



By: Caroline M. Roberto (I.D. No. 41524)
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 429 4th Avenue, Suite 500
 Pittsburgh, PA 15219
 (412) 391-4071

Attorney for Non-Party Timothy M. Curley

MICHAEL J. MCQUEARY,
 Plaintiff,

v.

THE PENNSYLVANIA STATE UNIVERSITY,
 Defendant.

COURT OF COMMON PLEAS
 OF CENTRE COUNTY

DOCKET NO. 2012-1804

**NON-PARTY TIMOTHY M. CURLEY'S
 EMERGENCY PETITION TO INTERVENE**

FILED FOR RECORD
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 CENTRE COUNTY, PA

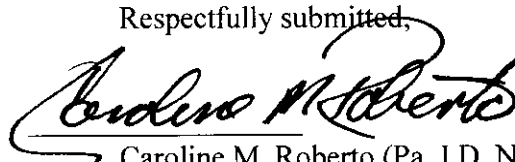
Non-party Timothy M. Curley petitions to intervene in this matter pursuant to Pennsylvania Rule of Civil Procedure 2327(4) for the purpose of filing a motion for protective order (attached hereto as Exhibit A) to prevent disclosure of work product and privileged communications. In support of this petition, Mr. Curley submits the accompanying memorandum of law, which is incorporated by reference herein, and avers as follows:

1. On October 12, 2012, plaintiff filed a complaint alleging counts in: (1) Whistleblower; (2) Defamation; and (3) Misrepresentation against defendant Pennsylvania State University ("PSU").
2. Mr. Curley was not named as a defendant in this action.
3. Nonetheless, several of the allegations in Plaintiff's complaint relate to Mr. Curley's alleged conduct and statements. *See* Compl. ¶¶13-19; ¶23, ¶¶26-27.

WHEREFORE, the Court should enter an order in the form proposed allowing Mr. Curley to intervene in this case and file the attached motion for protective order.

Respectfully submitted,

Dated: July 15, 2015



Caroline M. Roberto (Pa. I.D. No. 41524)
429 4th Avenue, Suite 500
Pittsburgh, Pa. 15219
Telephone: 412-391-4071
Facsimile: 412-391-1190
carolineroberto@comcast.net
Attorney for Timothy M. Curley

CERTIFICATE OF SERVICE

I, Caroline M. Roberto, hereby certify that on this 15th day of July, 2015, I caused the foregoing Timothy M. Curley's Motion to Intervene to be served upon counsel by electronic mail and first-class mail:

Elliot A. Strokoff
Strokoff & Cowden, P.C.
132 State Street
Harrisburg, PA 17101
Attorney for Plaintiff

W. Tim Fleming
Fleming Law Office
204 E. Calder Way, Suite 304
State College, PA 16801
Attorney for Plaintiff

Nancy Conrad, Esq.
White and Williams, LLP
3701 Corporate Parkway, Suite 300
Center Valley, PA 18034
*Attorney for Defendant
Pennsylvania State University*

A handwritten signature in black ink, appearing to read "Caroline M. Roberto", written over a horizontal line.

Caroline M. Roberto, Esquire
Attorney for Non-Party Witness Timothy M. Curley

Attorney for Non-Party Timothy M. Curley

COURT OF COMMON PLEAS
OF CENTRE COUNTY

:

DOCKET NO. 2012-1804

**TIMOTHY M. CURLEY'S
MEMORANDUM OF LAW IN SUPPORT OF
HIS EMERGENCY PETITION TO INTERVENE**

I. MATTER BEFORE THE COURT

1

II. QUESTION PRESENTED

Should this Court allow non-party Timothy M. Curley to intervene under Pa. R. Civ. P. 2327(4) for the purpose of filing a motion for protective order when plaintiff is seeking to depose Mr. Curley's former attorney relating to matters protected by the attorney-client privilege?

SUGGESTED ANSWER: Yes.

III. BACKGROUND

Plaintiff alleges a whistleblower, defamation and misrepresentation claim against defendant PSU. Mr. Curley is currently the subject of criminal proceedings involving allegations related to those made against PSU in this case.

