



IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

The ESTATE of JOSEPH PATERNO; and)
)
 WILLIAM KENNEY and JOSEPH V.)
 ("JAY") PATERNO,)
 former football coaches at Pennsylvania)
 State University,)
 Plaintiffs,)
)
 v.)
)
 NATIONAL COLLEGIATE ATHLETIC)
 ASSOCIATION ("NCAA");)
)
 MARK EMMERT, individually and as)
 President of the NCAA;)
)
 and)
)
 EDWARD RAY, individually and as former)
 Chairman of the)
 Executive Committee of the NCAA,)
)
 Defendants.)
)
)
)

Civil Division
 Docket No. 2013-2082

FILED FOR RECORD
 2016 JAN 20 AM 10:06
 DEBORAH J. JAMES
 PROthonotary
 CENTRE COUNTY, PA

**CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA
 PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things to Kathleen McChesney pursuant to Rule 4009.22, Plaintiffs hereby certify that all parties have waived the 20-day notice of intent to serve the subpoena. The subpoena which will be served is identical to the subpoena submitted with this Certificate.

Date: January 19th, 2016

By: 

Thomas J. Weber
GOLDBERG KATZMAN, P.C.
4250 Crums Mill Road, Suite 201
P.O. Box 6991
Harrisburg, PA 17112

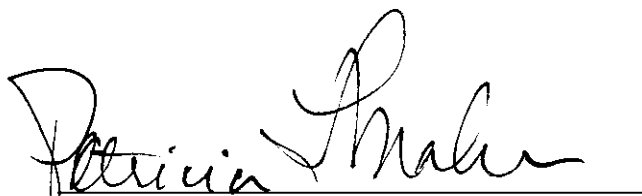
Wick Sollers
L. Joseph Loveland
Ashley C. Parrish
Patricia L. Maher
KING & SPALDING LLP
1700 Pennsylvania Avenue, NW
Washington, DC 20006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA PURSUANT TO RULE 4009.22** was served this 19th day of January, 2016 by first class mail and email to the following:

Thomas W. Scott
Killian & Gephart
218 Pine Street
P.O. Box 886
Harrisburg, PA 17108-0886
Email: tscott@killiangephart.com

Everett C. Johnson, Jr.
Brian E. Kowalski
Sarah M. Gragert
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555-11th Street, N.W.
Suite 1000
Washington, D.C. 20004-1304
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brian.kowalski@lw.com
sarah.gragert@lw.com



Patricia L. Maher

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

THE ESTATE of JOSEPH PATERNO;

WILLIAM KENNEY and JOSEPH V. ("JAY") PATERNO,
former football coaches at Pennsylvania State University,

Plaintiffs,

v.

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
("NCAA"),

MARK EMMERT, individually and
as President of the NCAA, and

EDWARD RAY, individually and as former Chairman
of the Executive Committee of the NCAA,

Defendants.

Civil Division

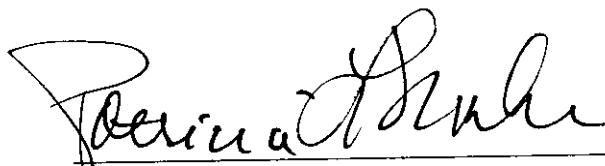
Docket No. 2013-2082

FILED FOR RECORD
2016 JAN 20 AM 10:07
DEBORAH S. JENSEL
PROTHONOTARY
CENTRE COUNTY, PA

**NOTICE TO DEFENDANTS BY PLAINTIFFS ESTATE OF JOSEPH PATERNO,
WILLIAM KENNEY AND JOSEPH V. ("JAY") PATERNO TO SERVE A SUBPOENA TO
KATHLEEN McCHESNEY TO PRODUCE DOCUMENTS PURSUANT TO RULE 4009.21**

Plaintiffs the Estate of Joseph Paterno, William Kenney and Joseph V. ("Jay") Paterno, by and through their undersigned counsel, intend to serve a subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made, the subpoena may be served.

Dated this 19th day of January, 2016



Thomas J. Weber
GOLDBERG KATZMAN, P.C.
4250 Crums Mill Road, Suite 301
P. O. Box 6991
Harrisburg, PA 17112
Telephone: (717) 234-4161

Wick Sollers
L. Joseph Loveland
Mark A. Jensen
Ashley C. Parrish
KING & SPALDING LLP
1700 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 737-0500

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **CERTIFICATE PREREQUISITE TO SERVICE OF A SUBPOENA PURSUANT TO RULE 4009.22** was served this 19th day of January, 2016 by email and first class mail to the following:

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sarah.gragert@lw.com


Patricia L. Maher

**IN THE COURT OF COMMON PLEAS OF
CENTRE COUNTY, PENNSYLVANIA**

The ESTATE of JOSEPH PATERNO, et al.	:	CIVIL ACTION – LAW
	:	
Plaintiffs	:	DOCKET NO.: 2013-2082
	:	
v.	:	
	:	
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (“NCAA”), et al.	:	
	:	
Defendants	:	

SUBPOENA TO ATTEND AND TESTIFY

To: Kathleen McChesney
8420 Tuscany Ave.
Playa del Rey, CA 90293

1. You are Ordered by the Court to come to Barkley Court Reporters 6601 Center Drive, West, Suite 500, Los Angeles, CA 90045 on Tuesday, February 23, 2016 at 9:00 a.m. to testify on behalf of Plaintiffs in the above-captioned cases and to remain until excused.

2. And bring with you the following: The documents described on Exhibit A

If you fail to attend or to produce the documents or things required by the subpoena, you may be subjected to the sanctions authorized by Rule 234.5 of the Pennsylvania Rules of Civil Procedure, including but not limited to costs, attorney fees and imprisonment.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

Name:	Patricia L. Maher
Address:	King & Spalding LLP 1700 Pennsylvania Avenue, N.W. Suite 200 Washington, D. C. 20007
Telephone:	202-737-0500
Supreme Court ID#	Admitted pro hac vice
Attorney for:	<u>Plaintiffs</u>

BY THE COURT:

DATE: _____

Prothonotary/Clerk, Civil Division

Deputy

EXHIBIT A – SUBPOENA TO KATHLEEN MCCHESENEY

For the period January 1, 2011 through December 31, 2015 all documents, including but not limited to memos, notes of telephone conversations, handwritten notes, emails from any email account (e.g., @freehgroup.com, @gmail.com, @yahoo.com) text messages or short message service (SMS) messages that evidence, reflect or relate in any way to the following:

1. All documents in your possession that evidence, reflect or relate to your work on the Freeh investigation or the Freeh Report.