



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

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.

) **Docket No.:** 2013-2082  
)  
) **Type of Case:**  
) Declaratory Judgment Injunction  
) Breach of Contract  
) Tortious Interference with Contract  
) Defamation  
) Commercial Disparagement  
) Conspiracy  
)  
) **Type of Pleading:**  
) Defendant Dr. Edward J. Ray’s  
) Motion for Admission of  
) Timothy W. Cook, Counsel Pro  
) Hac Vice  
)  
) **Filed on Behalf of:**  
) Edward Ray  
)  
) **Counsel of Record for this**  
) **Party:**  
) Thomas W. Scott, Esquire  
) Killian & Gephart, LLP  
) 218 Pine Street, P.O. Box 886  
) Harrisburg, PA 17108-0886  
) TEL: (717) 232-1851  
) FAX: (717) 238-0592  
) tscott@killiangephart.com  
) PA I.D. Number: 15681

FILED  
2015 APR 28 PM 3:56  
DEPT. OF COURTS  
PROthonARY  
CENTRE COUNTY, PA

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

GEORGE SCOTT 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. )

FILED 10:01 PM 03/28  
 2016 APR 28 PM 3:56  
 DEBRA C. MARTEL  
 PROthonOTARY  
 CENTRE COUNTY, PA

Civil Division  
 Docket No. 2013-2082

**DEFENDANT DR. EDWARD J. RAY’S MOTION FOR ADMISSION OF  
 TIMOTHY W. COOK,  
COUNSEL PRO HAC VICE**

NOW COMES Defendant Dr. Edward J. Ray, by and through undersigned counsel and Sponsor, Thomas W. Scott, Esquire, and Killian & Gephart, LLP, and pursuant to Rule 1012.1 of the Pennsylvania Rules of Civil Procedure, hereby moves this Honorable Court to enter an Order admitting Timothy W. Cook, Esquire, *pro hac vice* in this matter on behalf of Defendant, Dr. Ray. In support of this Motion, Dr. Ray states the following:

1. Thomas W. Scott, Sponsor, is admitted to and a member in good standing of the bar of the Commonwealth of Pennsylvania, and has entered his appearance of record on behalf of the Defendants in this case.

2. The verified statement of Thomas W. Scott, Sponsor, required by Pa. R.C.P. 1012.1(d) is attached.

3. Candidate Timothy W. Cook, Esquire, is an attorney licensed to practice and a member in good standing of the bar of Massachusetts.

4. The verified statement of Timothy W. Cook, Candidate, required by Pa. R.C.P. 1012.1(c) is attached.

5. The fee required by 204 Pa. Code Section 81.505(a) has been paid.

6. A copy of the fee payment receipt from the IOLTA Board is attached.

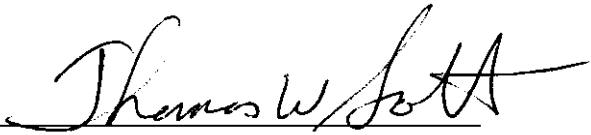
7. The information required by 204 Pa. Code Section 81.504 has been provided to the IOLTA Board.

ORIGINAL

**WHEREFORE**, Dr. Edward J. Ray, respectfully requests that this Honorable Court enter an Order admitting Timothy W. Cook, Esquire, *pro hac vice* for the purpose of representing Defendant Dr. Ray, in this case. For the Court's convenience, a Proposed Order is attached.

Date:

Respectfully submitted,



Thomas W. Scott, Esquire  
PA. I.D. # 15681  
KILLIAN & GEPHART, LLP  
218 Pine Street  
P.O. Box 886  
Harrisburg, PA 17108-0886

Attorney for Dr. Edward J. Ray

**Verified Statement of Thomas W. Scott, Esquire,  
Sponsor for Timothy W. Cook, pursuant to Pa. R.C.P. 1012.1(d)(2)**

The undersigned, Thomas W. Scott, Esquire, being admitted to the Bar of the Supreme Court of the Commonwealth of Pennsylvania, and in good standing, states as follows:

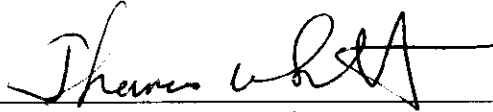
1. After reasonable investigation, it is my reasonable belief that the candidate, Timothy W. Cook, Esquire, is a reputable and competent attorney, and I am in a position to recommend his admission.

2. I am presently acting as a sponsor for candidates for admission *pro hac vice* in three cases in all courts of record in the Commonwealth of Pennsylvania. I have previously sponsored counsel in this matter.

3. Any proceeds from the settlement of a cause of action in which the candidate is granted admission *pro hac vice* shall be received, held, distributed, and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including the IOLTA provisions thereof, if applicable.

I hereby verify that the statements of fact made in the foregoing document are true and correct to the best of my personal knowledge, information, and belief. I understand that any false statements made therein are subject to the penalties contained in 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

Date: April 28, 2016

  
Thomas W. Scott, Esquire  
PA. I.D. # 15681  
KILLIAN & GEPHART, LLP  
218 Pine Street  
P.O. Box 886  
Harrisburg, PA 17108-0886

Attorney for Dr. Edward J. Ray

**Verified Statement of Timothy W. Cook, Esquire,  
In Support of Motion for Admission Pro Hac Vice, pursuant to Pa. R.C.P. 1012.1 (c)**

I, Timothy W. Cook, state the following:

1. I am a member in good standing of the Massachusetts State Bar and the U.S. District Court for Massachusetts. My membership number for the Massachusetts State Bar is 688688.

