

SENATE LOCAL GOVERNMENT COMMITTEE

NOVEMBER 13, 2012 PUBLIC HEARING

SWORN TESTIMONY OF ANDREW:J. GIORGIONE, ESO.

Good afternoon Mr. Chairman and members of the Committee. My name is Andrew Giorgione and I am a shareholder at Buchanan Ingersoll Rooney, PC ("Buchanan"). I am appearing today at your request and am accompanied by John Leathers, Esq., who is General Counsel to Buchanan.

Based on your letter, it is my understanding that the purpose of the hearing today is to discuss the Local Government Unit Debt Act and how it was applied to various borrowings for the Harrisburg Resource Recovery Facility from 2003 to 2007. The purpose of my sworn testimony is to provide some background on our work for The Harrisburg Authority (the "Authority").

I have been a resident of the City of Harrisburg since 1990. Upon graduating law school in 1992, I worked in the City Solicitor's Office for the City of Harrisburg. I left the City and joined Obermayer Rebmann Maxwell & Hippel ("Obermayer") in January 1996. Obermayer represented the Authority for many years prior to my employment and I began doing work for the Authority when I joined Obermayer. Obermayer served as special counsel to the Authority for various matters including litigation, environmental and public finance. During my time at Obermayer, I, along with other members of Obermayer, worked on the 2003 financings identified in the January 2012 Forensic Investigation Report (the "Report").

In July 2005, I joined the law firm of Klett Lieber Rooney & Schorling, PC ("Klett"). At that time, most matters for the Authority were transferred with me to Klett. Klett merged with Buchanan in July 2006.

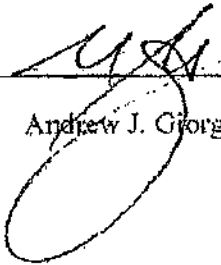
In 2007, City Council enacted legislation to assume control of appointments to the Authority, and in July 2007, appointed new members and Buchanan no longer represented the Authority. To be clear, neither I nor Buchanan have represented the Authority in any matters since July 2007 and did not participate in the 2007 financing which closed later in the year.

At the time our representation of the Authority ended, we turned over a list of outstanding matters to the Authority's new solicitor, the firm of Goldberg Katzman and Shipman ("Goldberg"), along with all related files and records. We also met with representatives of the Goldberg firm on at least three (3) occasions. Later, in 2008, the Authority initiated litigation against CIT Capital USA and we provided documents and testimony for that matter.

Our only other substantive contact with the Authority came in 2011, when Glenn Weiner, Esq., requested documents relative to our representation of the Authority. Attached is our reply to that request, in which we directed Mr. Weiner to request copies of our records from the Goldberg firm to whom we had transferred the records as the Authority's successor counsel. Thus, in reply, we identified the location of our former records and also offered to provide any further documents upon directive of the Authority. Mr. Weiner did not reply.

As you know, on page 14 of the Report, Buchanan is identified as a party that did not "provide[d] the information requested." In light of the firm's attached reply to Mr. Weiner, such representation was not accurate.

I, Andrew J. Giorgione, under penalty of perjury and subject to the penalties of 18 Pa.
C.S. Section 4904 relating to unsworn falsification to authorities, verify that the foregoing is true,
and correct to the best of my knowledge, information or belief.



Andrew J. Giorgione

Buchanan Ingersoll & Rooney PC
Attorneys & Government Relations Professionals

John R. Leathers
General Counsel
412 562 1880
john.leathers@bipr.com

One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219-1410
T 412 562 8800
F 412 562 1041
www.buchananingersoll.com

January 24, 2011

VIA FIRST CLASS MAIL AND TELECOPY (215) 562-6603

Glenn A. Weiner, Esquire
Klehr Harrison Harvey Brazburg
1835 Market Street
Philadelphia, Pennsylvania 19103

Re: The Harrisburg Authority - CIT

Dear Mr. Weiner:

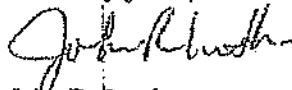
I am receipt of your letter of January 21, 2011, directed to Messrs. Gierasch and Vipond of the Harrisburg Office of Buchanan Ingersoll & Rooney PC. I take your letter as a demand for a document hold on materials relating to the Firm's representation of The Harrisburg Authority.

Please be advised that at some point in mid-2007, the Firm was replaced as counsel for THA by Ron Katzman at Goldberg Katzman. At that time, Mr. Katzman requested and was given a large number of the files relating to the Firm's representation of THA. Later, Mr. Katzman wanted still more documents, these particularly relating to the THA - CIT transaction. We made those available to him in pdf format at this time.

You should also be advised that THA requested that the Firm entered into a Tolling Agreement in December 2007, and that was done in January 2008.

In view of the clear adversity between the Firm and THA, you should cease all contact with any Firm personnel other than me. If you wish documents arising from the Firm's representation, you should obtain them from Mr. Katzman. We will not be producing still another set of documents simply because THA has again decided to change counsel. If it should turn out that we have documents that have not previously been produced, we will require a written directive from an appropriate official at THA to make those available.

Sincerely yours,



John R. Leathers
General Counsel

cc: Jonathan Vipond, Esq.
Stephen C. Gierasch, Esq.