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2013 JUN 23 PM 4:12

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:
) NCAA Motion for Admission of
) Everett C. Johnson, Jr., Counsel
) Pro Hac Vice
)
) Filed on Behalf of:
)
) National Collegiate Athletic
) Association, Mark Emmert,
) 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

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CIVIL ACTION - LAW

GEORGE SCOTT PATERNO,)
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RYAN McCOMBIE, ANTHONY LUBRANO,)
AL CLEMENS, PETER KHOURY, and)
ADAM TALIAFERRO, members of the Board of Trustees) Docket No.: 2013-2082

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, and)

ANTHONY ADAMS, GERALD CADOGAN,)
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RICHARD GRDNER, JOSH GAINES, PATRICK MAUTI,)
ANWAR PHILLIPS, and MICHAEL ROBINSON,)
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v.)

NATIONALL 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.)

**DEFENDANT NATIONAL COLLEGIATE ATHLETIC ASSOCIATION'S MOTION
FOR ADMISSION OF EVERETT C. JOHNSON, COUNSEL PRO HAC VICE**

NOW COMES, The National Collegiate Athletic Association, 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 Everett C. Johnson, Esquire, *pro hac vice* in this matter on behalf of Defendant. In support of this Motion, Defendant 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 Everett C. Johnson, Esquire, is an attorney licensed to practice and a member in good standing of the bar of the District of Columbia and the State of Maryland.

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

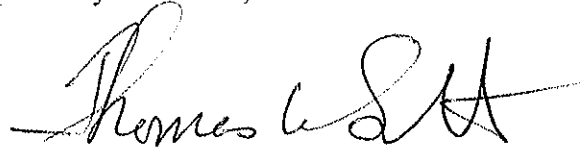
5. The fee required by 204 Pa Code Section 81.505(a) has been paid.

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

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

WHEREFORE, Defendant, National Collegiate Athletic Association, respectfully requests that this Honorable Court enter an Order admitting Everett C. Johnson, Esquire, *pro hac vice* for the purpose of representing Defendant, National Collegiate Athletic Association, in this case. For the Court's convenience, a Proposed Order is attached.

Respectfully submitted,

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

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

Date: July 23, 2013

Attorneys for National Collegiate Athletic
Association

Verified Statement of Thomas W. Scott, Esquire, Sponsor, to admit Everett C. Johnson, Jr. Esquire, *pro hac vice* 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, Everett C. Johnson, Jr., Esquire, is a reputable and competent attorney, and I am in a position to recommend his admission.

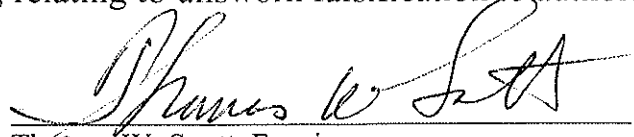
2. I am presently acting as a sponsor for candidates for admission *pro hac vice* in three cases in all courts of record in the Commonwealth of Pennsylvania

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: July 23, 2013

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

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

Attorneys for National Collegiate Athletic Association

**IN THE COURT OF COMMON PLEAS OF CENTRE COURT,
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;

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ANTHONY ADAMS, GERALD CADOGAN, SHAMAR FINNEY, JUSTIN KURPEIKIS, 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

VERIFIED STATEMENT OF EVERETT C. JOHNSON, JR.
IN SUPPORT OF MOTION FOR ADMISSION PRO HAC VICE

I, Everett C. Johnson, Jr., state the following:

1. I am a member in good standing of the Maryland State Bar and the

District of Columbia Bar:

Maryland Court of Appeals

361 Rowe Boulevard

Annapolis, MD 21401

410-260-1500

www.courts.state.md.us/coappeals/

The District of Columbia Bar

1101 K Street NW, Suite 200

Washington, DC 20005

202-737-4700

www.dcbbar.org

My membership numbers for the Maryland State Bar and the District of Columbia Bar are 12/20/1996 and 358446, respectively.