2. With respect to all jurisdictions in which I am licensed, I have never been suspended, disbarred, or otherwise disciplined, nor am I subject to any disciplinary proceedings before any jurisdiction.

3. I am not involved in any pending actions in a court of record in Pennsylvania. I have never had an application for admission *pro hac vice* denied.

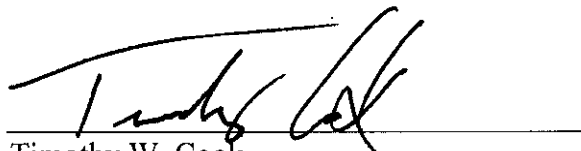
4. I shall comply with and be bound by the applicable statutes, case law, and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

5. I shall submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respects to acts and omissions occurring during the appearance in the above-captioned matter referenced for which admission *pro hac vice* is being sought.

6. I have consented to the appointment of Thomas W. Scott, as the agent upon whom service of process shall be made for all actions, including disciplinary actions, that may arise out of the practice of law in the matter for which admission *pro hac vice* is sought.

I, Timothy W. Cook, hereby state that the facts above set forth are true and correct. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904.

Date: 4/27/16



Timothy W. Cook  
COOLEY LLP  
500 Boylston Street  
Boston, MA 02116  
tcook@cooley.com  
Phone: (617) 937-2433  
Fax: (617) 937-2400

SUPREME COURT OF PENNSYLVANIA  
PENNSYLVANIA INTEREST ON  
LAWYERS TRUST ACCOUNT BOARD

April 27, 2016

TIMOTHY W COOK, Esq.  
COOLEY  
500 BOYLSTON STREET  
BOSTON, MA 02116

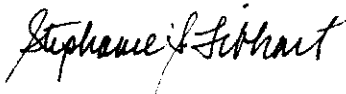
SENT TO THOMAS W. SCOTT VIA Email: TSCOTT@KILLIANGEPHART.COM

Dear Attorney COOK:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$375.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as Paterno, et al. v. NCAA, et al., no. 2013-2082, filed in Court of Common Pleas of Centre County.

You should refer to Pa Rule of Civil Procedure 1012.1, local court rules, and other regulations of 204 Pa Code §81.501 et. seq. concerning additional requirements related to seeking *pro hac vice* admission.

Sincerely,



Stephanie S. Libhart  
Executive Director

cc: THOMAS W. SCOTT, Esq.  
tscott@killiangephart.com

Pennsylvania Judicial Center  
601 Commonwealth Ave., Ste. 2400  
PO Box 62445, Harrisburg, PA 17106-2445  
717/238-2001 · 888/PA-IOLTA (724-6582) · 717/238-2003 FAX  
paiolta@pacourts.us · www.paiolta.org

Administering Pennsylvania's Interest On Lawyers Trust Account (IOLTA) Program



## CERTIFICATE OF SERVICE

I, Thomas W. Scott, hereby certify that I am serving a copy *Defendant Dr. Edward J. Ray's Motion for Admission of Timothy W. Cook, Counsel Pro Hac Vice* on the following by First Class Mail and email:

Thomas J. Weber, Esquire  
GOLDBERG KATZMAN, P.C.  
4250 Crums Mill Road, Suite 301  
P.O. Box 6991  
Harrisburg, PA 17112  
Telephone: (717) 234-4161  
Email: [tjw@goldbergkatzman.com](mailto:tjw@goldbergkatzman.com)

Wick Sollers, Esquire  
L. Joseph Loveland, Esquire  
Mark A. Jensen, Esquire  
Patricia L. Maher, Esquire  
Ashley C. Parrish, Esquire  
KING & SPALDING LLP  
1700 Pennsylvania Avenue, NW  
Washington, DC 20006  
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[jloveland@kslaw.com](mailto:jloveland@kslaw.com)  
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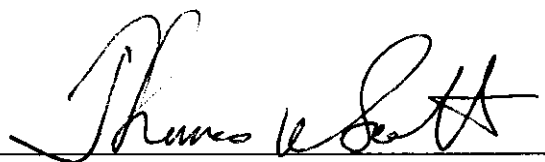
*Counsel for Plaintiffs*

*Via FedEx Overnight Delivery*  
The Honorable John B. Leete  
Senior Judge, Specially Presiding  
Potter County Courthouse, Room 30  
One East Village Street  
Coudersport, PA 16915

Everett C. Johnson, Jr. (admitted *Pro Hac Vice*, DC No. 358446)  
Brian E. Kowalski (admitted *Pro Hac Vice*, DC No. 500064)  
Sarah M. Gragert (admitted *Pro Hac Vice*, DC No. 977097)  
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[Brian.Kowalski@lw.com](mailto:Brian.Kowalski@lw.com)  
[Sarah.Gragert@lw.com](mailto:Sarah.Gragert@lw.com)  
[Drew.Wisniewski@lw.com](mailto:Drew.Wisniewski@lw.com)  
[Kory.Wilmot@lw.com](mailto:Kory.Wilmot@lw.com)

*Counsel for NCAA*

Dated: April 28, 2016

A handwritten signature in black ink, appearing to read "Thomas W. Scott", written over a horizontal line.

Thomas W. Scott  
KILLIAN & GEPHART, LLP  
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Email: [tscott@killiangephart.com](mailto:tscott@killiangephart.com)

*Counsel for Defendant Dr. Edward J. Ray*