

## Patrick M. McKenna

---

**From:** Mark Thompson <mthompson@lambmcerlane.com>  
**Sent:** Thursday, October 19, 2017 3:54 PM  
**To:** Patrick M. McKenna  
**Cc:** Kristin S. Camp Esquire (KCAMP@BUCKLEYLLP.COM); Frone Crawford; Gregg I. Adelman; Michael Gill; Vince Moro; Kathryn Labrum Esquire  
**Subject:** RE: Westtown/Crebilly - 10/24 Conditional Use Hearing Witness

Patrick,

Neighbors for Crebilly, LLC would continue with our request to present the testimony of Dr. Samuel Watson remotely from his office at West Point using Zoom video technology allowing for the Board to see the witness and the witness to see the room and anyone asking a question in real time. In my opinion this is permitted by the MPC and I don't see how this would prejudice the Applicant in any way. That being said, and given the Applicant's objection to allowing testimony by teleconference, we have made arrangements to call J. Michael Miller, Former Director of the United States Marine Corps Archives, as an expert on the preservation of historic battlefield sites in the United States. Mr. Miller will physically attend the October 24th hearing to testify and be cross-examined. The Applicant has had 8+ months of hearings to present its case; well beyond the 100 days and 7 hours provided for in the MPC. In contrast my client has essentially one evening to present its witnesses which hardly present any claim of prejudice to the Applicant.

### Mark P. Thompson

L A M B | M c E R L A N E P C

ATTORNEYS AT LAW

**Direct:** 610.701.4407  
**Fax:** 610.692.6210  
24 E. Market St. PO Box 565  
West Chester, PA 19381  
[www.lambmcerlane.com](http://www.lambmcerlane.com)

[vCard](#) [Bio](#)

---

**From:** Gregg I. Adelman [mailto:GAdelman@KAPLAW.com]  
**Sent:** Tuesday, October 17, 2017 6:16 PM  
**To:** Mark Thompson <mthompson@lambmcerlane.com>  
**Cc:** Patrick M. McKenna <PMcKenna@gawthrop.com>; Kristin S. Camp Esquire (KCAMP@BUCKLEYLLP.COM) <KCAMP@BUCKLEYLLP.COM>; Frone Crawford <fcrawford@fcrawfordlaw.com>; Michael Gill <gillm@buckleyllp.com>; Vince Moro <vmoro@ezfind.com>; Kathryn Labrum Esquire <kathy@donaghuelabrum.com>  
**Subject:** Re: Westtown/Crebilly - 10/24 Conditional Use Hearing Witness

This is the first I'm hearing of this and have not been previously consulted on proceeding in this manner.

The Applicant does not consent to this type of testimony. All witnesses need to be physically present to testify and be cross examined. This is an evidentiary hearing.

The Neighbors for Crebilly have had over 8+ months to prepare for and schedule their witnesses for their case. It was made abundantly clear 2 months ago that this hearing was concluding on the October 24th hearing date. Special allowances were made to those parties, including the Neighbors for Crebilly, whose witnesses were not available to testify at the Sept 19th hearing date to permit them to testify on October 24th even though there was ample hearing time available on Sept 19th for all parties' witnesses to testify.

If the Neighbors for Crebilly witness cannot physically attend the October 24th hearing to testify and be cross-examined, then his testimony should not be allowed.

Sent from my iPhone

On Oct 17, 2017, at 4:47 PM, Mark Thompson <[mthompson@lambmcerlane.com](mailto:mthompson@lambmcerlane.com)> wrote:

Patrick,

This email follows up our phone correspondence over the last two weeks. On behalf of the Neighbors for Crebilly, LLC, we would request the ability to present the testimony of Dr. Samuel Watson, a professor at the United States Military Academy at West Point and an expert on the Revolutionary War. While Dr. Watson cannot be physically present because of his duties at West Point, which do not permit him to travel next week, we met with the West Chester Area School District technology team yesterday, and have worked out the details on presenting the testimony to the Board by teleconference. I understand the Board may have reservations concerning allowing this, however we believe there is no technological impediment to this occurring. Also, I do not anticipate an issue with completing the testimony with an opportunity for the Applicant to rebut that night. Please let me know if the Board has an official position on this request.

Thank you,

**Mark P. Thompson**

<image003.gif>

**Direct:** 610.701.4407

**Fax:** 610.692.6210

24 E. Market St. PO Box 565

West Chester, PA 19381

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

[vCard](#) [Bio](#)

This e-mail contains PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the Individual(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering this to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at 610.430.8000 or notify us by e-mail at [info@lambmcerlane.com](mailto:info@lambmcerlane.com).

This e-mail contains PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the Individual(s) named above. If you are not the intended recipient of this e-mail, or the employee or agent responsible for delivering this to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify us by telephone at 610.430.8000 or notify us by e-mail at [info@lambmcerlane.com](mailto:info@lambmcerlane.com).