



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:**

- ) NCAA’S Motion to Appoint
- ) the Clerk of the Superior Court
- ) of Connecticut as
- ) Commissioner of the NCAA’s
- ) Pennsylvania Subpoena

) **Filed on Behalf of:**

- ) National Collegiate Athletic
- ) Association, Mark Emmert, Edward
- ) Ray

) **Counsel of Record for this**

) **Party:**

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DEBRA C. KIMMEL  
PROTHONOTARY  
CENTRE COUNTY, PA

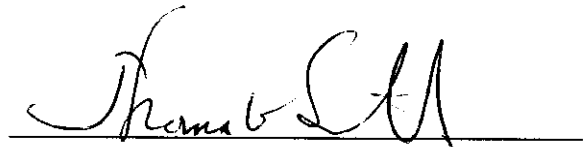


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knowledgeable about Mr. Paterno's tortious interference claim. Mr. Placey is aware of the NCAA's request for testimony, and his counsel has represented that Mr. Placey is willing to accept service of the subpoena. However, Connecticut law requires a commission from this Court before it can issue a subpoena.

WHEREFORE, Defendant NCAA respectfully request this Honorable Court enter an Order appointing the Clerk of the Superior Court of Connecticut as Commissioner of the Pennsylvania Subpoena.

Dated: April 25, 2016



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*Counsel for the NCAA, Dr. Emmert,  
and Dr. Ray*

## CERTIFICATE OF SERVICE

I, Thomas W. Scott, hereby certify that I am serving the NCAA's *Motion to Appoint the Clerk of the Superior Court of Connecticut as Commissioner of the NCAA's Pennsylvania Subpoena* on the following by First Class Mail and email:

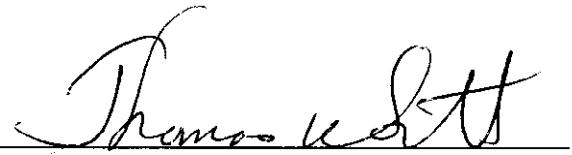
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*Counsel for Plaintiffs*

*Via FedEx Overnight Delivery*  
The Honorable John B. Leete  
Senior Judge, Specially Presiding  
Potter County Courthouse, Room 30  
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Dated: April 25, 2016

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

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