Plaintiff has sought to depose Mr. Curley's prior counsel, who previously acted as Mr. Curley's attorney in relation to matters that are the subject of plaintiff's complaint. Mr. Curley now seeks to intervene because it is necessary to prevent disclosure of his privileged communications.

IV. ARGUMENT

Pennsylvania Rule of Civil Procedure 2327(4) provides that at any time during the pendency of an action, a non-party shall be permitted to intervene if determination of the action may affect a legally enforceable interest of the non-party. *See also* 3 STANDARD PA. PRACTICE 2d § 14:364 (2009). Rule 2327(4) is satisfied where a party has "some right, whether legal or equitable, which will be affected by the proceedings." *Acorn Dev. Corp. v. Zoning Hr'g Bd. of Upper Merion Twp.*, 523 A.2d 436, 437-38 (Pa. Cmwlth. 1986) (quoting 8 Goodrich-Amram 2d §2327:7). Intervention is appropriate when a "cause of action of the applicant's own . . . will be affected" by the action in which intervention is sought. 3 STANDARD PA. PRACTICE 2d § 14:363

(2009). *See also Marion Power Shovel Co. v. Fort Pitt Steel Casting Co.*, 426 A. 2d 696, 700 (Pa. Super. 1981).

Intervention is warranted in this case because Ms. Baldwin's deposition will very likely reveal matters protected by the attorney-client privilege. On June 26, 2015, counsel for PSU notified the undersigned that Plaintiff has noticed deposition for July 21, 2015. *See Ex. 1* to Curley's Motion for Protective Order. The allegations in Plaintiff's complaint against PSU relate to the events underlying the criminal charges pending against Mr. Curley. Comp. ¶¶60-63 (averring that Mr. Curley made intentional misrepresentations to "induce Plaintiff not to report the matter" and that Plaintiff has suffered as a proximate cause of the alleged misrepresentation).

Based on the allegations in the complaint, plaintiff's counsel may elicit testimony regarding Ms. Baldwin's discussions with Mr. Curley related to the Sandusky investigation. At the very least, questions to Ms. Baldwin may address the reasons for PSU's failure to renew plaintiff's employment contract and when and from whom she learned the information which formed the foundation for the employment decision. Ms. Baldwin's knowledge and experience with the Sandusky investigation and Mr. McQueary's termination is likely informed by her conversations with Mr. Curley, conversations which undersigned counsel has consistently asserted are privileged.

In the criminal case, Mr. Curley filed motions to dismiss the charges against him and to preclude the testimony of Ms. Baldwin, on the grounds that Ms. Baldwin's testimony breached the attorney-client privilege and the charges against him were based on Ms. Baldwin's improper grand jury testimony. On January 14, 2015, Judge Todd Hoover of the Court of Common Pleas of Dauphin County held that no individual attorney-client relationship existed between Mr. Curley and Ms. Baldwin. *See Commonwealth v. Curley*, No. 3615 CR 2013; 5165

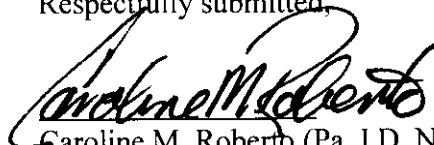
CR 2011, slip op. at 27-28. Mr. Curley has filed an appeal of this Order with the Superior Court, as such orders are immediately appealable as of right. See *Commonwealth v. Harris*, 32 A.3d 243, 251 (Pa. 2011)(holding that orders denying claims of privilege are immediately appealable as of right). The Superior Court scheduled argument for August 11, 2015 and the lower court judge stayed the criminal case pending the outcome of that appeal. Accordingly, no final determination regarding the attorney-client privilege has been made.

Because deposing Ms. Baldwin without the entry of a protective order would affect Mr. Curley's interest in the attorney-client privilege, he should be permitted to intervene to file the attached motion for protective order.

