



0000QJ9Z CCGPRG 201404

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

The ESTATE of JOSEPH PATERNO;

AL CLEMENS, member of  
the Board of Trustees of Pennsylvania State  
University; 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,

And

PENNSYLVANIA STATE UNIVERSITY,

Defendant.

)  
) Civil Division  
)  
) Docket No. 2013-2082  
)  
) **NOTICE OF INTENT TO SERVE**  
) **SUBPOENA**  
) Filed on Behalf of the Plaintiffs  
)  
)  
) Counsel of Record:  
) Thomas J. Weber  
) GOLDBERG KATZMAN  
) 4250 Crums Mill Road, Suite 301  
) P.O. Box 6991  
) Harrisburg, PA 17112  
) Telephone: (717) 234-4161  
) Email: tjw@goldbergkatzman.com  
)  
) Wick Sollers (admitted *pro hac vice*)  
) L. Joseph Loveland (admitted *pro hac*  
) *vice*)  
) Mark A. Jensen (admitted *pro hac vice*)  
) Patricia L. Maher (admitted *pro hac vice*)  
) Ashley C. Parrish (admitted *pro hac vice*)  
) 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  
) Paul V. Kelly (admitted *pro hac vice*)  
) John J. Commisso (admitted *pro hac vice*)  
) JACKSON LEWIS, P.C.  
) 75 Park Plaza  
) Boston, MA 02116  
) Telephone: (617) 367-0025  
) Email: paul.kelly@jacksonlewis.com  
) john.commisso@jacksonlewis.com

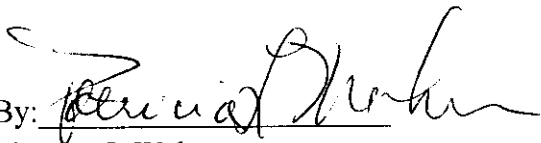
DEBRA C. J. SEEL  
PROTHONOTARY  
CENTRE COUNTY, PA

2014 DEC -1 AM 9:48

**NOTICE TO DEFENDANTS BY PLAINTIFF ESTATE OF JOSEPH PATERNO OF  
INTENT TO SERVE A SUBPOENA TO WILLIAM HARVEY**

Plaintiff Estate of Joseph Paterno, by and through the undersigned counsel, intends to serve a subpoena identical to the one that is attached to this Notice. You have twenty (20) days from the date listed below in which to file of record and serve upon the undersigned an objection to the subpoena. If no objection is made, the subpoena may be served.

Date: November 26, 2014

By: 

Thomas J. Weber  
GOLDBERG KATZMAN, P.C.  
4250 Crums Mill Road, Suite 201  
P.O. Box 6991  
Harrisburg, PA 17112

Wick Sollers  
L. Joseph Loveland  
Ashley C. Parrish  
Patricia L. Maher  
KING & SPALDING LLP  
1700 Pennsylvania Avenue, NW  
Washington, DC 20006

*Counsel for Plaintiff Estate of Joseph  
Paterno*

IN THE COURT OF COMMON PLEAS OF  
CENTRE COUNTY, PENNSYLVANIA

The ESTATE of JOSEPH PATERNO, et al : CIVIL ACTION – LAW

Plaintiffs : DOCKET NO.: 2013-2082

v. :

NATIONAL COLLEGIATE ATHLETIC :  
ASSOCIATION (“NCAA”), et al. :

Defendants :

SUBPOENA TO ATTEND AND TESTIFY

To: President William Harvey, Hampton University

You are Ordered by the Court to come to Embassy Suites Hampton Roads, 1700 Coliseum Drive, Hampton, VA 23666 at 9:00 A.M., on January 20, 2015 to testify in the above case and to remain until excused.

If you fail to attend or to produce the documents or things required by the subpoena, you may be subject to the sanctions authorized by Rule 234.5 of the Pennsylvania Rules of Civil Procedure, including but not limited to costs, attorney fees and imprisonment.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

Name: Thomas E. Weber, Esquire  
Address: Goldberg Katzman, P.C., 4250 Crums Mill Road, Suite 301  
Harrisburg, PA 17112  
Telephone: 717-234-4161  
Supreme Court ID# 58853  
Attorney for: Plaintiffs

BY THE COURT:

Prothonotary/Clerk, Civil Division

DATE: \_\_\_\_\_

Deputy

Seal of the Court

**RETURN OF SERVICE**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I \_\_\_\_\_  
served \_\_\_\_\_ with the foregoing subpoena by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

I verify that the statements in this return of service are true and correct. I understand that false statements herein made are subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

(Signature)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing **NOTICE TO DEFENDANTS BY PLAINTIFF ESTATE OF JOSEPH PATERNO OF INTENT TO SERVE A SUBPOENA TO WILLIAM HARVEY** was served this 26th day of November, 2014 by first class mail and email to the following:

Thomas W. Scott  
Killian & Gephart  
218 Pine Street  
P.O. Box 886  
Harrisburg, PA 17108-0886  
Email: [tscott@killiangephart.com](mailto:tscott@killiangephart.com)

Everett C. Johnson, Jr.  
Brian Kowalski  
Sarah Gragert  
Latham & Watkins LLP  
555-11<sup>th</sup> Street, N.W.  
Suite 1000  
Washington, D.C. 20004-1304  
Email: [everett.johnson@lw.com](mailto:everett.johnson@lw.com)  
[brian.kowalski@lw.com](mailto:brian.kowalski@lw.com)  
[sarah.gragert@lw.com](mailto:sarah.gragert@lw.com)

Daniel I. Booker  
Jack Cobetto  
Donna Dobblick  
Reed Smith LLP  
225 Fifth Avenue  
Suite 1200  
Pittsburgh, PA 15222  
Email: [dbooker@reedsmith.com](mailto:dbooker@reedsmith.com)  
[jcobetto@reedsmith.com](mailto:jcobetto@reedsmith.com)  
[ddobblick@reedsmith.com](mailto:ddobblick@reedsmith.com)

Paul V. Kelly  
John J. Commisso  
Jackson Lewis LLP  
75 Park Plaza  
Boston, MA 02116  
Email: [paul.kelly@jacksonlewis.com](mailto:paul.kelly@jacksonlewis.com)  
[john.commisso@jacksonlewis.com](mailto:john.commisso@jacksonlewis.com)



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

Wick Sollers  
L. Joseph Loveland  
Ashley C. Parrish  
Patricia L. Maher  
KING & SPALDING LLP  
1700 Pennsylvania Avenue, NW  
Washington, DC 20006  
Telephone: (202) 737-0500

*Counsel for Plaintiff Estate of Joseph Paterno*