary suspension under Rule 208(f) or 213(g) or transfer to disability inactive status under Rule 216 or 301, by Order of the Supreme Court of Pennsylvania dated 9/11/18:

(1) That I have fully complied with the applicable provisions of Pa.R.D.E. 217 by notifying all clients being represented in pending matters or proceedings; the attorneys for each adverse party in pending litigation or administrative proceedings; all persons or their agents or guardians to whom a fiduciary duty is owed; any other persons with whom I have professional contacts; and all other tribunals, courts, agencies or jurisdictions in which I am admitted to practice.

There are currently ALL CLIENTS NOTIFIED PER ABOVE no clients or others I need to notify in accordance with Pa.R.D.E. 217(a), (b) and (c).

(2) That the following is a list of all other state, federal and administrative jurisdictions to which I have been admitted to practice:

New Jersey (already suspended)
USDC EDPA
Third Circuit Court of Appeals

I am not admitted to practice law in any other tribunal, court, agency or jurisdiction.

(3) I have resigned all appointments as personal representative, executor, administrator, guardian, conservator, receiver, trustee, agent under a power of attorney, or other fiduciary position.

I have no such appointments to resign.

(4) I have closed every IOLTA, Trust, client and fiduciary account and I have properly disbursed or otherwise transferred all client and fiduciary funds in my possession, custody or control.

I have no IOLTA, Trust, client or fiduciary accounts to close.

FILED
SEP 26 2018
Office of the Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

(5) I have taken all necessary steps to cancel or discontinue the next regular publication of all advertisements and telecommunication listings that expressly or implicitly convey my eligibility to practice law in the state courts of Pennsylvania.

I have no applicable advertisements or telecommunication listings.

(6) I have ceased and desisted from using all forms of communication that expressly or implicitly convey eligibility to practice law in the state courts of Pennsylvania, including but not limited to professional titles, letterhead, business cards, signage, websites and references to admission to the Pennsylvania Bar.

(7) I am attaching the most recent PA Attorney's License card I received and am surrendering all certificates of admission and certificates of good standing in my possession.

I have no such License card and/or certificates in my possession to surrender.

The residence or other address where communications may hereafter be directed to me is as follows:

Name: DAVID TEVUS SHULICK
(please print)
Address: 1499 Wislows Run
Gladwyne, PA 19035
Telephone No. _____

I am attaching copies of the notices and proofs of receipt to all those so notified in accordance with Rule 217(a), (b) and (c). I am attaching proof of compliance, including evidence of the destruction, removal or abandonment of indicia of Pennsylvania practice. I am attaching copies of resignation notices, evidence of the closing of accounts; copies of cancelled checks and other instruments demonstrating the proper distribution of client and fiduciary funds, and requests to cancel advertisements and telecommunication listings.

I am serving a conformed copy of this Form and copies of all notices and proofs of receipt on the Office of Disciplinary Counsel.

I hereby certify under the penalties provided by 18 Pa. C.S. §4904 (relating to unsworn falsification to authorities) that the foregoing statements are true and correct and contain no misrepresentations or omissions of material fact.

Date 9/24/18

Signed David Shulick

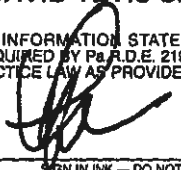
2018 - 2019
PENNSYLVANIA ATTORNEY'S LICENSE

VALIDATED	EXPIRES	ID NO	CLE GROUP
07/01/2018	07/01/2019	74333	1

THIS IS TO CERTIFY THAT

DAVID TEVIS SHULICK

HAS FILED THE INFORMATION STATEMENT AND PAID THE FEE,
IF ANY, REQUIRED BY Pa.R.D.E. 219 AND HAS THE RIGHT
TO PRACTICE LAW AS PROVIDED BY Pa.B.A.R. 232.



SIGN IN INK -- DO NOT PRINT

David T. Shulick
SHULICK LAW
1499 Wesleys Run
Gladwyne, PA 19035

September, 2018

NOTICE TO CLIENT

You are hereby being notified that I am no longer licensed to practice law and can no longer provide you with any legal related services of any kind pursuant to Order of the Supreme Court.

I care deeply about you and will help get your case, case materials, or other related documents in a paperless format to any successor attorney of your choosing or to you directly as efficiently as possible.

Please contact 215.988.5488 and provide the instructions for the orderly and prompt transfer of your file materials. I will also gladly speak with any successor attorney you choose to answer any questions about your case, file materials, or otherwise to prevent you from incurring any prejudice.

Finally, I am providing you with the name and contact information of an Attorney who I believe is qualified to take over representation in your pending matter: Andrew Swain, Esquire, 215.702.2708, 2410 Bristol Road, Bensalem, Pennsylvania – swain@swainlawfirm.com.

Sincerely,

DAVID T. SHULICK

SAMPLE - Can not find Original

**NON-LITIGATION NOTICE OF
ADMINISTRATIVE SUSPENSION**

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(a) and Board Rule §91.91]

To: _____
(Name of Client)

(Address)

Pursuant to Pennsylvania Rule of Disciplinary Enforcement 217(a), you are hereby advised that by Order of the Supreme Court of Pennsylvania, I have been administratively suspended. Said Order is effective _____.

It will be necessary, therefore, for you to obtain other counsel to represent you further in the matter(s) for which I had been previously retained.

Date _____ Signed _____

SAMPLE USED

**LITIGATION NOTICE OF DISBARMENT, SUSPENSION OR
TRANSFER TO INACTIVE STATUS**

[Notice may be delivered by most efficient method possible as long as chosen method is successful and provides proof of receipt – See Note to Pa.R.D.E. 217(b) and Board Rule §91.92]

To: _____
 [Name of Client]

 [Address]

Pursuant to Rule 217(b) of the Pennsylvania Rules of Disciplinary Enforcement, you are hereby advised that by Order of the Supreme Court of Pennsylvania dated _____, I have been Disbarred Suspended Transferred to Disability Inactive Status. Said Order will take effect _____.

By this notice, you are advised that you should immediately obtain another attorney to substitute in my place in representing you in litigation currently before the Courts. In the event that you do not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to inactive status as indicated above, it is my responsibility to move in the Court or agency in which the proceeding is pending for leave to withdraw.

[Date]

[Signature]

SAMPLE - I used 2018
Form

**DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE**

EXHIBIT TO QUESTION 9(g)

DESCRIPTION: Disciplinary History/Orders

State of New Jersey

United States District Court – New Jersey

United States District Court – Eastern District Pennsylvania

United States Third Circuit Court of Appeals

Judgment of Conviction

Ethics History Report

A. Attorney/Law Firm Information

Attorney/Law Firm Name

SHULICK, DAVID T

State of NJ

Admitted to Bar **1994**

Bar Admission/Law Firm # **02384-1994**

Social Security #

Date of Birth **11/20/1969**

Private Practice **YES**

Home Address **1499 WESLEYS RUN, GLADWYNE, PA 19035**

Home Phone **610-520-1064**

B. Public Discipline and Related Actions

1) Closed Cases

Effective Date	Nature	Legal Citation	Termination Date	Docket No	DRB Docket No
11/28/2023	DISBARMENT BY CONSENT			XIV-2017-0645E	

Description of Misconduct

DAVID T. SHULICK – DISBARRED BY CONSENT ON NOVEMBER 28, 2023 (__ N.J. __) FOLLOWING HIS CRIMINAL CONVICTION IN THE UNITED STATES DISTRICT COURT-EASTERN DISTRICT OF PENNSYLVANIA OF VIOLATING 18 USC SECTION 371- CONSPIRACY TO EMBEZZLE FROM A PROGRAM RECEIVING FEDERAL FUNDS; 18 USC SECTION 666(A)(L)(A) - EMBEZZLEMENT FROM A PROGRAM RECEIVING FEDERAL FUNDS; 18 USC SECTION 1344 - BANK FRAUD AIDING AND ABETTING; 18 USC SECTION 1014- FALSE STATEMENT TO A BANK AIDING AND ABETTING; AND THREE COUNTS UNDER 18 USC 7206- 1 - FILING FALSE TAX RETURNS. DARRELL FELSENSTEIN REPRESENTED THE OAE AND ANDREW D. SWAIN REPRESENTED THE RESPONDENT.

5/24/2018	TEMPORARY SUSPENSION			XIV-2017-0645E	
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2) Pending Cases

Effective Date	Nature	Legal Citation	Termination Date	Docket No	DRB Docket No
No record found					

3) Out-of-State Discipline

Effective Date	Nature	Legal Citation	Termination Date	Docket No	DRB Docket No
No record found					

C. Other Public Cases (Hearings/Stipulations/MFD/MRD)

Complaint/MFD/MRD Date	Grievant	Violation	Status/Result	Docket No	DRB Docket No
No record found					

D. Private Discipline

Date of Letter / Final Decision Date	Final Violation / Supreme Court Decision	Docket No	DRB Docket No
No record found			

No record found

E. Completed Diversion

Final Diversion Disposition Date	Final Diversion Violation	Docket No	DRB Docket No
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No record found

F. Other Pending Cases

Date Docketed	Grievant	Alleged violation	Status	Docket No	DRB Docket No
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No record found

G. Closed Cases (Non-Disciplinary and/or Non-Public)

Date Closed	Grievant	Alleged violation	Result	Docket No	DRB Docket No
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No record found

H. Character and Bar Admission Cases (Non-Public)

Pending Cases:

Date Docketed	Grievant	Alleged violation	Status	Docket No	DRB Docket No
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No record found

Closed Cases:

Date Closed	Grievant	Alleged violation	Result	Docket No	DRB Docket No
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No record found

FEE ARBITRATION HISTORY

A. Pending Cases

Date Docketed	Client	Case Type	Docket No	DRB Docket No
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No record found

B. Closed Cases

Date Closed	Client	Fee to Client	Fee to Attorney	Case Type	Docket No	DRB Docket No
3/3/2011	FELZER, JOSHUA C	\$0.00	\$13056.70	REAL ESTATE	IV-2008-0087F	

RANDOM COMPLIANCE AUDITS

A. Pending Cases

Initial Audit Date	Law Firm Name	Auditor	Type	RA #
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No record found

B. Closed Cases

Closed Date	Law Firm Name	Auditor	Closing Code	RA #
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No record found

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

In the Matter of :
DAVID T. SHULICK : Civil Misc. 8:18-cv-10976-JLL
An Attorney-at-Law : ORDER OF DISBARMENT

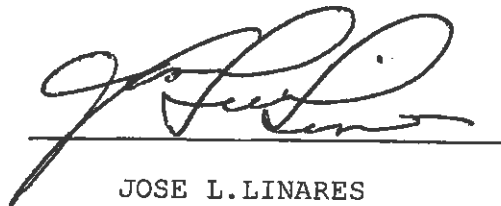
It appearing that by Order to Show Cause the respondent, DAVID T. SHULICK, was ordered to show cause before this Court on Monday, August 06, 2018, why the temporary suspension from the practice of law before this Court shall not be made permanent and that he be stricken from the roll of attorneys admitted to practice before this Court, and why he should not be disbarred and permanently restrained and enjoined from the practice of law before this Court until further order of this Court; and

It further appearing that, as of the return date, there was neither a personal appearance nor a written response in opposition filed by or on behalf of the respondent;

And good cause appearing,

It is on this 15th day of Aug., 2018,

ORDERED that DAVID T. SHULICK, be and he hereby is disbarred and permanently restrained and enjoined from the practice of law before this Court pursuant to L. Civ. R. 104.1(a)(4), effective immediately.



JOSE L. LINARES
Chief Judge

SEALED, dwb

Third Circuit Court of Appeals

Court of Appeals Docket #: 18-8049	Docketed: 10/05/2018
In Re: David T. Shulick	
Appeal From: null	
Fee Status: NA	
Case Type Information:	
1) Attorney Discipline	
2) Federal	
3) null	
Recusals:	
None	
Originating Court Information:	
None	
Current Cases:	
None	
Panel Assignment:	
Type: Attorney Discipline	
Panel: DMF KAJ PS	
Date of Hearing: Date of Decision:	

In re: DAVID T. SHULICK Respondent - Respondent	David T. Shulick, Esq. Direct: 215-988-5488 Email: Dshulick1@gmail.com Fax: 215-922-5478 [NTC Pro Se Atty] 1499 Wesleys Run
--	--

Gladwyne, PA 19035

Samuel C. Stretton, Esq.