V. CONCLUSION

For these reasons, Mr. Curley respectfully requests that the Court grant Mr. Curley's petition to intervene pursuant to Rules 2327 and 2328 and file the attached motion for protective order.

Respectfully submitted,



Caroline M. Roberto (Pa. I.D. No. 41524)

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Pittsburgh, Pa. 15219

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Facsimile: 412-391-1190

carolineroberto@comcast.net

Attorney for Non-Party Witness Timothy M. Curley

Dated: July 15, 2015

By: Caroline M. Roberto (I.D. No. 41524)
carolineroberto@comcast.net
429 4th Avenue, Suite 500
Pittsburgh, PA 15219
(412) 391-4071

*Attorney for Non-Party Timothy M.
Curley*

MICHAEL J. MCQUEARY,
Plaintiff,

v.

THE PENNSYLVANIA STATE UNIVERSITY,
Defendant.

COURT OF COMMON PLEAS
OF CENTRE COUNTY

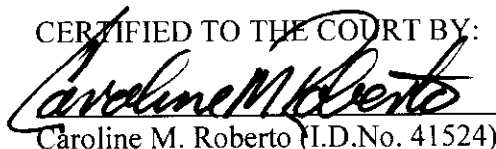
DOCKET NO. 2012-1804

**CERTIFICATION OF COUNSEL PURSUANT TO
CENTRE COUNTY CIV. R. 208.2(d)**

I hereby certify that on July 13, 2015, I attempted to contact counsel for all parties in order to inform them of my intent to file a Petition to Intervene in this case to protect privileged communications made between Timothy M. Curley and Cynthia Baldwin and sought their consent to the filing of this petition. On July 13, 2015, counsel for plaintiff, responded that he takes no position on the Petition to Intervene. As of the date of filing this Petition, Counsel for defendant has not responded.

Dated: July 14, 2015

CERTIFIED TO THE COURT BY:



Caroline M. Roberto (I.D.No. 41524)
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Facsimile: 412-391-1190
carolineroberto@comcast.net

Attorney for Non-Party Witness Timothy M. Curley

EXHIBIT A

MICHAEL J. MCQUEARY
Plaintiff,

v.

THE PENNSYLVANIA STATE UNIVERSITY,

Defendant.

:
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: COURT OF COMMON PLEAS
: OF CENTRE COUNTY
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:

: DOCKET NO. 2012-1804
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NOTICE OF PRESENTATION

To: Elliot A. Strokoff
Strokoff & Cowden, P.C.
132 State Street
Harrisburg, PA 17101
Attorney for Plaintiff

W. Tim Fleming
Fleming Law Office
204 E. Calder Way, Suite 304
State College, PA 16801
Attorney for Plaintiff

Nancy Conrad, Esq.
White and Williams, LLP
3701 Corporate Parkway, Suite 300
Center Valley, PA 18034
Attorney for Defendant
Pennsylvania State University

PLEASE TAKE NOTICE that Intervenor Timothy M. Curley's Motion for Protective Order will be presented to the Court in City Hall, Courtroom ___, on _____, 2015, at _____.m.

Dated: July 15, 2015

Respectfully submitted,



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Attorney for Intervenor Timothy M. Curley

MICHAEL J. MCQUEARY,
Plaintiff,

V.

THE PENNSYLVANIA STATE UNIVERSITY,

Defendant.

J.

MICHAEL J. MCQUEARY,
Plaintiff,

V.

THE PENNSYLVANIA STATE UNIVERSITY,
Defendant.

