



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 Seal
-) **EXPEDITED ATTENTION**
-) **REQUESTED**

) **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

FILED FOR RECORD

2017 MAR 24 AM 9:17

DEBRA C. HUMMEL
PROTODOTARY
CENTRE COUNTY, PA

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY,
PENNSYLVANIA

ESTATE of JOSEPH PATERNO, et al.,)	
Plaintiffs,)	
)	Civil Division
v.)	
)	Docket No. 2013-
NATIONAL COLLEGIATE ATHLETIC)	2082
ASSOCIATION, et al.,)	
Defendants.)	EXPEDITED
)	ATTENTION
)	REQUESTED

MOTION TO SEAL

The NCAA, through its undersigned counsel, respectfully moves pursuant to the Protective Order (Sept. 11, 2014) to file under seal its Motion for Leave to Depose Timothy M. Curley (the "Motion"), on the following grounds:

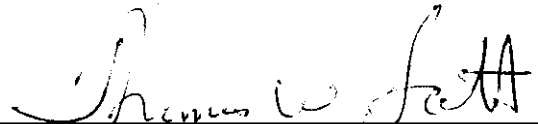
1. The Motion refers to information that has been designated "Highly Confidential" under the Protective Order.
2. Exhibit 1 to the Motion is also designated "Highly Confidential" under the Protective Order.

WHEREFORE, the undersigned respectfully requests that the Court enter an Order that the attached Unredacted Motion for Leave to Depose Timothy M. Curley (including exhibits) be **Sealed**, and the Prothonotary be directed to file the same **Under Seal**.

FILED FOR RECORD
 2017 MAR 24 AM 9:17
 COURT OF COMMON PLEAS
 CENTRE COUNTY, PA

Respectfully submitted,

Dated: March 23, 2017



Thomas W. Scott
KILLIAN & GEPHART, LLP
218 Pine Street
P.O. Box 886
Harrisburg, PA 17108-0886
Telephone: (717) 232-1851
Email: tscott@killiangephart.com

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)
LATHAM & WATKINS LLP
555 Eleventh Street NW
Suite 1000
Washington, DC 20004-1304
Telephone: (202) 637-2200
Email: Everett.Johnson@lw.com
Brian.Kowalski@lw.com
Sarah.Gragert@lw.com

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

CERTIFICATE OF SERVICE

I, Thomas W. Scott, hereby certify that I am serving a copy of the NCAA's *Motion to Seal* 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

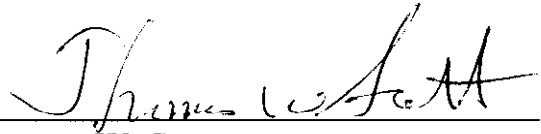
Wick Sollers, Esquire
L. Joseph Loveland, Esquire
Mark A. Jensen, Esquire
Patricia L. Maher, Esquire
Ashley C. Parrish, Esquire
Alan R. Dial, Esquire
KING & SPALDING LLP
1700 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 737-0500
Email: wsollers@kslaw.com
jloveland@kslaw.com
mjensen@kslaw.com
pmaher@kslaw.com
aparrish@kslaw.com

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

Michael N. Sheetz, Esquire
MA I.D. #548776
Timothy W. Cook, Esquire
MA I.D. #688688
COOLEY, LLP
500 Boylston Street, 14th Floor
Boston, MA 02116-3736
Telephone: (617) 937-2300
Email: msheetz@cooley.com
tcook@cooley.com
Counsel for Dr. Edward J. Ray

Dated: March 23, 2017



Thomas W. Scott
KILLIAN & GEPHART, LLP
218 Pine Street
P.O. Box 886
Harrisburg, PA 17108-0886
Telephone: (717) 232-1851
Email: tscott@killiangephart.com

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)
LATHAM & WATKINS LLP
555 Eleventh Street NW
Suite 1000
Washington, D.C. 20004-1304
Telephone: (202) 637-2200
Email: Everett.Johnson@lw.com
Brian.Kowalski@lw.com
Sarah.Gragert@lw.com

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