Direct: 610-696-4243

Email: strettonlaw.samstretton@gmail.com

Fax: 610-696-2919

[COR NTC Retained]

103 S High Street

P.O. Box 3231

West Chester, PA 19381

In re: DAVID T. SHULICK,

Respondent

10/05/2018

ATTORNEY DISCIPLINE CASE DOCKETED. Notice from United States District Court for the District of New Jersey dated June 27, 2018, that Respondent David T. Shulick , Esq. was convicted of conspiracy to embezzle funds from a program receiving federal funds and Embezzlement from a program receiving federal funds in the United States District Court for the Eastern District of Pennsylvania Crim. No. 2:16-cr-000428-001. Length of Suspension: pending further disciplinary proceeding. Effective date 06/27/2018. (DW) [Entered: 10/05/2018 12:47 PM]

10/05/2018

Order by the Supreme Court of Pennsylvania dated September 11, 2018, placed David Tevis Shulick on temporary suspension. , filed. (DW) [Entered: 10/05/2018 01:17 PM]

10/05/2018

Order of the United States District Court for the New Jersey dated August 15, 2018, disbarred David T. Shulick, Esquire, effective immediately., filed. (DW) [Entered: 10/05/2018 01:24 PM]

10/11/2018

SHOW CAUSE ORDER (Clerk) directing an Answer to be filed on or before 11/13/2018. (DW) [Entered: 10/11/2018 03:17 PM]

10/24/2018	ECF FILER: ENTRY OF APPEARANCE from Samuel C. Stretton on behalf of Respondent(s) David T. Shulick. [18-8049] (SCS) [Entered: 10/24/2018 10:55 AM]	
10/24/2018	Response to the Clerk's Order to Show Cause; Request to be placed on interim suspension retroactive to September 11, 2018 and Stay discipline Proceedings pending Resolution of Appeal No. 8-2407., filed. [18-8049]-- [Edited 10/24/2018 by DW] (SCS) [Entered: 10/24/2018 10:59 AM]	
10/29/2018	ORDER (FISHER, JORDAN and SHWARTZ, Circuit Judges) This attorney-discipline matter was commenced after David T. Shulick, Esquire, was convicted of several serious crimes in the United States District Court for the Eastern District of Pennsylvania. It appearing that Mr. Shulick has appealed from that conviction, this disciplinary proceeding is hereby STAYED pending resolution of Mr. Shulick's appeal (No. 18-3305). The Clerk will thereafter lift the stay and establish a new deadline for contesting this disciplinary proceeding. Mr. Shulick must promptly notify the Clerk in writing when his appeal has concluded. Pursuant to Rule of Attorney Disciplinary Enforcement 7.1, upon receiving a copy of a judgment of conviction of a member of the bar of this Court of a serious crime, the Standing Committee may summarily issue an order suspending the attorney's privilege to practice before the Court pending the determination of appropriate discipline. Accordingly, it is hereby ORDERED that David T. Shulick, Esquire, is suspended from practice before this Court pending resolution of the above-captioned disciplinary proceeding., filed. FISHER, Authoring Judge. (DW) [Entered: 10/29/2018 02:17 PM]	
05/18/2022	<u>12</u>	REISSUED SHOW CAUSE ORDER (Clerk) directing an Answer to be filed on or before 06/17/2022. (DW) [Entered: 05/18/2022 08:33 AM]
07/06/2022	<u>13</u>	ECF FILER: Show Cause Response filed by Attorney David T. Shulick, Esq. for Respondent David T. Shulick. [18-8049] (SCS) [Entered: 07/06/2022 03:26 PM]
07/14/2022	<u>14</u>	ORDER (Court) Shwartz, Bibas and Porter, Circuit Judges. On May 18, 2022, the Clerk issued an order directing David T. Shulick, Esquire, to

show cause why he should not be disbarred from practice before this Court based upon his conviction of a serious crime. See R.A.D.E. 1.3, 3.2, 6.2(a). Mr. Shulick filed a response to the order to show cause indicating that he intends to file a habeas corpus petition challenging his conviction and requesting a stay of his disciplinary proceeding. A stay pending habeas proceedings is not required, as the rules provide that, in cases where the conviction of a serious crime is subsequently reversed or vacated, "any discipline imposed on the basis thereof will be promptly reviewed by the Standing Committee and the Court upon submission of a certified copy of the relevant mandate." R.A.D.E. 10.8. In addition, the Court is not inclined to grant stays of indefinite duration. Nevertheless, because the Court has temporarily suspended Mr. Shulick pursuant to R.A.D.E. 7.1, the Court will grant a stay of the disbarment proceeding pending disposition of the habeas corpus petition. Mr. Shulick must promptly notify the Court in writing when the habeas matter is resolved. (DW) [Entered: 07/14/2022 11:37 PM]

- | | | |
|------------|-----------|---|
| 10/17/2023 | <u>15</u> | Supreme Court of Pennsylvania dated October 12, 2023, disbaring David Tevis Shulick from the practice of law in this court, retroactive to September 11, 2018. (DW) [Entered: 10/17/2023 04:52 PM] |
| 11/16/2023 | <u>16</u> | SHOW CAUSE ORDER (Clerk) The Court stayed the attorney-disciplinary proceedings against Mr. Shulick pending disposition of his habeas corpus petition. On August 3, 2023, the Court declined to issue a certificate of appealability from the district court's order denying Mr. Shulick's habeas corpus petition. Accordingly, the stay of the attorney-discipline proceeding is LIFTED. It is hereby ORDERED pursuant to R.A.D.E. 6.1, 6.2(a), and 8.1, that David T. Shulick, Esquire, must show cause within thirty (30) days of the date of this order why he should not be disbarred in this Court. (DW) [Entered: 11/16/2023 09:04 AM] |
| 12/14/2023 | <u>17</u> | UNCONTESTED Response received in accordance with the Clerk's request to Show Cause from Respondent David T. Shulick as to why he should not be disbarred in this Court. (DW) [Entered: 12/14/2023 05:04 PM] |

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN THE MATTER OF: : **MISCELLANEOUS**
 :
DAVID T. SHULICK : **NO. 18-mc-0171**

ORDER

AND NOW, this 18th day of June, 2024, respondent having been ordered on June 13, 2024, to show cause, within thirty (30) days, why he should not be **disbarred on consent** from the practice of law in this court, retroactive to September 11, 2018, and respondent having answered and not requested a hearing, it is hereby

ORDERED that respondent is **disbarred on consent** from the practice of law in this court, retroactive to September 11, 2018, and until further order of this court.

BY THE COURT:

s/Mitchell S. Goldberg
MITCHELL S. GOLDBERG
Chief Judge

UNITED STATES DISTRICT COURT
Eastern District of Pennsylvania
United States Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106-1797

George Wylesol
Clerk of Court

Clerk's Office
215-597-7704

June 18, 2024

David T. Shulick
1499 Wesleys Run
Gladwyne, PA 19035

Dear Mr. Shulick:

In response to your request, you were admitted to the United States District Court for the Eastern District of Pennsylvania on March 24, 1998, and are currently listed as being disbarred on consent with the United States District Court for the Eastern District of Pennsylvania.

Please feel free to contact Gail Olson of my staff at 267-299-7060 if you require additional information on this matter.

Sincerely,


Clerk of Court

By: /s/ Gail R. Olson
Gail R. Olson, Deputy Clerk

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT
CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

May 22, 2024

TELEPHONE
215-597-2995

VIA ECF AND CERTIFIED MAIL RECEIPT NO.7018 0360 0000 8115 3661

David T. Shulick, Esq.
1499 Wesleys Run
Gladwyne, PA 19035

RE: In the Matter of:
David T. Shulick, Esquire
An Attorney at Law
C.A. Misc. No. 18-8049

(United States District Court for the District of New Jersey Civil Misc.
8:18-cv-10976-JLL)
(Supreme Court of Pennsylvania No. 2507 Disciplinary Docket No. 3
No. 117 DB 2018)

Dear Mr. Shulick:

Enclosed is a certified copy of an order **disbarring** you from the practice of law in this Court, effective May 22, 2024.

This Court's Rules of Attorney Disciplinary Enforcement are available on the Court's website at: www.ca3.uscourts.gov. Please refer to the provisions of Rule 16.3 regarding initiating a separate reinstatement proceeding.

Very Truly Yours,

s/ Patricia S. Dodszuweit
Clerk

By: **s/ Desiree**
Legal Assistant
Direct Dial: 267-299-4252

cc: U.S. District Court of New Jersey
Supreme Court of Pennsylvania

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Misc. No. 18-8049

In re: David T. Shulick, Esquire
(E.D. Pa. No. 2:16-cr-00428-001)

ORDER

Present: SHWARTZ, BIBAS, and PORTER, Circuit Judges

This attorney-discipline matter was commenced after the Clerk of this Court received notice that David T. Shulick, Esquire, was convicted of several serious crimes in the United States District Court for the Eastern District of Pennsylvania, E.D. Pa. No. 2:16-cr-000428-001. The presumptive discipline for conviction of a serious crime is disbarment. See R.A.D.E. 3.2. Based on this conviction, Mr. Shulick was disbarred by the United States District Court for the District of New Jersey and the Supreme Court of Pennsylvania.

This Court stayed the attorney-discipline proceeding against Mr. Shulick pending disposition of his direct criminal appeal and habeas corpus petition. The Court affirmed Mr. Shulick's criminal conviction and declined to issue a certificate of appealability from the district court's order denying his habeas corpus petition.

On November 16, 2023, this Court lifted the stay and directed Mr. Shulick to show cause why he should not be disbarred in this Court pursuant to this Court's Rules of Attorney Disciplinary Enforcement 6.2(a) and 8.1. Mr. Shulick filed a response consenting to the imposition of the presumptive discipline.

It is therefore ORDERED that David T. Shulick, Esquire, is hereby disbarred from the practice of law in this Court effective immediately, pursuant to Rule 9.1.

The Clerk of this Court will forward a certified copy of this order to Mr. Shulick by email and certified mail, return receipt requested, to his last known address. See R.A.D.E. 6.4. Reinstatement to practice in this Court is governed by Rule 13. An attorney who has been disbarred may not apply for reinstatement until the expiration of five years from the effective date of the disbarment. See R.A.D.E. 13.2.

This Court's Rules of Attorney Disciplinary Enforcement are available on the Court's website at: www.ca3.uscourts.gov.

For the Court,

s/ Patty Shwartz
Chairperson of the Standing
Committee on Attorney
Discipline

Dated: May 22, 2024



A True Copy:

Patricia S. Dodszeit

Patricia S. Dodszeit, Clerk

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

May 21, 2024

TELEPHONE

215-597-2995

David T. Shulick, Esq.
1499 Wesleys Run
Gladwyne, PA 19035

In Re: David T. Shulick, Esquire
Attorney Discipline Proceeding No. 18-8049

Dear Mr. Shulick:

The Clerk acknowledges receipt of your email dated May 19, 2024, requesting a copy of the docket of attorney discipline proceeding no.18-8049. Although the case is sealed until completion, enclosed please find a list of the docket entries filed in no.18-8049. The Court's Committee on Attorney Discipline will determine as to whether your request for disbarment retroactive to September 2018, will be granted. You will be notified once the committee makes its decision.

February 22, 1999 is The date of your admission to the bar of the United States Court of Appeals for the Third Circuit.

Please contact the appropriate United States District Court directly, to request a copy of the docket sheet or for copies of any documents filed in that court.

Very Truly Yours,

s/ Patricia S. Dodszuweit

Clerk

By: s/ Desiree

Legal Assistant

267-299-4252

8pg

UNITED STATES DISTRICT COURT

2018-24592

Eastern District of Pennsylvania

UNITED STATES OF AMERICA

v.

DAVID T. SHULICK

FILED

OCT 03 2018

KATE BARKMAN, Clerk
By _____ Dep Clerk

JUDGMENT IN A CRIMINAL CASE

Case Number: DPAE2:16CR000428

USM Number: 75603-066

Hope C. Lefebber
Defendant's Attorney

RECORDED
INDEXED
OCT 15 A 8 41
FEDERAL BUREAU OF INVESTIGATION
EASTERN DISTRICT OF PENNSYLVANIA

THE DEFENDANT:

- pleaded guilty to count(s)
- pleaded nolo contendere to count(s) which was accepted by the court.
- was found guilty on count(s) 1, 2, 7, 8, 9, 10, and 11 after a plea of not guilty.

A TRUE COPY CERTIFIED TO FROM THE RECORD

DATED: 10/9/2018

ATTEST: Kimeth E. Ouellet

DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18-371	Conspiracy to Embezzle from a program receiving federal funds	2/28/2012	1
18-399(A)(1)(A)	Embezzlement from a program receiving federal funds	8/6/2012	2

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s)
- Count(s) 3, 4, 5, and 6 is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Copies to:
 Defendant
 Hope Lefebber, Def Atty
 Michael Donoran, AUSA
 Leslie Maxwell (2), P.O.
 PTS
 FISCHL (via ECF)
 FLCU
 US Marshal (2)

9/27/2018
Date of Imposition of Judgment

Harvey Bartle III
Signature of Judge

Harvey Bartle III, USDJ
Name and Title of Judge

Date October 3, 2018



10

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAAE2:16CR000428-1

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

60 months consisting of:
60 months on each of counts 1, 2, 7, and 8. The sentences on counts 1, 2, 7, and 8 shall run concurrently with each other
20 months on each of counts 9, 10, and 11. The sentences on counts 9, 10, and 11 shall run consecutively to each other.
The sentences on counts 9, 10, and 11 shall run concurrently with the sentences on counts 1, 2, 7, and 8

The court makes the following recommendations to the Bureau of Prisons:

That the defendant participate in a program of mental health testing and treatment while in custody.
That the defendant be designated to FDC Fort Dix

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on 10/24/2018

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____

to _____

at _____

, with a certified copy of this judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAA2:16CR000428-1

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:
3 years on each of counts 1, 2, 7, and 8. 1 year on each of counts 9, 10, and 11 All terms of supervised release shall run concurrently.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse *(check if applicable)*
4. You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature

Date

DEFENDANT: DAVID T. SHULICK
 CASE NUMBER: DP AE2:16CR000428-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 700.00	\$	\$ 20,000.00	\$ 764,735.00

The determination of restitution is deferred until _____ . An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
PNC Bank c/o Corrado Salvatore, Chief Counsel	\$5,000.00	\$5,000.00	
The PNC Financial Services Group, Inc. The Tower at PNC Plaza 300 Fifth Avenue Pittsburgh, PA 15222			
School District of Philadelphia c/o Rob Biron, Deputy General Counsel	\$759,735.00	\$759,735.00	
School District of Philadelphia 440 North Broad Street, Suite 313 Philadelphia, PA 19130			