COURT OF COMMON PLEAS
OF CENTRE COUNTY

DOCKET NO. 2012-1804

**NON-PARTY TIMOTHY M. CURLEY'S
MOTION FOR PROTECTIVE ORDER**

Intervenor Timothy M. Curley hereby moves pursuant to Pennsylvania Rule of Civil Procedure 4012 for a protective order to prevent disclosure of privileged communications. In support of this petition, Mr. Curley avers as follows:

1. On October 12, 2012, plaintiff filed a complaint alleging counts in: (1) Whistleblower; (2) Defamation; and (3) Misrepresentation against defendant Pennsylvania State University (“PSU”).
2. Mr. Curley was not named as a defendant in this action, but has been granted leave to intervene to protect his interest in preventing disclosure of privileged communications.
3. Plaintiff seeks to depose third-party witness Cynthia Baldwin, who previously acted as Mr. Curley’s attorney in relation to matters that are the subject of Plaintiff’s complaint.
4. Deposition of Ms. Baldwin threatens to infringe Mr. Curley’s attorney-client privilege.

Whistleblower; (2) Defamation; and (3) Misrepresentation against defendant Pennsylvania State University (“PSU”).

2. Mr. Curley was not named as a defendant in this action, but has been granted leave to intervene to protect his interest in preventing disclosure of privileged communications.

3. Plaintiff seeks to depose third-party witness Cynthia Baldwin, who previously acted as Mr. Curley's attorney in relation to matters that are the subject of Plaintiff's complaint.

4. Deposition of Ms. Baldwin threatens to infringe Mr. Curley's attorney-client privilege.

5. Mr. Curley is currently the subject of criminal proceedings involving allegations similar to those made against PSU in this case. In the criminal case, Mr. Curley filed motions to dismiss the charges against him and to preclude the testimony of Ms. Baldwin, on the grounds that Ms. Baldwin's testimony breached the attorney-client privilege and the charges against him were based on Ms. Baldwin's improper grand jury testimony.

6. On January 14, 2015, Judge Todd Hoover of the Court of Common Pleas of Dauphin County held that no personal attorney-client relationship existed between Mr. Curley and Ms. Baldwin. *See Commonwealth v. Curley*, No. 3614 CR 2013; 5165 CR 2011, slip op. at 27-28.

7. Because orders rejecting claims of privilege are immediately appealable, Mr. Curley appealed the order to the Superior Court, challenging Judge Hoover's conclusion that there was no attorney-client relationship between him and Ms. Baldwin. In light of that appeal, the criminal case was stayed. *Commonwealth v. Curley*, Superior Court 299 MDA 2015. Briefs have been filed and argument is scheduled to commence on August 11, 2015, before a three judge panel of the Superior Court.

8. Plaintiff in this action now seeks to depose Ms. Baldwin. *See* 6/26/15 Ltr. From N. Conrad to C. Roberto, attached hereto as **Exhibit 1**.

9. Based on the allegations relating to Mr. Curley in the complaint, Plaintiff's counsel may elicit testimony regarding Ms. Baldwin's privileged discussions with Mr. Curley related to the Sandusky investigation.

10. Discovery into privileged matters is impermissible. *See* Pa. R. Civ. P. 4003.1(a).

11. Because deposing Ms. Baldwin would very likely result in the disclosure of privileged communications, Mr. Curley seeks a protective order pursuant to Rule 4012 of the Pennsylvania Rules of Civil Procedure directing Ms. Baldwin not to disclose or testify about her communications with Mr. Curley regarding the Sandusky investigation. Counsel for Mr. Curley requests that the deposition “shall be only on specified terms and conditions” (Pa.R.Civ.P. 4012(a)(2)), specifically, that undersigned counsel be permitted to be present at the deposition in order to object and assert the attorney-client privilege on Mr. Curley’s behalf where appropriate; further, counsel for Mr. Curley requests that this Court direct Ms. Baldwin not to answer those questions and/or to cease testimony when undersigned counsel lodges an objection on the basis of the privilege.

WHEREFORE, Timothy M. Curley respectfully requests that the Court enter an order in the form proposed directing Ms. Baldwin not to disclose or testify about her communications with Mr. Curley regarding the Sandusky investigation which fall within the scope of the attorney-client privilege.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Caroline M. Roberto", written over a horizontal line.

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Dated: July 15, 2015

Attorney for Intervenor Timothy M. Curley

By: Caroline M. Roberto (I.D. No. 41524)
carolineroberto@comcast.net
429 4th Avenue, Suite 500
Pittsburgh, PA 15219
(412) 391-4071

*Attorney for Non-Party Timothy M.
Curley*

MICHAEL J. MCQUEARY,
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Defendant.