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

3. In addition to the above-captioned matter referenced in the accompanying Motion for Admission Pro Hac Vice, I have applied for admission pro hac vice in the following matters:

1-MD-2013 Corman v. NCAA – Commonwealth Court

Admission pro hac vice before this docket has been granted.

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

5. I shall submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board for acts and omissions occurring during the appearance in the above-captioned matter referenced in the accompanying Motion for Admission Pro Hac Vice.

6. I have consented to the appointment of Thomas W. Scott, the sponsor, 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, Everett C. Johnson, Jr., 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: _____

7/23/13



Everett C. Johnson, Jr.
Latham & Watkins LLP
555 Eleventh Street NW, Suite 1000
Washington, DC 20004
Phone: 202-637-2200
Fax: 202-637-2201
Email: everett.johnson@lw.com

SUPREME COURT OF PENNSYLVANIA
PENNSYLVANIA INTEREST ON
LAWYERS TRUST ACCOUNT BOARD

July 23, 2013

EVERETT C JOHNSON, Esq.
LATHAM & WATKINS LLP
555 ELEVENTH STREET NW
SUITE 1000
WASHINGTON, DC 20004

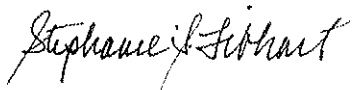
SENT TO PAMELA DE COTEAU VIA Email: PAMELA.DECOTEAU@LW.COM

Dear Attorney JOHNSON:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$200.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as Paterno v. NCAA, no. 2013-2082, filed in the 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
paiolla@pacourts.us · www.paiolla.org

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

CERTIFICATE OF SERVICE

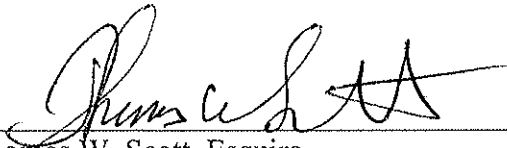
The undersigned hereby certifies that a copy of the foregoing Motion for Admission of Counsel Pro Hac Vice has on this date been forwarded to the individuals listed below as addressed, by first class mail:

Thomas J. Weber, Esquire
GOLDBERG KATZMAN, P.C.
4250 Crums mill Road, Suite 301
P.O. Box 6991
Harrisburg, PA 17112

Wick Sollers, Esquire
Mark A. Jenson, Esquire
Ashley C. Parrish, Esquire
Alan R. Dial, Esquire
KING & SPAULDING, LLP
1700 Pennsylvania Avenue, NW
Washington, DC 20006

Paul V. Kelly, Esquire
John J. Commisso, Esquire
JACKSON LEWIS, LLP
75 Park Plaza
Boston, MA 02116

Date: July 23, 2013



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

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RYAN McCOMBIE, ANTHONY LUBRANO,)
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("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.)

ORDER

AND NOW, this ____ day of _____, 2013, upon Consideration of Defendant
National Collegiate Athletic Association's Motion For Admission of Counsel, Pro Hac
Vice, filed on behalf of Everett C. Johnson, Esquire, and it appearing to the Court that

Everett C. Johnson, Esquire is a member in good standing in the District of Columbia,
and State of Maryland, IT IS HEREBY ORDERED AND DECREED that said Motion be
GRANTED.

BY THE COURT:

J.

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

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as duly appointed representative of the)
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)
EDWARD RAY, individually and as former Chairman of)
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)
Defendants.)

SCHEDULING REQUEST

- Kindly schedule the attached Petition/Motion for hearing/Argument/Conference before the Court. It is anticipated that the matter will require approximately _____ minutes/hours/days for resolution.
- Opposing counsel/party does not oppose the relief sought, and the attached proposed Order may be signed without appearance.

Date

Name

Phone

E-Mail Address

ORDER

AND NOW, this _____ day of _____, _____,
upon consideration of the Petition/Motion, it is the **ORDER** of this Court
that the hearing/argument/conference is scheduled for the _____ day of
_____, _____, at _____, in the Annex
Courtroom/Courtroom No. _____, Centre County Courthouse Annex/Centre
County Courthouse, Bellefonte, Pennsylvania.

BY THE COURT:

Judge