TOTALS \$ 764,735.00 \$ 764,735.00

Restitution amount ordered pursuant to plea agreement \$

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE

EXHIBIT
Question 12

DESCRIPTION: Civil Case History Disclosure, Parties, Docket, Court, Disposition

David T. Shulick Case History Exhibit

Case Name	Court	Docket Number	Summary and Disposition
David Shulick v. Verizon Wireless	Mag. Dist. Court Penn Valley	2016-087	Billing dispute - settled
DJS Assoc v. David Shulick	Mag. Dist. Court Penn Valley	2017-105	Billing dispute - settled
Ardmore Floor Sanding v. David Shulick	Monaco	2006-172; 2007-2013	Vendor consumer fraud - settled after appeal
Comm v. David T. Shulick	Mag. Dist. Court Penn Valley	2017-3111	Traffic citation
David Shulick v. J&J Painting	CCP Montco	2006-38	Vendor consumer fraud - settled after appeal
David Shulick v. Servicemaster	CCP Montco	2008-18908	Billing dispute - settled
David Shulick v. Steve Splawak	CCP Montco	2008-18908	Billing dispute with Client - settled
David Shulick v. County Line Fence	CCP Montco	2009-38509	Vendor consumer fraud - settled
David Shulick v. Green Scene Landscape	CCP Montco	2010-18829	Vendor consumer fraud - settled
David Shulick v. Neil Peskin	CCP Montco	2011 - 30594	Custom home builder - breach of contract - settled
Phila S. District v. David Shulick	CCP Montco	2018-24592	Criminal case restitution judgment docketing - paying as agreed and ordered
US Attorney v. David Shulick	CCP Montco	2019-03517	Same as above, consolidated
TD Bank v. David Shulick	CCP Montco	2021-22911	Contract dispute - withdrawn by Plaintiff and settled
David Shulick v. Ario Enterprises	Phila Small Claims	17-08-21-5415	Billing dispute with Client - settled
Mells v. Shulick	CCP Phila	230701936	Auto accident - settled
Shulick v. Lefeber, et. al.	CCP Phila	210501594	Malpractice case against defense attorney - confidentially settled
Kirkland v. Glatt	CCP Phila	170504531	Claim by a former defendant sued by client - settled
Shulick v. Felzer	CCP Phila	111101010; 080902805	Fee dispute with Client - settled
Chang Construction v. Shulick, et. al.	CCP Phila	110702389	Construction dispute with company - settled
Singleton v. UEE, et. al.	CCP Phila	100501735	Wage dispute with company - settled
Shulick v. Walnut Plaza	CCP Phila	70014498	Fee dispute with Client - settled
Shulick v. Spiewak	CCP Phila	71000106	Fee dispute with Client - settled
Shulick v. Friedberg	CCP Phila	70704140	Contract dispute - settled
Zenstein v. Gallant, et. al.	CCP Phila	21003387	Fee dispute with Client's former attorneys - settled
Shulick v. Dell Computers	CCP Phila	20802654	Commercial claim of warranty - settled
Shulick v. Kessler	CCP Phila	2071742	Fee dispute with Client's former attorneys - settled
Cantor, et. al. v. Shulick, et. al.	CCP Phila	900612	Fee dispute with Client - settled
Goldenberg v. Jennifer Convertibles	CCP Phila	120203758	Breach of warranty - settled
Shulick v. Disney, et. al.	CCP Phila	50600981	Billing dispute - settled
Melle v. Commodore Barry	CCP Phila	980503465	Real estate development dispute - condominium - settled
Shulick v. Gaber	CCP Phila	950300808	Fraud claim against property seller - won
Branigan v. Shulick	CCP Phila	88103086	Lawyer sued my father and me for not giving him my mother's death case when I was his law clerk in high school - defended and settled
Shulick v. CE Leak	CCP Phila	180500712	Vendor dispute - settled
Lapensohn v. Shulick, et. al.	CCP Phila	60100678	Fee dispute with expert - settled
Shulick v. Greenblatt	CCP Phila	60100678	Contract dispute over corporation affairs - settled
Shulick v. United Airlines	USDC EDPA	2-11-1350	Consumer fraud for refund and overcharges - terminated
Shulick v. American Express	USDC EDPA	2-12-6554	Fair Credit Reporting Act claim - settled
Demby v. Delaware Valley, et. al.	USDC EDPA	2-09-3458	Labor dispute - settled

Shulick v. Transunion, Experian, Equifax	USDC EDPa	2:10-3995, 3996, 3809, 3810, 3811,	Fair Credit Reporting Act claim - settled
Shulick v. CBC Companies	USDC EDPa	2:02-8483	Fair Credit Reporting Act claim - settled
Shulick v. Credit Bur Collection	USDC EDPa	2:02-1127	Fair Credit Reporting Act claim - settled
		2:19-cv-0396; 1:19-cv-17382; L-890-18 (consolidated)	Client claim for malpractice - removed and consolidated in Federal Court withdrawn by Gloucester
Kotler v. Shulick	USDC EDPa; USDC NJ; Sup Ct NJ		
Doolley v. Swain and Shulick	Sup Ct NJ Camden	L-163-21	Fee dispute with client's former lawyer - settled
Shulick v. Erershtik	Sup Ct NJ Atlantic	DC 5905-95	Security deposit claim for refund under NJ Landlord Tenant Code - settled
Shulick v. Tocco	USDC NJ	1:05-3033	Fee dispute with client - settled
		2007 LEXIS 42638; 06 Civ 15314	Fee dispute with client's former lawyer - dismissed by Federal Judge
Cassuto v. Shulick	USDC NY; Sup Ct NY		
Criminal case below:			
Shulick v. United States	USDC EDPa	2:22-3990	Writ of Habeus Corpus in Criminal Case - Ineffective Assistance of Counsel
In re - Shulick	USDC EDPa	2:19-3897	Published Opinions related to 2:16-cr-428
In re - Shulick	USDC EDPa	2:18-3897	Published Opinions related to 2:16-cr-428
United States v. David Shulick	USDC EDPa	2:16-cr-428	Criminal Case for violation of 18 USC 666, et. al.

**DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE**

EXHIBIT QUESTION 12(d)

INSTRUCTIONS 6(b)

DESCRIPTION: Letter Pennsylvania Lawyers Fund No Restitution Owed

SUPREME COURT OF PENNSYLVANIA



PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY

P.O. BOX 62585, HARRISBURG, PA 17106-2585

OVERNIGHT OR MESSENGER DELIVERY USE ONLY:

601 COMMONWEALTH AVENUE, SUITE 5400

HARRISBURG, PA 17120-0901

(717) 231-9510

(800) 962-4618

FAX: (717) 231-9511

EMAIL: admin@palawfund.com

WEB: www.palawfund.com

STAFF

Kathryn Peifer Morgan, Esquire

Executive Director

Bethany A. Bryan

Administrative Assistant

MEMBERS OF THE BOARD

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Laurie M. Schwager

Douglas Evan Ress, Esquire

Dr. Patrick J. Carey

June 3, 2024

Mr. David T. Shulick
1499 Wesleys Run
Gladwyne, PA 19035

RE: In the Matter of David Tevis Shulick
Attorney ID No. 74333
Petition for Reinstatement from Disbarment

Dear Mr. Shulick:

The Pennsylvania Lawyers Fund for Client Security has received your request to confirm whether or not you have an outstanding obligation to the Fund.

The Pennsylvania Lawyers Fund for Client Security has no record of receiving any claims involving David Tevis Shulick, attorney registration number 74333. Therefore, you do not have, nor have you ever had, an obligation to the Pennsylvania Lawyers Fund for Client Security.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Kathryn Peifer Morgan".

Kathryn Peifer Morgan, Esquire
Executive Director and Counsel

**DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE**

EXHIBIT QUESTION 13(a)

Instructions 6(c)

DESCRIPTION: Pennsylvania CLE

Over 100 CLE Hours since 2021

Over 36 hours, 12 ethics, including Bridge the Gap within last 12 months



Supreme Court of Pennsylvania
Continuing Legal Education Board Transcript

<https://www.pacle.org>

Name: David Tevis Shulick
Lawyer ID: 74333 **Group:** 1
License Status: Disbarred
Annual CLE Deadline: April 30

Compliance Period: 05/01/2024 -04/30/2025

CLE requirements are deferred. Your license status is administered by the Attorney Registration Office at the Disciplinary Board. For information on returning to active status please visit the FAQ page on the Disciplinary Board website.

Credit Cods Key:

● Distance Learning ● Teaching ● Pro Bono

2025 Compliance Status: Disbarred - Deferring CLE

2024 Compliance Status: Disbarred - Deferring CLE

The following courses have been reported to your record in the last two years. Please be aware that the hours may or may not satisfy your requirement upon return to *Active* status depending upon when reactivation occurs.

Fees Owed : \$100.00

Accredited Providers have 30 days to report attendance

Date	Course Name	Credits	
		E	S
03/19/2024	Handling The Workers' Comp Case 2024	1.0	5.0
03/14/2024	Parenting Coordination Update 2024		5.5
03/12/2024	Defamation Libel & Slander 2024	0.5	1.5
03/12/2024	Solar Energy Ordinance Development And Agrivoltaics 2024		2.0
03/07/2024	Pba Women In The Profession (Wip) Spring Conference 2024 Hot Topics In Technology	1.0	1.0
03/08/2024	The Law Of Guns In Pennsylvania 2024		3.0
03/05/2024	Abcs Of Pennsylvania Trusts, Trust Drafting, & Traps For The Unwary 2024		3.0
03/01/2024	The Pennsylvania Supreme Court At 300: Past, Present & Future 2022		8.0
02/28/2024	School Law Update	1.0	3.0
02/27/2024	Dewan And Beyond - The Creation, Codification, And Implementation Of Qdros 2024		3.0
02/27/2024	New Reporting Requirements For Pennsylvania Entities 2024	0.5	2.5
02/22/2024	Bankruptcy Trends, Predictions, & Updates 2024		3.0
02/21/2024	Navigating End-Of-Life Conversations: Legal, Medical, And Other Considerations 2023	1.0	2.0
02/20/2024	Bridge The Gap 2024 - 1St Compliance Period	4.0	
02/08/2024	Technology 101 For Legal Professionals - Basic Tech Skills & Info Every Lawyer Needs To Know 2024	1.0	2.0
02/07/2024	Family Law 101 2023	1.0	5.0
02/02/2024	Pba Avoiding Legal Malpractice Training - Fall 2023	2.0	
02/01/2024	Ethics Lessons From A Jersey Guy 2023	3.0	
01/29/2024	Pennsylvania Mortgage Foreclosure Update 2024	1.0	2.0

Date	Course Name	Credits	
		E	S
01/20/2024	How Electric Vehicles Impact Development And Land Use 2023	1.0	
01/19/2024	Joint And Several Liability 2024		3.0
10/22/2021	Being A Trustee In An Uncertain World: Ita Annual Conference		5.5
10/21/2021	Emerging Issues In Whistleblower And Retaliation Claims		1.5
10/21/2021	A Tax Crash Course For Attorneys That Represent Businesses		1.5
10/21/2021	Conducting High Level Negotiations		2.0
10/20/2021	From Harry Ellis To Trump: The Ethics Of Federal Disqualification Motions	1.0	
10/20/2021	Insights Into Legal Ethics And The Legal Profession	1.0	
10/20/2021	Practical Tips To Remain Ethical In Your Daily Practice	1.0	
10/19/2021	Don't Give Up 5 Minutes Before The Miracle	1.0	
10/15/2021	Bridge The Gap Via Zoom	4.0	
09/16/2021	Digital Forensics For Attorneys 102		1.0
09/12/2021	Ediscovery Challenges In A Saas World: Slack, Whatsapp And More		1.0
09/12/2021	Making Your Clients Judgement Proof		1.0
09/05/2021	Digital Forensics For Attorneys 101		1.0
09/05/2021	Common Ethics Violations To Avoid	1.0	
08/30/2021	Cell Phone Forensics For Legal Professionals		1.0
08/29/2021	A Practical Approach To 1031 Exchanges		1.0
08/29/2021	Am I Drinking Too Much Is A Rhetorical Question!	1.0	
08/29/2021	Beyond Competence: Mindfulness, Ethics And Well-Being For Attorneys	1.0	
08/25/2021	Common Issues In State Tax Practice		3.5
08/22/2021	What Every Litigator Should Know About Insurance Coverage		1.0
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EXHIBIT TO QUESTIONS 15 AND 16

FACTS AND MATTERS TO CONSIDER FACTS TO JUSTIFY REINSTATEMENT RULE 218 (c)

NOTE: Two sections and exhibits to this document

How do I demonstrate my profound remorse and present clear and convincing evidence that I have the moral qualifications, integrity, and competency to be admitted to the bar, and that said admission will benefit society?

First and foremost, I accept complete responsibility for my criminal conduct that occurred in or around 2010-2012. Not a single day goes by when I do not reflect on this case with great pain and anguish. While I have worked hard to rehabilitate myself and study the lack of judgment and factors that belied such behavior, I will always remain profoundly remorseful.

By way of background, I was born November 20, 1969. By 9th grade, my desire to become a lawyer was so strong that I started to clerk for an attorney in Philadelphia as a high school job before graduation in June 1987. On March 10, 1991, as a senior in college, I received a phone call to drive to Hahnemann Hospital on an emergency basis. Once there I learned that my beloved mother had been severely injured in an automobile accident, and just a few hours after arrival she died. I then learned that the circumstances of this accident were unspeakable – a student from George Washington High School in Northeast, Philadelphia (my alma mater) had been drinking and broadsided the passenger side of the vehicle that my father was driving.

My subsequent entry into law school a few months later was marred by this immense tragedy which caused me, the oldest child, to have to assume full responsibility for the welfare of my sister since our father was physically injured and emotionally distraught, having to handle both the legal and financial affairs of our family. Because of this tragedy, my admission to the Pennsylvania Bar had a deeper significance above and

beyond the privilege itself. It was the successful completion of a dream that I shared with my beloved mother, Judith, who was deprived of the opportunity to see me reach this goal. A goal that we would frequently talk about. Accordingly, the pain of losing my license to practice law was exponential and the circumstances surrounding that loss exponentially increased the remorse and associated suffering.