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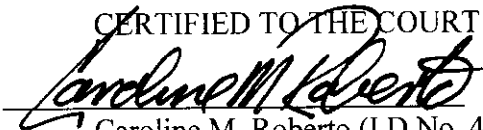
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CERTIFIED TO THE COURT BY:

Dated: July 14, 2015


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Attorney for Non-Party Witness Timothy M. Curley

Attorney for Non-Party Timothy M. Curley

COURT OF COMMON PLEAS
OF CENTRE COUNTY

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DOCKET NO. 2012-1804

Intervenor Timothy M. Curley hereby seeks a protective order pursuant to Rule 6(e) of the Federal Rules of Civil Procedure. Support therefor states as follows:

The matter before the Court is Mr. Curley's motion for a protective order.

Should this Court enter a protective order preventing the disclosure of communications by Mr. Curley's former attorney, Cynthia Baldwin, which are covered by the attorney-client privilege?

III. BACKGROUND

Plaintiff alleges a whistleblower, defamation and misrepresentation claim against defendant PSU. Mr. Curley is currently the subject of criminal proceedings involving allegations related to those made against PSU in this case.

Plaintiff seeks to depose Mr. Curley's prior counsel, who previously acted as Mr. Curley's attorney in relation to matters that are the subject of plaintiff's complaint. *See* June 26, 2015, Ltr. From N. Conrad to C. Roberto, attached as **Exhibit 1**. Mr. Curley now seeks a protective order to prevent Ms. Baldwin from disclosing privileged communications.

Counsel for Ms. Baldwin has indicated to counsel for Mr. Schultz, a co-defendant in the criminal matter, that "absent a Court Order granting a request for a protective order and directing Justice Baldwin not to answer questions concerning her communications with Mr. Schultz, we will not object to such questions or otherwise instruct Justice Baldwin not to answer questions". *See* March 20, 2015, Ltr. From C. DeMonaco to T. Farrell, attached as **Exhibit 2**.

IV. ARGUMENT

On good cause, discovery shall be prohibited or limited when "justice requires to protect a party or person from unreasonable annoyance, embarrassment, oppression, burden or expense" Pa. R. Civ. P. 4012(a). Good cause exists for entry of a protective order in this case. Discovery into privileged matters is impermissible. *See* Pa. R. Civ. P. 4011(c), 4003.1(a).

On June 26, 2015, counsel for PSU notified undersigned counsel that Plaintiff had noticed the deposition of Ms. Baldwin for July 21, 2015. *See* **Ex. 1**. Plaintiff's allegations directly relate to the events underlying the criminal charges pending against Mr. Curley. Comp. ¶¶60-63 (averring that Mr. Curley made intentional misrepresentations to "induce Plaintiff not to report the matter" and that Plaintiff has suffered as a proximate cause of the alleged misrepresentation). Based on the allegations in the complaint, plaintiff's counsel may elicit

testimony regarding Ms. Baldwin's discussions with Mr. Curley related to the Sandusky investigation. At the very least, questions to Ms. Baldwin may address the reasons for PSU's failure to renew plaintiff's employment contract and when and from whom she learned the information which formed the foundation for the employment decision. Ms. Baldwin's knowledge and experience with the Sandusky investigation and Mr. McQueary's termination is likely informed by her conversations with Mr. Curley, conversations which undersigned counsel has consistently asserted are privileged.

