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IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW

GEORGE SCOTT PATERNO,  
as duly appointed representative of the  
ESTATE and FAMILY of JOSEPH PATERNO;

RYAN McCOMBIE, ANTHONY LUBRANO, AL  
CLEMENS, PETER KHOURY, and  
ADAM TALIAFERRO, members of the Board of Trustees  
of Pennsylvania State University;

PETER BORDI, TERRY ENGELDER,  
SPENCER NILES, and JOHN O'DONNELL,  
members of the faculty of Pennsylvania State University;

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

ANTHONY ADAMS, GERALD CADOGAN,  
SHAMAR FINNEY, JUSTIN KURPEIKIS,  
RICHARD GRDNER, JOSH GAINES, PATRICK MAUTI,  
ANWAR PHILLIPS, and MICHAEL ROBINSON,  
former football players of 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.

) **Docket No.:** 2013-2082  
)  
) **Type of Case:**  
) Declaratory Judgment Injunction  
) Breach of Contract  
) Tortious Interference with  
) Contract  
) Defamation  
) Commercial Disparagement  
) Conspiracy  
)  
) **Type of Pleading:**  
) Joint Stipulation Regarding  
) Defendants' Response to  
) Plaintiffs' Complaint  
)  
) **Filed on Behalf of:**  
)  
) National Collegiate Athletic  
) Association, Mark Emmert,  
) Edward Ray  
)  
) **Counsel of Record for this  
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DEBRA C. JAMES  
PROthonary  
CENTRE COUNTY, PA

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

GEORGE SCOTT PATERNO, as duly appointed representative of )  
the ESTATE and FAMILY of JOSEPH PATERNO; )  
RYAN MCCOMBIE, ANTHONY LUBRANO, )  
AL CLEMENS, PETER KHOURY, and )  
ADAM TALIAFERRO, members of the )  
Board of Trustees of Pennsylvania State University; )  
PETER BORDI, TERRY ENGELDER, )  
SPENCER NILES, and JOHN O'DONNELL, )  
members of the faculty of Pennsylvania State University; )  
WILLIAM KENNEY and JOSEPH V. ("JAY") PATERNO, )  
former football coaches at Pennsylvania State University; and )  
ANTHONY ADAMS, GERALD CADOGAN, )  
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RICHARD GARDNER, JOSH GAINES, PATRICK MAUTI, )  
ANWAR PHILLIPS, and MICHAEL ROBINSON, former )  
football players of 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

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PROthonotary  
CENTRE COUNTY, PA  
FOR RECORD

**JOINT STIPULATION REGARDING  
DEFENDANTS' RESPONSE TO PLAINTIFFS' COMPLAINT**

Whereas, on January 7, 2014, this Court entered an Opinion and Order sustaining, in part, and overruling, in part, Defendant National Collegiate Athletic Association ("NCAA"), Mark Emmert, and Edward Ray's (collectively, "Defendants") Preliminary Objections to Plaintiffs May 30, 2013 Complaint (the "Original Complaint");

Whereas, the Court granted Plaintiffs leave to file an Amended Complaint within thirty days of the date of the Opinion and Order, which is February 5, 2014, and Plaintiffs presently intend to file such an Amended Complaint;

And whereas, if the NCAA were required to answer the Original Complaint, Pennsylvania Rule of Civil Procedure 1028(d) would provide the NCAA with twenty days from the date of the Opinion and Order, which is January 27, 2014<sup>1</sup>, and that will occur before Plaintiffs' deadline to file an Amended Complaint;

Therefore, the parties, by and through undersigned counsel, agree and jointly stipulate as follows:

1. If Plaintiffs do not file an Amended Complaint, the NCAA's answer to the Original Complaint shall be timely if served on or before February 25, 2014;
2. If Plaintiffs file an Amended Complaint, the NCAA will have no obligation to answer the Original Complaint, and Defendants shall file preliminary objections—or otherwise respond—to the Amended Complaint by March 7, 2014.

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<sup>1</sup> Defendants Emmert and Ray raised preliminary objections based on a lack of personnel jurisdiction. Those preliminary objections have not been resolved, and Defendants Emmert and Ray continue to preserve and assert them. The parties have agreed that any decision on Defendants Emmert's and Ray's preliminary objections based on a lack of personal jurisdiction will be deferred until discovery adequate to resolve them has been completed. Until that occurs and a decision is made by the Court, Defendants Emmert and Ray will not be obligated to file an answer.

**AGREED TO BY:**



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*Counsel for Plaintiffs*

Date: January \_\_, 2014

SO ORDERED.

BY THE COURT:

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**, J.**

**CERTIFICATE OF SERVICE**

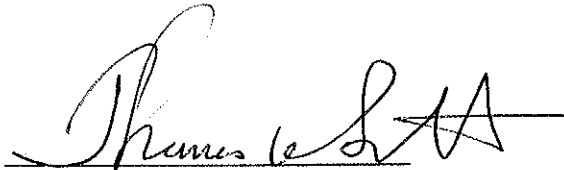
I, Thomas W. Scott, hereby certify that I am serving the foregoing Joint Stipulation to Stay Defendants' Deadline to Answer on the following by First Class Mail and email:

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Dated: January 23, 2014



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