I loved being an attorney, helping others, and passionately advocating for their rights. Because of my personal history, I understood at the deepest levels what an honor it was to be able to serve people as their lawyer. I understood what it meant to have that responsibility and I always took it seriously and passionately. In fact, by the time a short four years passed after being bestowed that honor, I had so many people who called upon me to advise and help them with their legal needs, I was able to open my own law practice at the age of 29 in 1999. I never stopped my service to the profession, becoming (to my knowledge) the youngest Board Member of the Philadelphia Trial Lawyers Association in its history. I also regularly engaged in vast amounts of charitable endeavors which perpetuated the memory of my beloved mother, Judith B. Shulick. My work as an attorney was well recognized and highly regarded, earning me the title of *Superlawyer* year after year, and the *Legal Intelligencer* published stories regarding some of the cases that I handled.

The criminal case against me was so cataclysmic that on many occasions I was left contemplating suicide. The amount of shame and remorse that I feel and felt is not capable of being put into words. As a result, I fully cooperated with Disciplinary Counsel and voluntarily surrendered my law license and consented to disbarment. The crimes occurred between 2010 and 2012—more than 12 years ago.

In addition, it is critical to understand the context and history of the case and crimes involved. In 1999, after I formed my own law practice, I had the privilege of acquiring Unique Educational Experience, Inc. ('UEE') from a client who would not sell their business to their son, my former college roommate, unless the young lawyer that

they trusted would also purchase half the corporation so they could be assured it would be managed responsibly and they would receive their earn out over five years. Together in our twenties, we acquired the business which was a private school and just a few years later (after my partner's parents were paid off) he decided to quit the business.

At the time, I was a young husband and father with two young daughters. I practiced law full-time and never wanted to own UEE on my own. I tried to sell his half to others unsuccessfully. I felt that I had no choice but to continue UEE and relied upon a large executive team to manage the business that I owned. I was negligent in my duties to UEE. In retrospect, it was far too much for me to handle and my reliance upon others in positions of trust was misplaced.

Concerning the charges and crimes at issue, UEE was required to hire a certified minority contractor for 10% of its gross annual revenue from its Philadelphia School District contracts. During 2010-2012 period, this amounted to approximately \$4.5M per year, requiring a payment of \$450,000 per year to a minority contractor. I was connected with Chaka Fattah, Jr. and his certified firm through the Philadelphia School District and Governor Rendell's Office.

At all times, UEE had a detailed written contract with Mr. Fattah's company requiring him to deploy at least 84% of the gross funds paid to him by UEE each year on budgeted services that were part of a single-page budget in one of two of the Philadelphia school contracts. Notably, the larger school contract (named after my Mother, the Judith B. Shulick Memorial Education Center at 4333 Kelly Drive a/k/a DVHS Kelly) received about \$3.5M per year and was not involved in the criminal case in any way. The second Philadelphia contract for the Southwest School was the only school involved in the criminal case and received approximately \$1M per year. Unbeknownst to me at the time, Mr. Fattah had embezzled a large portion of the minority contract funds his company received from UEE rendering UEE non-compliant with the Southwest School Philadelphia contract and in violation of 11 U.S.C. 666. As the owner of UEE, I was and

am criminally responsible for the gross malfeasance of my subcontractor. The restitution owed related to this matter is, notably, jointly and severally owed by me and Chaka Fattah, Jr. because of the predicate fact pattern. See, Exhibit '15/16-A' attached for critical factual context.

I am also responsible for forwarding a letter to PNC Bank falsely stating the amount of Mr. Fattah's salary as part of his Offer and Compromise in violation of 18 U.S.C. Sec. 1344 and for filing false tax returns in violation of 26 U.S.C. Sec. 7206 during the same period. As the owner, no matter how overwhelmed, reliant on staff, or otherwise, it was my personal responsibility to check the Offer and Compromise package Mr. Fattah submitted before allowing my letter to be included inaccurately and it was my personal responsibility to make certain that every dollar of claimed UEE business expenses were proper. The fact that the amounts are small or zero does not negate the personal responsibility I had to make sure these items were 100% accurate.

Furthermore, there are mitigating factors that I want to bring to your attention. The pressures of owning my law practice and being responsible for UEE caused my life-long anxiety to become uncontrollable. By 2007, I started to suffer spontaneous panic attacks. I turned to drugs and alcohol on a habitual basis to cope. I proactively sought medical treatment from Dr. Bruce Miller, Psychologist, and Dr. John Rusk, Psychiatrist. Dr. Rusk prescribed me Xanax which became its own addiction. By the time the crimes at issue in the case occurred (2010-12), I was under the influence, abusing and addicted to these substances to cope – and – I had started treatment. I accept full responsibility for this past addiction. I have now been the beneficiary of long-term treatment and I have been clean and sober for approximately 6 years.

Finally, I also maintained my marriage and relationships with my wife, Cherie, and my daughters, Julia, and Skylar, throughout this personal upheaval. Cherie stood by my side before, during and after the trial and incarceration and helped me keep intact deep, close, and loving relationships with both my daughters, Julia age 18, now

graduating from Harriton High School with Honors and attending Penn State University and Skylar, age 16, a Junior at Harriton High School.

Surrendering my law license and leaving my wife and daughters to report to prison was unspeakably painful. So too has been reintegration into society. Since arriving home on November 19, 2020, I awake every weekday to exercise and meditate, then tackle all personal and professional responsibilities until I go to sleep – *without* any drugs (prescription or otherwise) to cope and I remain clean and sober. I practice learned pro-social coping strategies to face life's challenges head-on each day and work hard to re-establish myself as a Father and member of our community – so my wife and daughters and others can once again be proud of me.

In this regard, I have volunteered regularly for the Ardmore Bethel AME Church, Jewish Relief Agency, Petey Greene Program, Gitlin Foundation and worked as a paralegal for free to help someone save her home from foreclosure. I volunteer extensively for our community on the Northwood Homeowners Association Board. I've been gainfully employed since coming home from prison in November 2020 and have managed to earn enough to pay my restitution on time every month per the Court Order and to pay my fine of \$20,000 in its entirety. I have also taken over 100 hours of continuing legal education classes and reviewed online legal periodicals and other legal materials regularly.

Again, I am deeply remorseful for my actions. I have worked hard to become a productive and contributing member of society once again. I maintained a cohesive and loving relationship with my wife and children during my entire punishment. I have worked day and night to make amends to my family, and society in general, and to make myself a better person through this experience. I sought extensive long-term treatment for drug and alcohol addictions suffered during the period of my crimes and completed extensive Drug & Alcohol programs and long-term therapy to develop pro-social skills.

I attach letters of support from Daniel Erhlbaum, Chair of the Jewish Relief Agency, Pastor Carolyn Cavanaugh of the Ardmore Bethel AME Church, Rabbi David Straus of Main Line Reform Temple, Attorneys Mark Jaffe, Esquire, Stuart Lundy, Esquire, Edwin Guyer, Esquire, Andrew Swain, Esquire, David Smoger, M.D., Sally Smoger, SLP, Dr. Andrew Rosner, Jeffrey Abramowitz, and David Cohen (my first legal client) in support of this Petition. Also attached is a letter from Kenneth Grunfeld, Esquire and Jennifer Grunfeld, Esquire (Kenneth is a former member of the Pennsylvania Supreme Court Disciplinary Board). Report of Dr. Moss Jackson, Psychologist will be filed separately.

NOTE: See Exhibit 15/16-A, attached with exhibits that follows

EXHIBIT 15/16-A – CRITICAL FACTUAL CONTEXT

- a. The entire record (trial and appeal) did not have the benefit of defense testimony of CPA and CFE expert witness Hamilton who studied every expenditure, loan account, vendor record, school contract, and his planned expert opinion testimony (see Affidavit attached) that \$2,041M was spent on the Southwest school – MORE than what the District paid UEE under the Southwest contract over the two year period at issue. The only reason the jury, trial Court and appellate Court did not receive this evidence is that my Defense Counsel never complied with Rule 16 (and a side-bar warning before trial by the Court that I was never told about) and it was therefore excluded by the Court in the middle of my trial when Mr. Hamilton took the stand and started to offer these expert opinions. (see attached)
- b. My crime under 18 U.S.C. Sec. 666 required proving criminal ‘misapplication’ of a contract budget. The legal definition of criminal ‘misapplication’ applied in my case was challenged by my appellate counsel unsuccessfully because it was changed by the United States Supreme Court when it overturned the 3rd Circuit just a few short months after my conviction which would have negated my crime. (see attached)
- c. I committed a crime by violating 18 U.S.C. Sec. 666 and spending a significant portion of the revenue UEE received from the District under the Southwest contract by ‘misapplying’ that revenue in that I paid for expenses I considered required to operate a successful school in accordance with an Educational Plan that was part of the contract.
- d. My crimes under 18 U.S.C. Sec. 666 consist of the following payments: (a) \$47,015 over two years for liability insurance required by the contract for the Southwest school; (b) \$140,516 for computers and IT for the Southwest School for its contractually required computer based curriculum; (c) \$100,000+/- for a portion of the UEE’s Chief Academic Officer’s salary required by the Southwest contract, other payments made solely to benefit the Southwest school as Mr. Hamilton would have so testified.
- e. To make this simple, even though the \$2,041M was spent on Southwest, if it was not in the budget that was part of the contract, it was considered criminal ‘misapplication’ and all of the restitution in my case emanates from this ‘misapplication’. When UEE made these expenses inconsistent with the contract budget, the contract was not even in existence and I was not aware it would violate any criminal statute, and all such expenses were made pursuant to an Educational Plan that was ultimately made part of the contract as Exhibit A.
- f. In fact, over 500 students successfully graduated the DVHS Southwest program from this revenue and these expenditures and Southwest was one of the highest performing alternative schools in the District at that time at the lowest cost winning several awards.
- g. The Southwest contract and how this budget came about: In July, 2010 the District approached me and asked me to take over a failing school by a competitor in Southwest, Philadelphia. UEE’s Chief Academic Officer (the individual and corresponding expenditure referenced above) provided the District a UEE Educational Plan in July, 2010 which became Exhibit A to the contract.

- h. In order to be open and operating by September at the start of the school year (as required by the District) Southwest was staffed and constructed between July, 2010 and September, 2010 in accordance with the UEE Educational Plan provided to the District months before any contract came into existence, which attached the budget as Exhibit B.
- i. The contract was executed months later after these expenditures in November, 2010 and contained an Order of Precedence clause that specifically stated that Exhibit A, the UEE Educational Plan superseded Exhibit B, the budget at issue in this case. The Court held that this contract clause was not a defense in a criminal setting.
- j. Notably, the victim District wanted to continue doing business with UEE even after the FBI investigation that led to this case. The District expressly offered UEE contracts for Southwest and other schools into 2012-2013 and beyond. However, myself and my family made a decision never to do business again with the Philadelphia school district, closed both schools (Southwest and Kelly) and extricated ourselves out of Philadelphia politics.
- k. I never knew who Congressman Fattah was. I met him and his son one day on September 17, 2009 when they showed up unannounced in my law office at 1635 Market Street to introduce themselves. Within weeks, the District's highest officials, Arlene Ackerman (now dead after embroiled in a highly publicized scandal) contacted me and suggested strongly that I use Mr. Fattah's certified minority services to comply with a District requirement that UEE spend at least 10% of its District revenue on a certified minority contractor. At that time, each District contract had a 'cancellation for convenience' clause in its contracts. UEE, my company, complied paid Mr. Fattah's certified minority company the District's required 10% and rightfully expected his company to provide all enumerated services. This arrangement was ultimately defined by the Government as a conspiracy.
- l. To be clear, I absolutely agreed that Mr. Fattah's company could earn an ordinary and reasonable profit from UEE's payments, and use that profit to pay off his student debt obligations which he frequently complained about, as was his right. However, I never agreed to personally benefit in any way from any payment UEE paid to his company under the required MWBE contract clause. At the time I never considered this arrangement to be an 'elaborate' conspiracy. It was a simple contractual arrangement required by the District to provide certified minority services for all UEE schools under a written contract between UEE and Mr. Fattah's certified minority company, 259 Strategies, LLC, wherein he took over payment of previous UEE staff members including social workers. Notably during this contract it was discovered that Mr. Fattah gambled away UEE payments at the Sugarhouse Casino and when discovered, UEE not only made up those payments to long term valued staff, but he was fired by me personally. He was later rehired only after the Congressman and the School District both personally contacted me and made the specific request to do so noting the 'cancellation for convenience' clauses in both the Kelly and Southwest contracts with the Philadelphia School District.
- m. While putting my case in context, I unequivocally take full and complete responsibility for all of my criminal conduct that led to my convictions and I humbly and deeply pray for remorse, understanding and a second chance to be a member of the Pennsylvania bar.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

United States of America

v.

David T. Shulick

:
:
:
:
:
:

2:16 – CR – 428

Honorable Harvey Bartle, III

I, Frederick "Kip" Hamilton, after being duly sworn according to law, hereby depose and say as follows:

1. I am a Senior Managing Director at GlassRatner Advisory & Capital Group, LLC dba B. Riley Advisory Services ("GlassRatner").
2. GlassRatner was retained by Hope C. Lafeber, LLC ("Counsel") pursuant to an engagement agreement dated May 5, 2017, to perform forensic accounting services on behalf of Counsel in connection with an investigation related to David Shulick (the "Defendant") and Unique Educational Experience, Inc. dba Delaware Valley High School, in connection with the above captioned matter.
3. As part of my work for the Defendant, I prepared Exhibit A, copied below, which breaks down the costs incurred to operate the Southwest School.