In the criminal case, Mr. Curley filed motions to dismiss the charges against him and to preclude the testimony of Ms. Baldwin, on the grounds that Ms. Baldwin's testimony breached the attorney-client privilege and the charges against him were based on Ms. Baldwin's improper grand jury testimony. On January 14, 2015, Judge Todd Hoover of the Court of Common Pleas of Dauphin County held that no individual attorney-client relationship existed between Mr. Curley and Ms. Baldwin. *See Commonwealth v. Curley*, No. 3615 CR 2013; 5165 CR 2011, slip op. at 27-28. Mr. Curley has filed an appeal of this Order with the Superior Court, as such orders are immediately appealable as of right. *See Commonwealth v. Harris*, 32 A.3d 243, 251 (Pa. 2011)(holding that orders denying claims of privilege are immediately appealable as of right). The Superior Court scheduled argument for August 11, 2015 and the lower court judge stayed the criminal case pending the outcome of that appeal. Accordingly, no final determination regarding the attorney-client privilege has been made.

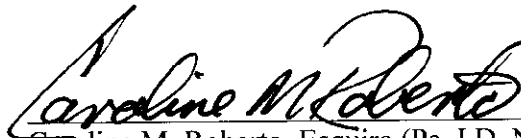
Because deposing Ms. Baldwin without the entry of a protective order would affect Mr. Curley's interest in the attorney-client privilege, he should be permitted to intervene to file the attached motion for protective order.

“[O]nce [privileged] material has been disclosed, any privilege is effectively destroyed.” *Commonwealth v. Harris*, 32 A.3d 243, 247 (Pa. 2011). Thus, allowing disclosure of privileged material in this case is antithetical to the stay of the criminal case, which was put in place to protect against disclosure. Therefore, this Court should grant Mr. Curley’s motion and direct Ms. Baldwin not to disclose or testify about her communications with Timothy M. Curley regarding, relating to, or in any way involving Timothy M. Curley’s grand jury testimony or his interview with the Pennsylvania Office of the Attorney General in advance of his grand jury testimony. Because counsel for Ms. Baldwin has already taken a position that there is no privilege and that she will answer questions regarding privileged communications (*See Exhibit 2*), undersigned counsel respectfully requests that the court order that counsel is permitted to be present at Ms. Baldwin’s deposition in order to object and assert the attorney-client privilege on Mr. Curley’s behalf; Ms. Baldwin should be directed not to answer those questions to which Mr. Curley’s counsel lodges an objection on the basis of the privilege.

V. CONCLUSION

For these reasons, Mr. Curley respectfully requests that the Court enter a protective order pursuant to Rule 4012(a) barring Ms. Baldwin from disclosing or testifying about communications with Mr. Curley regarding the Sandusky investigation.

Dated: July 15, 2015


Caroline M. Roberto, Esquire (Pa. I.D. No. 41524)
429 4th Avenue, Suite 500
Pittsburgh, PA 15219
Telephone: 412-391-4071
Facsimile: 412-391-1190
carolineroberto@comcast.net

Attorney for Intervenor Timothy M. Curley

EXHIBIT 1



Nancy Conrad

3701 Corporate Parkway, Suite 300 | Center Valley, PA 18034-8233
Direct 610.782.4909 | Fax 610.782.4935
conradn@whiteandwilliams.com | whiteandwilliams.com

June 26, 2015

VIA EMAIL

Elizabeth K. Ainslie, Esquire
Schnader Harrison Segal & Lewis LLP
1600 Market Street, Suite 3600
Philadelphia, PA 19103

Thomas J. Farrell, Esquire
Farrell & Reisinger, LLC
436 Seventh Avenue
Koppers Building, Suite 300
Pittsburgh, PA 15219

Caroline M. Roberto, Esquire
429 Fourth Avenue, Suite 500
Pittsburgh, PA 15219

**RE: Michael McQueary v. The Pennsylvania State University
Centre County Court of Common Pleas Docket No. 2012-1804
Deposition of Cynthia Baldwin**

Dear Counsel:

As you are aware, I represent the Pennsylvania State University in the above-captioned matter. This correspondence is to inform you that Plaintiff's counsel has noticed the deposition of Former General Counsel Cynthia Baldwin for July 21, 2015 at the offices of Fox Rothschild LLP, Pittsburgh, Pennsylvania. Former General Counsel Baldwin is personally represented by Robert Tintner. I understand that Attorney Tintner previously exchanged correspondence dated September 22, 2014 with Attorney Ainslie about this matter.

