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[Original 2015 Petition to Ferguson Township Supervisors \(Closed in 2016\)](#)

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Petition update

Legal update



Nittany Valley Environmental Coalition
State College, PA

Apr 28, 2016 — From Kelli Hoover:

Toll Brothers hired another lawyer and filed a motion to vacate the opinion of the judge who dismissed the motions to quash our lawsuit against the Toll Brothers' development. This huge development threatens our drinking water supply, our agricultural land, and our open space.

Our attorney, Jordan Yeager, had a conference call scheduled with Judge Grine and the opposing attorneys (Toll Brothers and Ferguson Township) on Wednesday, April 27 to schedule a court date for arguments to be heard on the merits of our lawsuit to stop this development. Info on this will be posted as we learn more.

Toll Brothers has brought in another lawyer to help with their efforts, Marc Kaplin. His appearance in the suit reflects Toll Brothers' concerns about their loss on the last motion (to dismiss our lawsuit). Kaplin prides himself on being very aggressive. The Tolls' lawyers are also well aware of the reputation Mr. Yeager has for successfully defending the environment against big money interests.

Toll Brothers' lawyers filed a motion to vacate the March opinion (not the order, but the opinion that went with the order) written by Judge Grine when he denied the Tolls lawyers' motions to dismiss our suit. The Tolls' lawyers realize, as we do, that the judge's opinion could be read to effectively resolve the ultimate issue in the case in our favor and so are throwing more ammunition against us.

We encourage you to help with the cause to save our water and preserve our open space, farmland, and in particular the family farms downslope from this proposed development; these farmers are very concerned about increased flooding of their fields. Farmers already experience some flooding from runoff from the car dealerships along Whitehall near W. College.

Donations for paying the lawyers to fight for our cause are essential. Toll Brothers attorneys are carrying the ball for the Township. Our lawyer, Jordan Yeager of Curtin & Heefner LLC is being paid (at a discount because he believes in our cause) from a legal fund in State College called CommunityWise. 100% of all donations are used only to pay legal fees. To donate to the legal fund using PayPal, please send transactions to communitywisesc@gmail.com. Paypal's website: <https://www.paypal.com>. To send a donation by check or cash to the legal fund, mail your donation made out to CommunityWise to P.O. Box 1256, State College, PA 16804-1256. Your donation will be acknowledged within two weeks. Any amount would be greatly appreciated.

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