Southwest School Expenditures	
July 2010 To June 2012	Exhibit A
Budget Category	Amount
Salaries and Benefits	\$ 989,254
Building Lease	172,057
Building Maintenance	21,786
Contract Services	65,367
Equipment Instructional	206,211
Furniture & Fixtures	42,048
Insurance	47,015
IT	140,516
Mgmt., Billing, Licensure, etc.	94,582
Phone and Internet	12,661
Postage	6,964
School Supplies	42,168
Student Activities	24,867
Technical Assistance - SDP	19,904
Utilities	5,043
Total Expenditures	1,890,455
8% Management Fee/Profit	151,236
Total Expenditures Plus Fee/Profit	\$ 2,041,691

1 1-4
Exhibit A

4. If the Court chooses to hold an evidentiary hearing, I am prepared to provide testimony regarding Exhibit A after execution of an appropriate compensation agreement with David Shulck's counsel.
5. I have reviewed affidavits prepared by David Shulck that were attached to two Motions filed by his counsel on December 29, 2022 and February 21, 2023. I do not agree in whole or part with and/or have any knowledge about many of the statements contained in the affidavits.
6. I have also reviewed the Supplemental Brief filed by David Shulck's counsel on February 21, 2023 wherein counsel states "...he [Hamilton] will support what Mr. Shulck has stated in his Affidavit and Supplemental Affidavit." This is not true.

I make these statements subject to the penalties of perjury.

Frederick Hamilton, CPA, CFE



Dated: February 23, 2023

Nos. 18-3305 & 19-1011

**IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

UNITED STATES OF AMERICA

v.

DAVID SHULICK,

Appellant.

On Appeal from Judgment
and Orders (Dec. 17, 2018 and Dec. 27, 2018) in the
United States District Court for the Eastern District of Pennsylvania
No. 2:16-cr-00428 (Bartle, J.)

**PETITION OF APPELLANT FOR
PANEL REHEARING AND/OR REHEARING EN BANC**

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PETITION FOR REHEARING

Pursuant to Fed.R.App.P. 40(a) and 35(b), appellant David Shulick petitions this Court for panel rehearing or rehearing *en banc* of two aspects of the Panel Opinion.¹

Review is necessary to correct the Panel's reaffirmation of the Court's holding in *United States v. Baroni*, 909 F.3d 550 (3d Cir. 2018), that a "misuse" of the victim's property for the victim's benefit is a criminal "misapplication" under 18 U.S.C. §666(a)(1)(A)—despite a statutory framework and century of precedent that precludes that interpretation, and despite the Supreme Court's reversal of *Baroni* in *Kelly v. United States*, 140 S. Ct. 1565 (2020), which the Panel undermines.

The path the Panel takes to that ruling contravenes Supreme Court and Circuit precedent in two ways (even apart from *Kelly* itself). First, the Panel uses the "rule of the last antecedent" to overcome, and even to obviate consideration of, powerful contrary indicia of meaning in the overall statutory scheme and other sources—though binding precedent prescribes that the "last antecedent" canon applies only where *no* contrary indicia of meaning appear.

¹ The Opinion is published at *United States v. Shulick*, 18 F.4th 91 (3d Cir. 2021).

Second, the Panel's attempt to harmonize the prosecution theory with *Kelly's* indisputable focus on "conversion" requires it to redefine the charged offense to posit a different victim—not the federally-funded school district §666(a)(1)(A) protects, but a particular subset of its students. The Court may not use harm to an uncharged victim to uphold a conviction when the charged prosecution theory fails.

The Panel also concludes that even if defining "misapplication" to include the misuse of funds for the victim's benefit was error, that error was harmless. But its harmless-error analysis contravenes a well-developed body of Supreme Court and Circuit precedent requiring the application of *constitutional* harmless error review when a jury instruction submits both valid and legally-invalid theories to the jury. The Panel applies ordinary harmless error, and plain error, cases instead. As a result it holds the government to a lower standard of proof than required (only a "high probability" of harmlessness, rather than harmlessness beyond a reasonable doubt), and ultimately affirms using the long-disapproved approach of predicting the outcome of a hypothetical error-free trial.

Required Statement Under Fed.R.App.P. 35(b)(1) and L.A.R. 35.1

I express a belief, based on reasoned and studied professional judgment, that the Panel's ruling that criminal "misapplication" reaches the misuse of the victim's funds for the victim's benefit, and its application of non-constitutional harmless error review to this instructional error, conflicts with pertinent precedent of the Supreme Court and this Court—including, *e.g.*, *Kelly v. United States*, 140 S. Ct. 1565 (2020); *Lockhart v. United States*, 577 U.S. 347 (2016); *Neder v. United States*, 527 U.S. 1, 19 (1999); *United States v. Johnson*, 19 F.4th 248 (3d Cir. 2021); and *United States v. Ashurov*, 726 F.3d 395 (3d Cir. 2013).

Background and Panel Decision

David Shulick was a lawyer and businessperson who, since the late 1990s, operated the Delaware Valley High School Management Corporation ("DVHS"), a group of alternative-education schools for at-risk teens. Pertinent here, he was charged in October 2016 with violating 18 U.S.C. §666(a)(1)(A) by misusing funds the School District of Philadelphia ("SDP") paid DVHS pursuant to contract during the 2010-11 and 2011-12 school years.

The Indictment alleged, and the trial court instructed the jury on, the valid property-fraud theory that Mr. Shulick converted contract funds to his own or a co-conspirator's benefit. *See* 18 F.4th at 107. But it also alleged, and

the court instructed on, the theory that Mr. Shulick “misapplied” contract funds—using them in a way the contracts did not contemplate, “even if such use benefited the School District of Philadelphia.” *See id.*; 8Appx.4425-26, 4464 (jury instructions).

The government defended that theory below by citing the *Baroni* trial court opinion—this Court had not yet decided *Baroni*—and the out-of-circuit cases cited in the Panel opinion, for the proposition that criminal “misapplication” does not require conversion but encompasses the use of the victim’s funds for the victim’s benefit—a position the district court accepted and relied upon for several evidentiary and other rulings. *See* Appellant’s Opening Brief (“AOB”) at 23, 25-27, and Reply at 29-32 (summarizing influence of this legal theory on district court rulings).

The defense theory was that Mr. Shulick’s personal expenditures from the DVHS account that also received School District funds were funded by his personal deposits into that account; that DVHS spent School District funds for the School District’s benefit (including authorized profit to DVHS), albeit outside the specifications of the contract budgets; and that deviating from the budgets was not a criminal “misapplication.” At issue here, the defense objected to the italicized “even if” phrase in the jury instruction defining “misapplication”:

To intentionally misapply money or property means to intentionally use money or property of the School District of Philadelphia, knowing that such use is unauthorized and unjustifiable or wrong. Misapplication includes the wrongful use of the money or property for an unauthorized [purpose], *even if such use benefited the School District of Philadelphia.*

8Appx.4425-26, 4464; *see* 8Appx.4459-60, DDE180 (objections); *see* 3d Cir.

Model Instr. 6.18.666A1A-3 (2008).

This Court approved that instruction in *Baroni*, six months after Mr. Shulick's trial ended. It held that §666(a)(1)(A) "misapplication" criminalizes a "wrongful" use of funds, "even if" the funds are used for the victim's benefit. *Baroni*, 909 F.3d at 582-83. The government urged the Supreme Court to endorse that non-conversion misapplication theory in *Kelly* (*see* Reply at 22-24 (with citations to government briefing)), but *Kelly* found no basis for affirming the convictions (140 S. Ct. at 1574).² Instead *Kelly* holds that §666(a)(1)(A) requires proof of a scheme to "obtain" the victim's property, converting it to someone else's benefit—reversing this Court's ruling that §666(a)(1)(A) encompasses other "wrongful" uses of funds absent the intent to convert them. 140 S. Ct. at 1568, 1573-74.

² Recognizing that, this Court remanded for judgment of acquittal when the case returned. *United States v. Baroni*, 809 F. App'x 120 (3d Cir. 2020).

Mr. Shulick filed his opening Brief to this Court before *Kelly* was decided, and thus briefed the “misapplication” issue purely as a matter of statutory construction. On Reply he explained that *Kelly* validated his analysis. As summarized above the Panel rejected that position, and held that any error in the jury instruction defining “misapplication” was harmless.

Grounds for Rehearing

1. The Panel’s Endorsement Of *Baroni*’s Definition Of “Misapplication” Ignores Powerful Contrary Indicia Of Meaning And Gives No Effect To The Supreme Court’s Reversal Of *Baroni* in *Kelly*.

(For Panel Rehearing Or Rehearing En Banc)

- a. The Panel uses the “last antecedent rule” to trump the overall statutory scheme, a century of precedent, and Congress’s stated intent—which is impermissible.

The Panel’s interpretation of §666(a)(1)(A) to permit conviction “even if” the defendant used funds for the victim agency’s benefit depends entirely on the statutory canon of the “last antecedent.” See 18 F.4th at 108-09 (citing *Lockhart v. United States*, 577 U.S. 347 (2016)). Specifically, the Panel looks to the sequence of clauses identifying prohibited conduct to say that “misapplication” does not require conversion.³

³ *I.e.*, “embezzles, steals, obtains by fraud, or otherwise without authority knowingly converts to the use of any person other than the rightful owner or intentionally misapplies, property.” 18 U.S.C. §666(a)(1)(A).

But the Supreme Court explained in *Lockhart* itself that the “last antecedent” canon must yield to other indicia of meaning—chief among them, the rule that “the words of a statute must be read in their context and with a view to their place in the overall statutory scheme.” 577 U.S. at 352.

Accordingly, a court may not use the last antecedent rule to obviate further inquiry. *See id.* 352-61. “The last antecedent rule applies only ‘where no contrary intention appears.’” *United States v. Ashurov*, 726 F.3d 395, 399 (3d Cir. 2013) (emphasis added).

As summarized below, here the Panel used the last antecedent rule to override—or avoid examining at all—numerous indicators (from Congress, the Supreme Court, and even the Department of Justice) that “misapplication” means the same thing in §666(a)(1)(A) as it does in predecessor and related statutes: it is a form of conversion. Allowing the last antecedent rule to obviate further inquiry contravened binding precedent.

Lockhart illustrates the correct approach. It examined the provision at issue in the context of another textually-similar provision, even though it could not “state with certainty that Congress used” the other provision “as a template.” 577 U.S. at 353-54. It examined the “overall statutory scheme.” *Id.* 352; *see id.* 354-55. And it acknowledged that the last antecedent rule gives way when “there is no reason consistent with any discernable purpose of the

statute” to conclude that Congress intended the meaning the rule would yield, or when applying the rule “would require accepting unlikely premises.” *Id.* 355 (quoting *United States v. Bass*, 404 U.S. 336, 341 (1971), and *Paroline v. United States*, 572 U.S. 434, 447 (2014)).

Here, we know with certainty that Congress modeled 18 U.S.C. §666(a)(1)(A) on predecessor and related statutes that have long defined “misapplication” as a form of conversion, and do so today as part of a comprehensive statutory scheme. We know the Supreme Court defined “misapplication” as a form of conversion in 1883, construing a statutory predecessor to §666(a). *See* AOB 61 (discussing *United States v. Britton*, 107 U.S. 655, 666 (1883)). We know this Court and others read “misapplication” the same way in other predecessor and related statutes, including 18 U.S.C. §§656 and 665. AOB 61-62 (citing, *e.g.*, *United States v. Matsinger*, 191 F.2d 1014, 1016 (3d Cir. 1951)). We know Congress enacted §666(a) in 1984 for the express purpose of extending §665 and related statutes to additional recipients of federal assistance. AOB 62-63 (quoting, *e.g.*, *United States v. Cicco*, 938 F.2d 441, 444-45 (3d Cir. 1991)). We know (and the Panel acknowledges) that Congress’s 1984 enactment imported from those statutes into §666(a) the longstanding definition of “misapplication” as a form of conversion. *Id.*; *see* 18 F.4th at 108. And we know—because Congress said so—that when it

reordered the clauses in §666(a) two years later (giving the statute its current form), it intended a merely “technical” change. *See* AOB 64-65 (with citations).

Yet the Panel uses the last antecedent rule to conclude that just two years after enacting §666(a), Congress dramatically broadened it to criminalize an enormous range of conduct the rest of the statutory scheme does not criminalize—giving “misapplication” a unique meaning for §666(a), while leaving its century-old meaning intact in its statutory templates. And, the Panel says, Congress did so *sub silentio*, disguising the amendment as a “technical” change.⁴

“There is no reason consistent with any discernable purpose of the statute” (*Lockhart*, 577 U.S. at 355) to conclude that Congress made this sea change in the law *sub silentio*. Congress is presumed to attach the same meaning to the same term in related statutes. *E.g.*, *Azar v. Allina Health Services*,

⁴ The Panel’s reference to the presumption that Congress intends amendments to have substantive effect merely duplicates its reliance on the last antecedent rule, because it is predicated on Congress’s reordering of the clauses. *See* 18 F.4th 109.

In any event, that presumption is unquestionably rebutted here—by Congress’s own statement that the 1986 amendment was merely “technical,” and by the overall statutory scheme.

139 S. Ct. 1804, 1812 (2019). That it used a “technical” amendment to fracture the statutory scheme is an “unlikely premise” (*id.*) indeed.⁵

The last antecedent rule must yield to the rule that “the words of a statute must be read in their context and with a view to their place in the overall statutory scheme.” *Lockhart*, 577 U.S. at 352. The Panel’s use of the last antecedent rule to foreclose consideration of the statutory context contravenes Supreme Court and Circuit precedent holding that the rule cannot do so.

The Panel’s truncated approach to construing the statute leads it into a constricted reading of *Kelly*, giving no effect to the Supreme Court’s reversal of *Baroni*. Having already decided that the text of §666(a)(1)(A) compels the conclusion that “misapplication” does not require “conversion” (18 F.4th at 107-09), the Panel then limits *Kelly* to its facts in an attempt to harmonize its rejection of *Baroni* with that conclusion (18 F.4th at 109-10). But Mr. Shulick has never suggested that *Kelly* changed the law—he raised the same objection to the §666(a)(1)(A) instruction at trial (pre-*Baroni* and pre-*Kelly*), and in his opening Brief (pre-*Kelly*). The analysis is statutory; *Kelly*’s outcome validates it.