Very truly yours,

WHITE AND WILLIAMS LLP

Nancy Conrad

NC:dlw

cc: Elliot A. Strokoff, Esquire
William T. Fleming, Esquire
Robert S. Tintner, Esquire

EXHIBIT 2



Fox Rothschild LLP
ATTORNEYS AT LAW

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March 20, 2015

VIA E-MAIL

Thomas J. Farrell, Esquire
Farrell & Reisinger, LLC
200 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1827

Re: John Joe D. v. Gerald Sandusky, et al.
C.C.P. Philadelphia County; November Term, 2013; No. 2298

Dear Mr. Farrell:

We are in receipt of your March 19, 2015 letter.

While we certainly respect your opinion concerning your client's assertion of a personal attorney-client privilege as between Justice Cynthia A. Baldwin and Gary Schultz, we disagree with that position. We also disagree with you that the issue has not been resolved. As you are fully aware, Judge Hoover found conclusively, as a matter of fact and law, in his January 14, 2015 Memorandum Opinion and Order that there was no separate or personal attorney-client relationship as between Mr. Schultz and Justice Baldwin. While we acknowledge that Mr. Schultz has the right to appeal that portion of Judge Hoover's decision dealing with the attorney-client privilege, simply because your client has appealed Judge Hoover's decision does not render that decision less conclusive on the issue.

As we have advised you previously, Justice Baldwin is under subpoena to testify and to provide documents responsive to the notice and subpoena that was sent to her in connection with the above-referenced matter. We have confirmed with counsel for the Pennsylvania State University (the "University") that there is no carve-out or exception to the University's waiver of the attorney-client privilege with respect to all communications that occurred between agents and employees of the University, including your client, and Justice Baldwin prior to November 5, 2011. As the University was Justice Baldwin's client and the University has waived the privilege with respect to those communications, we intend to comply fully with the subpoena.

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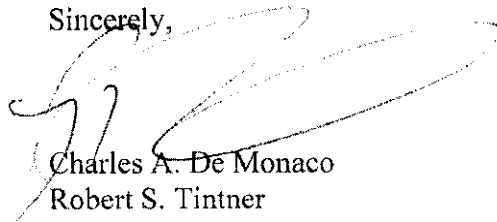
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ATTORNEYS AT LAW

Thomas J. Farrell, Esquire
March 20, 2015
Page 2

Indeed, absent a Court Order granting a request for a protective order and directing Justice Baldwin not to answer questions concerning her communications with Mr. Schultz, we will not object to such questions or otherwise instruct Justice Baldwin not to answer questions that are posed by counsel where the University has already waived the attorney-client privilege.

Please do not hesitate to contact us if you have any questions. Thank you.

Sincerely,



Charles A. De Monaco
Robert S. Tintner

CAD/RST/ebm

cc: Harold I. Goodman, Esquire (via e-mail)
Stephen E. Raynes, Esquire (via e-mail)
Alexander R. Bilus, Esquire (via e-mail)
Joseph F. O'Dea, Jr., Esquire (via e-mail)
Jana C. Volante, Esquire (via e-mail)

CERTIFICATE OF SERVICE

I, Caroline M. Roberto, hereby certify that on this 15th day of July, 2015, I caused the foregoing Timothy M. Curley's Motion to Intervene to be served upon counsel by electronic mail and first-class mail:

Elliot A. Strokoff
Strokoff & Cowden, P.C.
132 State Street
Harrisburg, PA 17101
Attorney for Plaintiff

W. Tim Fleming
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204 E. Calder Way, Suite 304
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Attorney for Plaintiff

Nancy Conrad, Esq.
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3701 Corporate Parkway, Suite 300
Center Valley, PA 18034
Attorney for Defendant
Pennsylvania State University

A handwritten signature in black ink, appearing to read "Caroline M. Roberto", written over a horizontal line.

Caroline M. Roberto, Esquire
Attorney for Non-Party Witness Timothy M. Curley