⁵ Thus DOJ acknowledges that “misapplication” means the same thing in §666(a)(1)(A) as in §665. See Reply at 24-25 (citing Justice Manual §9-46.100 (Jan. 2020)).

Moreover, *Kelly's* facts actually reinforce the point that misusing funds for the victim's benefit does not violate §666(a)(1)(A). In *Kelly*, the victim's property was misused *to its detriment*—the waste of employee labor (equivalent to cash in a bank account, the Supreme Court said) on a sham “traffic study”; a dangerous traffic snarl on the world's busiest bridge. Thus *Kelly* shows that even when the misuse of its property harmed the victim, there is no valid §666(a)(1)(A) theory absent conversion. A fortiori, a misuse of property that *neither* harms the victim *nor* contemplates conversion does not violate §666(a)(1)(A) either.

Thus, instructing the jury that a “wrongful use of the [victim's] money or property for an unauthorized purpose” is a crime “even if such use benefited” the victim is error. The Panel's analysis contravenes binding precedent by giving controlling effect to the last antecedent rule—resulting in a ruling that contravenes *Kelly's* reversal of *Baroni*.

- b. The Panel redefines the charged offense to posit a different victim, which is also impermissible.

The Panel then attempts to harmonize the challenged instruction with the Supreme Court's reversal of *Baroni* by describing the misapplication theory in conversion terms: scheming “to take funds ... that were promised to the children at Southwest” and apply them to benefit students “at a different

institution.” 18 F.4th at 110; *see id.* (describing “theory that funds were misappropriated to pay” expenses at a different SDP school).

But Mr. Shulick was not charged with misusing property belonging to the Southwest students; he was charged with misusing property belonging to the SDP—the federally-funded agency protected by §666(a)(1)(A). This Court recently reaffirmed that it will not uphold a conviction based on harm to an alternative victim not charged in the indictment or submitted to the jury. *United States v. Johnson*, 19 F.4th 248, 261-62 (3d Cir. 2021) (citing, *e.g.*, *Chiarella v. United States*, 445 U.S. 222, 236 (1980)).

And the Court has long recognized that an uncharged victim’s loss of property cannot support a property fraud conviction. *See, e.g., United States v. Henry*, 29 F.3d 112, 114 & n.3 (3d Cir. 1994)(where indictment identified legitimate bidders as victims of bid-rigging scheme, yet scheme did not implicate their property interests, any harm to property interests of contracting agency cannot save conviction); *compare United States v. Nagle*, 664 F. App’x 212, 216 (3d Cir. 2016) (not precedential) (where indictment identified both contracting agency and legitimate DBEs as victims of DBE procurement fraud, permissible to calculate sentencing “loss” as profits lost by legitimate DBEs where no loss to contracting agency); *see also United States v. Starr*, 816 F.2d 94, 98-100 (2d Cir. 1987) (where defendants pocketed funds

their customer-victims earmarked to pay postage, but contemplated no economic harm to customers, loss to U.S. Postal Service could not save conviction because Postal Service not charged as victim). That is because “property fraud” does not encompass every “fraud involving property”; virtually every fraud involves property. A property fraud scheme targets the property interests of an identified victim. Under §666(a)(1)(A) that is the program receiving federal funds; here, the SDP.

The challenged jury instruction properly identified the SDP as the pertinent victim. 18 F.4th at 107 (quoting 8Appx.4425-26). But it also permitted conviction even if the scheme did not contemplate harm to the SDP’s property interests, but to the interests of the Southwest students instead—as the Panel itself explains. 188 F.4th at 110. The instruction was error because it allowed the jury to convict on a theory that was both statutorily invalid *and* uncharged. And the Panel contravenes binding precedent by upholding the instruction because it permitted conviction on an uncharged theory.

2. The Panel Fails To Apply The Supreme Court-Mandated Constitutional Harmless Error Standard For Jury Instructions Permitting Conviction On Both Valid And Legally-Invalid Theories.

While acknowledging that review is plenary (18 F.4th at 108), the Panel Opinion does not apply the constitutional harmless error standard that governs here. It applies only plain-error cases⁶ and non-constitutional harmless-error cases,⁷ and treats those legal standards as controlling. It employs an analysis the Supreme Court and this Court have long condemned in the constitutional harmless error context, affirming because it believes Mr. Shulick “still would have been convicted ... irrespective of the error.” 18 F.4th at 113. And it reduces the government’s burden from showing harmlessness beyond a reasonable doubt to showing only a “high probability” of harmlessness. 18 F.4th at 110-11. A published opinion equating constitutional harmless error

⁶ In order of citation: *United States v. Riley*, 621 F.3d 312, 323 (3d Cir. 2010); *United States v. Andrews*, 681 F.3d 509, 521 (3d Cir. 2012); *United States v. Vasquez*, 271 F.3d 93, 100 (3d Cir. 2001) (en banc).

⁷ In order of citation: *United States v. Zehrbach*, 47 F.3d 1252, 1265 (3d Cir. 1995) (objectionable remark by prosecutor at summation); *United States v. Toto*, 529 F.2d 278, 184 (3d Cir. 1976) (applying Fed.R.Evid. 404(b)); *United States v. Jannotti*, 729 F.2d 213, 219-20 (3d Cir. 1984) (applying Fed.R.Evid. 810(d)(2)(A)); *United States v. Park*, 421 U.S. 658, 674-75 (1975) (failure to deliver “amplification requested by respondent” on accurate jury instruction not error); *United States v. Bryant*, 655 F.3d 232, 247 (3d Cir. 2011) (use of word “while” to define quid pro quo exchange in bribery case not error); *Cupp v. Naughton*, 414 U.S. 141 (1973) (on habeas review where defendant bears burden of proof, finding erroneous instruction did not implicate constitutional rights).

with ordinary harmless error, and with plain error, must be corrected to maintain uniformity with Supreme Court and Circuit precedent.

It is axiomatic that on constitutional harmless error, the inquiry “is not whether, in a trial that occurred without the error, a guilty verdict would surely have been rendered.” *Sullivan v. Louisiana*, 508 U.S. 275, 279 (1993)); *United States v. Korey*, 472 F.3d 89, 96-97 (3d Cir. 2007). Reversal is required unless “the guilty verdict actually rendered in *this* trial was surely unattributable” to the erroneous instruction. *Sullivan*, 508 U.S. at 279 (emphasis added); *United States v. Elonis*, 841 F.3d 589, 598 (3d Cir. 2016); accord *United States v. Waller*, 654 F.3d 430, 434 (3d Cir. 2011); *Korey*, 472 F.3d at 97. The government must make that showing beyond a reasonable doubt. *E.g.*, *Chapman v. California*, 386 U.S. 18, 24 (1967). The Panel Opinion contravenes both rules: it predicts the outcome of a hypothetical error-free trial (18 F.4th at 113), and reduces “beyond a reasonable doubt” to “high probability” (*id.* 110-11).

The Panel goes astray when it invokes a series of ordinary harmless-error cases (*Zehrbach*, *Toto*, and *Jannotti*, *supra* n.7) for the inapposite “high probability” standard. 18 F.4th at 110-11. It then justifies applying plain-error cases (like *Andrews*) by saying that plain error differs from harmless error only in which party bears the burden of proof. 18 F.4th at 111. That is accurate for non-constitutional harmless error—but *not for constitutional harmless error*.

Constitutional harmless error *also* imposes the higher standard of proof: harmless beyond a reasonable doubt.

A robust body of Supreme Court and Circuit precedent—unacknowledged by the Panel—prescribes how the correct standard applies to erroneous instructions that permit conviction on both valid and legally-invalid theories. The Court “presume[s]” harm from that error. *United States v. Wright*, 665 F.3d 560, 570 (3d Cir. 2012) (citing, e.g., *Chapman*, 386 U.S. at 24).

Reversal is required if the defendant contested the element and the record would permit a reasonable doubt about the government’s proof on the element as correctly defined. *Neder v. United States*, 527 U.S. 1, 19 (1999); see *Rose v. Clark*, 478 U.S. 570, 580–81 (1986) (reversal required unless evidence conclusively established disputed element, such that jury would not have considered erroneous instruction). *Elonis* affirmed, for example, because the defendant “never contested” his guilty knowledge, and the facts proven at trial “conclusively established” it. 841 F.3d at 598-99 (citing *Rose, supra*).

The Panel never applies constitutional harmless error, however. It structures its discussion around the lower standards articulated in the plain-error *Andrews* case (*supra* n.6), and six non-constitutional harmless error

cases⁸. See 18 F.4th at 111-13. It canvasses the evidence and explains why, in its view, Shulick “still would have been convicted ... irrespective of the error.” 18 F.4th at 113. That is the sufficiency analysis the Supreme Court, and this Court, have long condemned in constitutional harmless error cases. *Sullivan*, 508 U.S. at 279; *Virgin Islands v. Martinez*, 620 F.3d 321, 338 (3d Cir. 2010); *Korey*, 472 F.3d at 96-97.

The Panel’s wrong turn into sufficiency analysis is further revealed by its reference to *Kelly* in this context. “This case is not like *Kelly*, where the prosecution’s claim of property fraud rested *only* on a novel theory,” the Panel says. 18 F.4th at 112-13 (emphasis added). That is true—and that is why Mr. Shulick seeks only a new trial, instead of judgment of acquittal as in *Kelly*. The Supreme Court has long recognized that a new trial is the remedy when a jury instructed on both valid and invalid legal theories renders a general verdict. See *Griffin v. United States*, 502 U.S. 46, 59 (1991); *Yates v. United States*, 354 U.S. 298, 312 (1957); *United States v. Murphy*, 323 F.3d 102, 110 (3d Cir. 2003). Reversal is required unless the government proves beyond a reasonable doubt that the verdict *actually rendered* was not influenced by the error. The Panel affirmed on a far lower standard.

⁸ I.e., *Zehrbach*, *Toto*, *Jannotti*, *Park*, *Bryant*, and *Cupp* (all *supra* n.7).

The Panel acknowledges that the jury instructions presented two alternative paths to convicting under §666(a)(1)(A): a “conversion” theory and a non-conversion “misapplication” theory. 18 F.4th at 107-08. It also acknowledges that the government urged conviction for a misuse of funds that benefited the agency victim SDP, if to the detriment of the Southwest students (who were not charged as victims; *see* 1.b, above). 18 F.4th at 110. And it acknowledges that there was evidence in the record to support the defense theory that expenditures that violated the Southwest School contract nonetheless benefited the SDP by, *e.g.*, serving students at a different school. *See id.* If the instruction permitting conviction for using funds in a way the contracts did not contemplate, “even if such use benefited the School District of Philadelphia,” was erroneous, then properly applying the constitutional harmless error standard from *Neder* and its progeny requires reversal for a new trial.

Conclusion

For the foregoing reasons, rehearing by the Panel or the Court en banc is required.

Respectfully submitted,

/s/ Lisa A. Mathewson

Lisa A. Mathewson

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lam@mathewson-law.com

Counsel for Appellant David Shulick

January 6, 2022

CERTIFICATE OF COMPLIANCE AND SERVICE

Word Count. Pursuant to Fed.R.App.P. 32(g), I certify that this document complies with the type-volume limit of Fed.R.App.P. 35(b)(2)(A), in that it contains 3845 words, excluding the parts of the document exempted by Fed.R.App.P.32(f), as counted by Microsoft Word word-processing software.

Service. I certify that on this date the foregoing Petition for Rehearing was served via this Court's CM/ECF system upon parties of record.

/s/ Lisa A. Mathewson

January 6, 2022

DAVID T. SHULICK
PENNSYLVANIA LAW LICENSE
REINSTATEMENT PETITION PACKAGE

EXHIBIT

DESCRIPTION: Support Letters Signed

1. Kenneth & Jennifer Grunfeld - former Pennsylvania Disciplinary Board Member;
2. David Cohen – first legal client;
3. David Straus – Rabbi, Main Line Reform Temple;
4. Carolyn Cavanaugh – Pastor, Ardmore Bethel A.M.E. Church
5. Andrew Swain - Attorney
6. Stuart Lundy - Attorney
7. Daniel Erhlbaum - former Chairman, Jewish Relief Agency
8. Edwin Guyer - Attorney
9. Andrew Rosner - Neighbor
10. David & Sally Smoger - Neighbors
11. Mark Jaffe – Attorney
12. Jeffrey Abramowitz – Director, Petey Greene Program

Kenneth & Jennifer Grunfeld
63 Overhill Road
Bala Cynwyd, PA 19004

May 30, 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

-and-

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

Re: David T. Shulick – Identification Number 74333

Dear Attorney Sink and Pennsylvania Supreme Court, Attorney Reinstatement Committee:

We both write in strong support of the readmission of David T. Shulick to the Pennsylvania Bar.

We are both Attorneys. Jennifer no longer practices law. Kenneth practices law and has served as a Hearing Committee Member of the Supreme Court Disciplinary Board. We are intimately familiar with the required characteristics, competencies and personal attributes necessary to be an attorney in this Commonwealth. David Shulick has all such qualities.

Most significantly, David Shulick has deep-seated remorse for the crimes he was involved in during the 2010-2011 period. David has terminated all appeals and accepted full responsibility for his actions.

In our experience, David is an outstanding and passionate lawyer and a great father, husband and citizen. He was a devoted lawyer who was personally devastated when he lost his license to practice. We know, first-hand, the pain and anguish David went through and are proud to write in support of the man who he has become through the process of incarceration and rehabilitation. Throughout it all, David maintained his strong and loving relationship with his wife and daughters, and continues every day to volunteer for his community in a myriad of ways.

We both can assure you that David has demonstrated contrition. We are proud to write in strong support of his readmission.

Respectfully,


Kenneth Grunfeld


Jennifer Grunfeld



MAIN LINE REFORM TEMPLE BETH ELOHIM

June 21, 2024

Robert Sink, Esquire
1600 JFK Boulevard
Philadelphia, PA 19103
-and-
Pennsylvania Supreme Court
Attorney Reinstatement Committee—District 1
1601 Market Street, Suite 3320
Philadelphia, PA 19103

Re: David T. Shulick—Identification Number 74333

Dear Attorney Sink and Pennsylvania Supreme Court Attorney Reinstatement Committee,

I am the Senior Rabbi Emeritus of Main Line Reform Temple in Wynnewood, PA. I served as the Senior Rabbi of Main Line Reform Temple for 24 years before retiring in June of 2022. I continue to be active in the community, and serve on the board of HIAS-PA and Interfaith Philadelphia, the Jewish Community Relations Council (of which I am a past chair), the National Council of Synagogues (of which I am also a past chair) and the Religious Leaders Council of Philadelphia (of which I am a co-convenor), the Philadelphia Council of the New Israel Fund among other organizations.

David Shulick and his family have been long time active members of Main Line Reform Temple. Their daughters attended our religious school for many years and celebrated their becoming a Bat Mitzvah at the synagogue as well. David's in-laws are also long-time members of Main Line Reform Temple.

I am well aware of David's criminal case, and that it caused him to lose his attorney license. I counselled David before his trial; visited him regularly when he was incarcerated; and have continued to meet with him following his release to offer support as he begins again his life.

In our tradition, we teach that everyone can do *Teshuva*, repentance for their misdeeds and mistakes. While the holy day of *Yom Kippur* is all about

seeking forgiveness for the harms we have caused others, in truth we are taught to engage in acts of repentance every day of our lives.

As David well knows from our conversations, *Teshuva* requires several steps: first, acknowledging what we have done wrong; second, owning our misdeeds and asking forgiveness from those we have wronged; then making amends to those we have wronged; and finally and most important of all, when we are in a similar situation in the future, this time actively choosing a different path, the path of goodness and righteousness, not because we are afraid of being caught or punished, but because this time we know what is right and wrong and consciously choose the right path. Each and every day in our lives we have countless moments of choice. We believe we are free moral agents who have choice.

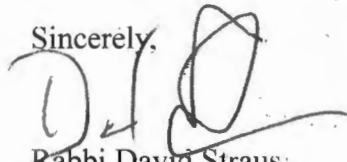
In my conversations with David, and my knowledge of his activities since his incarceration, I believe David has engaged in this process of *Teshuva*. I have also been supportive of David becoming more involved and volunteer in both our community and the general community. I know David has offered his time and talents to several different non-profit organizations in this new beginning of his life.

I believe David should be re-admitted to the bar. David's crimes had nothing to do with his practice of the law. I know David to be a responsible individual who takes great pride in his prior work and wants to make a difference in our community and be a positive force in both our community and in people's lives.

I hope this will help you in your process of deciding to re-admit David to the bar, and that you will act positively on this matter.

With respect to you and your process.

Sincerely,



Rabbi David Straus

David Cohen
1104 spruce lane
Conshohocken pa 19428

June 6 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

-and-

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

Re: David T. Shulick – 74333

Dear Attorney Sink/Pennsylvania Supreme Court/Attorney Reinstatement Committee:

I am David Shulick's first legal client and a licensed Pennsylvania realtor.

David literally saved my life as a 25 year old attorney in the mid-1990s. The story warrants repeating, as follows: Myself and my Mother had our life savings invested in a property where we ran a business on North 3rd Street in Philadelphia. We worked day and night to pay our rent on time and to be able to exercise our option to purchase the property at 22 N. 3rd Street. The landlord, after collecting years of rent, hired a lawyer to default us solely to avoid having to honor our option to purchase the property. David, as a young associate at Cohen & Huntington, got permission to take our case. He, on his own, filed a Motion for an Injunction before Judge Sheppard of the Common Pleas Court and after a full 4 day trial, David won! He beat a big firm with a team of attorneys. He secured an Order for Specific Performance and the case made it on the front page of the Newspaper. From that moment on, David represented all of our legal needs and my entire family counted on David and depended on him. He worked so passionately for us all, handling business, injury and other related cases. He was an outstanding attorney – and also – became a dear trusted friend. No other Attorney would have been able to win, would have worked so hard, cared as much, and words can't describe the kind words Judge Sheppard had for David from the bench at our trial – lauding him for his advocacy in front of us and the team of opposing lawyers.

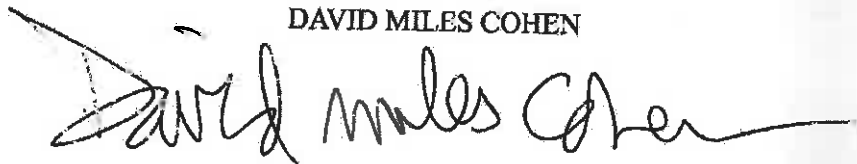
I (and so many others) was devastated to learn about David's criminal case from his school business on so many levels, and personally devastated by the loss of having David as our trusted Attorney. I know all about the case and David frequently shared many details with me. I can assure you David is profoundly remorseful. Every day he wakes up trying to make amends to his family and society in general.

In particular, given the unique circumstances of his trial – which I followed closely – I greatly admire David's ability to overlook the problem caused by his lawyers at trial – causing his sole defense expert witness to be precluded from testifying – and to move on with his life accepting responsibility. I personally, under the same circumstances, would not have it in me to be able to do so.

The bottom line is that David is an outstanding lawyer and man. He is a passionate advocate and it would benefit so many people who I know, including my family and other close friends and colleagues if he would be readmitted to practice. I strongly and enthusiastically support his readmission to the bar.

Sincerely,

DAVID MILES COHEN

A handwritten signature in black ink that reads "David Miles Cohen". The signature is written in a cursive style with a long horizontal flourish at the end.



163 SHELDON LANE | ARDMORE, PA 19003

May 30, 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

-and-

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

Re: David T. Shulick – Identification Number 74333

Dear Attorney Sink and the Pennsylvania Supreme Court Attorney Reinstatement Committee:

I am the first female Pastor of the Ardmere Bethel AME Church of Ardmere in its 125+ year history. I lead a congregation steeped in history that serves the community of Ardmere, Pennsylvania. I also have founded the Bethel Community Garden/Ardmore Victory Garden, which has become a regionally celebrated and recognized entity most notably by the USDA's People's Garden Initiative. I have led the congregation and community in being on the forefront of building bridges and creating sustainable connections amongst various sectors and spheres across the length and breadth of the Main Line. In response to the level of import our faith community provides to the immediate area and beyond, Montgomery County awarded the church a \$1.5 million grant from its Recovery Office to support the various programs and necessary capital building needs of the congregation as we serve as a critical lifeline for the community.

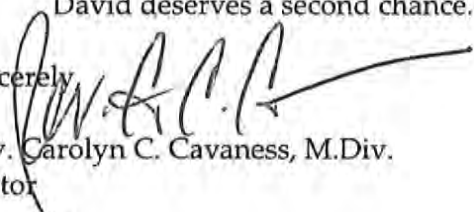
I was introduced to David Shulick from Rabbi David Straus of the Main Line Reform Temple. Rabbi Straus discussed the fact that he had a long time congregant who was interested in broadening his civic and charitable work in our community and mentioned my needs and the needs of Bethel AME Church of Ardmere.

From the moment I met David I was endeared with his open and honest discussion of his life, past, crimes and attempts to move himself forward in a pro-social and positive manner. I discussed a vital project needed by the Church which was the formation of a legal entity and related paralegal work. David immediately embraced my requests and, on his own, arranged supervision and notice to the Pennsylvania Board, and helped guide us in the paperwork and formation of a legal entity and related issues. Prior to David's involvement, I was unable to access these critical services without great expense. I am deeply thankful for David. Additionally, David on his own embraced our holiday giving program and did work for our congregants.

I can emphatically state that David is extremely remorseful about the criminal case he was involved in and that he would be an excellent Attorney to call upon in the future for our Church and community. He has such a passion and energy, and positive spirit, that I pray for his reinstatement as an attorney.

David deserves a second chance. I emphatically support his petition to be reinstated.

Sincerely,


Rev. Carolyn C. Cavaness, M.Div.
Pastor

The Swain Law Firm, P.C.

ANDREW D. SWAIN * ◻
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(Please Mail all documents to the Bensalem Office)

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May 20, 2024

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-and-

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

Re: David T. Shulick – Identification Number 74333

Dear Mr. Sink and the Pennsylvania Supreme Court Attorney Reinstatement Committee:

I am writing this letter in support of David Shulick's reinstatement as an attorney. I have been a licensed attorney in Pennsylvania and New Jersey for the past 29 years. I met David over 30 years ago at Temple Law School. Since graduating from law school we have remained friends, he has referred me work, I have represented him in various matters, and I have spoken to him numerous times about his criminal case, his incarceration, and his life after prison. I believe he has changed and this Committee should reinstate him.

In my personal view reinstatement is justified for these reasons. His conviction did not involve any law firm client or relate to his practice of law. Since his conviction for embezzlement and tax fraud related to his charter school business in 2018, he has changed for the better. He enrolled and participated in a substance abuse program in prison. From speaking with him I know that he has accepted the outcome of his own misconduct, he has recognized his own personal fault, and the need to atone for his errors. I have seen a different person emerge over these past six years.

He has always been smart, and his competency to practice law should not be an issue. Because he has not been permitted to work as a lawyer, he has found work in business since his release from prison.

I believe his reinstatement can also be justified based upon the strong support he receives from his wife and family. I am confident that he wants to engage in positive behavior going forward. I do not believe he will recklessly harm his connection with his wife or daughters by engaging in any type of misconduct. He appreciates that his past misconduct harmed the reputation of his wife and daughters, and he would not want to repeat this harm ever again. Because of this I do not see a future with ethical lapses.

I believe that enough time has passed since 2018, along with his self-improvement changes, that this committee should vote in favor of reinstatement.

Very truly yours,

s/Andrew D. Swain

ANDREW D. SWAIN



LUNDY BELDECOS & MILBY
— BUSINESS • REAL ESTATE • TRUSTS & ESTATES —

STUART R. LUNDY, ESQUIRE
ANTHONY J. BELDECOS, ESQUIRE
ERIC C. MILBY, ESQUIRE
JESSICA M. GULASH, ESQUIRE
MICHAEL J. LUNDY, ESQUIRE
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EMAIL: SLUNDY@LBMLAW.COM
DIRECT PHONE: 610-269-0777
DIRECT FAX (610) 675-2776

Please Respond to Narberth Office

May 6, 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

And

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

RE: *David T. Shulick; Identification Number 74333*

Dear Attorney Sink and the Pennsylvania Supreme Court Attorney Reinstatement Committee:

I am the President of this law firm and have been in practice for approximately 52 years in the Commonwealth of Pennsylvania and 51 years in the State of New Jersey.

Our law firm is a commercial law firm and engages primarily in the performance of legal services for real estate, commercial transactions, entity formations, business divorce, tax, employment law, and commercial litigation.

I have known David Shulick for more than 20 years. I am familiar with David's prior business dealings and ownership of real estate in that our firm has represented David in numerous real estate transactions.

I know David has been engaged in a substantial amount of charitable work since being released from incarceration.

I know David has been working diligently as an employee for a reputable business since being released from incarceration and FYI, I occasionally do legal services for this business and I have not heard any allegations of any improper conduct by David.

I am aware of David's criminal conviction and was called as a witness at his trial. During and after his incarceration, David was remorseful regarding what had occurred.

I believe that the activities of David that resulted in his criminal conviction will not be repeated. While David was practicing law, I had occasion to have legal matters with David and during the time of those legal matters, he was always honest, forthright, and appeared to do an excellent job for his clients.

I believe that David has the moral qualifications and the confidence to meet the standard for reinstatement as an attorney; and that his reinstatement will be positive for the profession.

Very truly yours,



STUART R. LUNDY

SRL/jam

450 N. Narberth Ave., Suite 200, Narberth, PA 19072 - (610) 668-0770
525 Route 73 North, Suite 410, Marlton, NJ 08053 - (856) 377-0001



JEWISH RELIEF AGENCY

325 East City Avenue, Suite 210
Sala Cymwyd, PA 19004
P 610-660-0190 • F 610-660-0191
jewishrelief.org

May 14th, 2022

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

-and-

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

Re: David T. Shulick – Identification Number 74333

Dear Attorney Sink and the Pennsylvania Supreme Court Attorney Reinstatement Committee:

I am immediate past-chair and Executive Committee member of the Jewish Relief Agency, www.jewishrelief.org. The Jewish Relief Agency distributes food and other everyday essential items to 3,400 food-insecure households through the packing and delivering by nearly 1,000 volunteers each month. In addition to taking care of the basic needs of families in crisis, we ignite and unite an inspired and activist community of volunteers and connect them very intimately to the reality of the need in our region.

David Shulick and his family were immediately taken by our organization's work when I first had a chance to tell them the story. They have been financially supportive beyond my expectations, emerging into true partners for all the organization undertakes and accomplishes. Beyond the financial support, David has been a volunteer in the JRA warehouse and has organized for others in the family to participate as well. David's level of interest in and willingness to go out of his way to support our cause demonstrates his



JEWISH RELIEF AGENCY

225 East City Avenue, Suite 200
Sala Cynwyd, PA 19004
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jewishrelief.org

high ethical character and is consistent with the rest of his personal life, characterized by being a family man and father dedicated to giving back to society.

I am aware of David's criminal case during the time-period of 2010 to 2012 regarding one of his businesses and I am also aware that he is extremely remorseful. I presume that this has played a part in David's becoming so communally involved and outspoken on behalf of causes like JRA, that benefit the community and its less fortunate members so completely. My experience with David suggests that he is remorseful, humble, and dedicated to his fellow man, and that his is very much an individual worthy of being readmitted to the Pennsylvania bar.

In conclusion, I very much believe that David has the moral qualifications and competence to meet the standard for reinstatement as an attorney. I believe that his reinstatement will be positive for the profession and that he will serve as a great attorney to many people who have previously counted on him in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Erlbaum', is written over the typed name. The signature is fluid and cursive, with a prominent initial 'D'.

Daniel Erlbaum

EDWIN L. GUYER
ATTORNEY AT LAW

790 Penllyn Pike | Suite 206 | Blue Bell | Pennsylvania | 19422

Phone: (215) 542-9333

Fax: (215) 689-2199

email: mail@paduilawyer.com

web: www.paduilawyer.com

EDWIN L. GUYER*

*Also member Texas Bar

May 14, 2024

Attention: Pennsylvania Supreme Court Attorney Hearing Committee

Re: David Shulick
Petition for Reinstatement to the Pennsylvania Bar

Dear Committee:

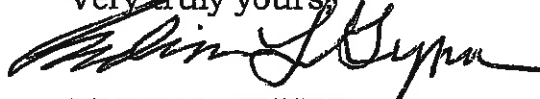
I have been friends with David Shulick for over ten years. I have also come to know David professionally during that time. I have served on Northwood HOA with David for many years. The HOA was greatly improved because of David. He got the community excellent results with his knowledge of the law and ability to negotiate. I am aware of his criminal case and that it caused him to lose his attorney license.

I believe David deserves to be readmitted to the Pennsylvania Bar. His actions with regard to this case were an anomaly in what was an otherwise long and successful career. He has demonstrated great remorse and humility. He is dedicated to do whatever he must to be readmitted as an attorney.

Many people have benefitted from David's good work as an attorney over the past years. Many more could call on him with confidence in the future.

David has continued to invest his time and energy into volunteer opportunities and charitable works. His community reach is vast, and he has touched countless lives as a result. It is my hope that David can continue to serve his community in this capacity, as well as of counsel.

Very truly yours,



EDWIN L. GUYER

ELG/mks

Andrew Rosner, MD
1423 Wesley's Run
Gladwyne, PA 19035

May 10, 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

-and-

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

Re: David T. Shulick – Identification Number 74333

Dear Attorney Sink and the Pennsylvania Supreme Court Attorney Reinstatement Committee:

I am a Family Medicine/ primary care physician in Lower Merion, Pennsylvania. I currently practice at LSR Wellness in Haverford, PA and I have been in primary care for over 10 years. I am a co-Board member on the Northwood HOA Community Board with David Shulick and have gotten to know Mr. Shulick quite well in the recent 3 years.

From my observation, Mr. Shulick has consistently acted in the best interest in our neighborhood HOA and our community residents. He has volunteered countless hours to the HOA communicating with vendors, negotiating prices with vendors, meeting with engineers and community planners to help neighbors with drainage issues and concerns, and he works closely with the landscaping and snow removal companies to ensure our neighborhood is aesthetically pleasing year-round and safe in the winter months. During my four years on the Board, I have personally observed that Mr. Shulick has volunteered his own time more than any other Board member in our community. He has often been the Board member numerous residents go to first with issues or concerns as he has consistently shown to his community his remarkable work ethic and desire to help his community.

Mr. Shulick was the Board member several residents of the community immediately went to when a neighbor outside of our community was performing unauthorized excavation which put several homes in our community in danger. Mr. Shulick knew who to contact in Lower Merion and helped to get this dangerous situation get the attention it needed quickly.

In my observation, Mr. Shulick has consistently shown his work ethic and devotion to serving our community and I believe he would better be able to serve his community if he is readmitted to the Bar.

I am aware of Mr. Shulick's previous criminal case in 2010-2012 regarding one of his businesses. I know David is profoundly remorseful and that is an example of an aberration of a man who is otherwise a positive leader in our community and a very strong attorney.

I believe Mr. Shulick has the moral qualifications and competence to meet the standard for reinstatement as an attorney. I believe his reinstatement will be positive for the profession and for our community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Rosner', with a long horizontal flourish extending to the right.

Andrew Rosner, MD

David L. Smoger, MD, MA, DABR

May 3, 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

-and-

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

Re: David T. Shulick – Identification Number 74333

Dear Attorney Sink and the Pennsylvania Supreme Court Attorney Reinstatement Committee:

My name is David L. Smoger and my wife is Sally S-C Smoger. I serve as Chairman of the Department of Radiology and Interventional Radiologist at Redeemer Health in Meadowbrook, PA and am a partner at Radiology Affiliates Imaging (www.4rai.com). Sally is a Speech and Language Pathologist providing services to children ages 3-5 for early intervention (www.dynamicaretherapy.com).

In summary, I am a 1997 graduate of University of Pennsylvania receiving a bachelors degree in Biology. I received a Masters Degree in Molecular Biology from Temple University in 1999. I obtained my medical degree from the Lewis Katz School of Medicine (formerly Temple University School of Medicine) in 2003. I completed my internship year in medicine at Lankenau Medical Center in 2004. I went on to complete my Radiology residency at Temple University Hospital in 2008, where I was elected by my attendings to serve as Chief Resident. I was certified by the American Board of Radiology in Diagnostic Radiology. At the Hospital of the University of Pennsylvania, I completed my fellowship in Vascular and Interventional Radiology in 2009, where I was also elected to serve as Chief Fellow. I hold a dual certificate from the American Board of Radiology in Diagnostic and Interventional Radiology. I hold the academic appointment of Clinical Assistant Professor of Radiology at the Sidney Kimmel Medical College of Thomas Jefferson University. I have authored many articles in top peer reviewed medical journals, am a frequently invited lecturer, teach medical students and residents and conduct clinical research.

Sally is a 1997 graduate of the University of Wisconsin receiving a bachelors degree in Communicative Disorders. After college, she received a Master's of Science in Speech and Language Pathology from Nova Southeastern University in 2001. Sally practiced at the Bancroft

School in Haddonfield, NJ for 2 years before beginning her own thriving practice. Sally is an avid supporter of the Crohn's and Colitis Foundation and Allied Jewish Appeal.

David is very active in our community as a strong supporter of Jewish Relief Agency, The Gitlin Family Foundation and Ardmore Bethel AME Church. Additionally, David works as an elected, unpaid board member of the Northwood Homeowners Association where he devotes his time and energy to his neighbors by orchestrating the safe and efficient operation of a large, residential community. David's ability to bring together our community through these unique organizations all while serving selflessly demonstrates his humanitarian and charitable nature. David is a man who is more than worthy of being readmitted to the bar.

David's criminal case involved one of his businesses during 2010-2012. We personally and intimately know that David is profoundly remorseful. His case was an aberration of a man who was otherwise a positive community leader and an outstanding attorney.

We believe that David has the moral qualifications and competence to meet the standard for reinstatement as an attorney. His reinstatement will be positive for the profession.

A handwritten signature in black ink, appearing to read 'D. Smoger', with a long horizontal flourish underneath.

David L. Smoger, MD, MA, DABR
Sally S-C Smoger, SLP

McCann, Dillon, Jaffe & Lamb, LLC

Robert E. McCann *
Timothy A. Dillon **
Mark Jaffe *
Patrick C. Lamb*

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215-569-8488 FAX: 215-569-8288

Michael P. Minuti **
David S. Bigelow *
Daniel J. O'Connell, Jr. ^^

* Admitted to PA & NJ Bar
** Admitted to DE, NJ & PA Bar
^ Admitted to DE Bar
^^ Admitted to PA Bar



300 Delaware Avenue
Suite 805
Wilmington, DE 19801
302-888-1221 FAX: 302-888-1332

Mark Jaffe, Esquire
mjaffe@mccanninjurylaw.com
Reply to Philadelphia office

May 7, 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

Pennsylvania Supreme Court, Attorney Reinstatement Committee – District I

RE: David Shulick – Identification Number 74333

Dear Attorney Sink and the Pennsylvania Supreme Court Attorney Reinstatement Committee:

I have been a practicing attorney in good standing in this Commonwealth for over 30 years. I am a partner in a small firm with a busy litigation practice. I have represented clients throughout my entire life, trying to try to bring them some justice and compensation for what usually has greatly affected their lives. I have taken pride in representing people in all walks of life, seeking to make a difference and improve their situations. I also know for many of these clients it is their first exposure to an attorney. I take that seriously and believe it is important to provide good experiences to them to maintain a positive view/reputation of myself, my firm and the entire legal profession.

I have known David Shulick both personally and professionally for the past 25 years. I think my experiences with him personally and professionally can provide you with a good understanding of the kind of person David is. Back in 2008 I was blindsided by my wife at the time, that she wanted a divorce, which I never saw coming. I was trying to function at my job despite my personal life exploding. The next day I ran into David in Philadelphia City Hall. He asked me how I was doing generally, not knowing what I was going to say. I decided to just tell him what was going on. He was one of the first people I spoke to and I was not really interested in talking. He stopped what he was doing and pulled me aside to talk to me. He offered a tremendous

May7, 2024

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amount of support and comfort, not just that day, but in the ensuing time that the divorce was proceeding. The fact was I was not looking for that from him, and on his own, he cared and provided support and direction at a time when I could truly use any and all support I could garner. I have never forgotten that unsolicited gesture on the first day and the help thereafter, even just listening. He was instrumental in being a friend, listener and advisor at a trying time in my life. He has continued in that role at various times over the years.

In addition, David and I worked professionally on matters over the years. I have consistently found him to be a person that cared for his clients, both as their lawyer with their case and with any other problems he could help them with. David has helped people through their problems, treating them as a client but with the same care he showed to me as a friend. About seven years ago he was talking with my secretary about a case we were working on. Unbeknownst to me, my secretary told David about a big personal problem she was having regarding housing for her daughter. David knew the right people to call, pulled some favors and was able help my secretary's daughter find appropriate housing and solve a major issue. My secretary told me how wonderful David was, asked for nothing, and just solved the issue. Notably, David never mentioned this to me, and I don't believe he even knows that I am aware of this from my secretary telling me of his kind actions. She was shocked how much he helped, and he barely knew her at the time. Again, that story is another typical example of the kind and caring person David is.

As far as David's life, I have learned who he is as a person from some of the struggles he has endured as well. David's mother was killed by a drunk driver many years ago. I know that the loss haunts him to this day and took its toll on him emotionally. I have spoken to him about that loss many times. I also know that he has generously donated to various public causes in the name of his beloved mother. I am intimately familiar with a public playground that he founded/funded in honor of his mother years ago. The funding he provided allowed for new equipment to be purchased and installed. That playground greatly benefited the community. My children have played on that playground, and I have told them the story of why the playground equipment is new, how it got there, and that David donated the funds to ensure that something positive continues to come out of such a tremendous loss he and his family suffered.

I hope the above sheds some light on the kind of person David is. It is but a small window into my exposure to him over the past 25 years.

I do believe David is worthy of being readmitted to the bar. He has always taken great pride in helping his clients and solving their problems. During his practice he received the same gratification for helping others improve their lives and right the wrongs that we all hope to as lawyers. I believe he can do the good he has done in the past, again. Respectfully, it is my feeling that he should be permitted to do so.

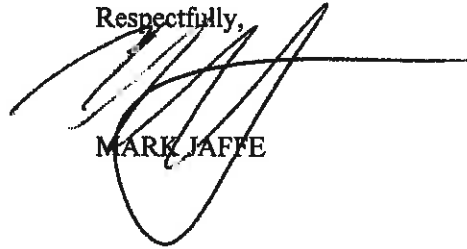
I am also aware that he has considerable remorse for his actions in the past. While they should not be minimized, they are not representative of David, he knows this as well. In life

May7, 2024
Page - 3 -

sometimes we make mistakes, we have to accept them and atone for them and try to move forward and be a positive force in this world. I firmly believe David should be permitted that opportunity to do good again and be the outstanding attorney he was, again.

I do believe that David has all of the characteristics and moral qualifications to be reinstated as an attorney in this honorable profession. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'MARK JAFFE', is written over a horizontal line. The signature is stylized and somewhat cursive.

MARK JAFFE

MJ/idi



THE PETEY GREENE PROGRAM

June 4, 2024

Robert Sink, Esquire
Law Offices of Robert Sink
1417 Crosby Drive
Fort Washington, PA 19034

-and-

Pennsylvania Supreme Court,
Attorney Reinstatement Committee – District I

Re: David T. Shulick – Identification Number 74333

Dear Attorney Sink & the Pennsylvania Supreme Court Attorney Reinstatement Committee:

I am the C.E.O. of The Petey Greene Program and former Executive Director of Justice Partnership at JEVs Human Services.

The Petey Greene Program (www.peteygreene.org) is the largest provider of tutoring and college readiness programs for incarcerated and formerly incarcerated people in the United States, founded in 2008, and supports the academic goals of incarcerated and formerly incarcerated people through high quality volunteer tutoring programs.

David Shulick reached out to me and requested the ability to provide meaningful services on a volunteer basis. He was appointed to the volunteer Board of Directors and has contributed his knowledge, drive and experience to our organization.

I have no doubt through discussions with David that he is extremely remorseful about the criminal case he was involved in from the 2010-12 period and that he would be an excellent addition to the bar, and a productive member thereof and society in general.

In conclusion, I believe that David has the moral qualifications and competence to meet the standard for reinstatement as an attorney, that his reinstatement will be positive for the profession, that he will serve as a great attorney to many people who have previously counted on him in the future, and I hope he is given a second chance.

Sincerely,

Jeffrey Abramowitz

Jeffrey Abramowitz
Petey Greene Program
CEO