



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,

Defendant

s,

And

PENNSYLVANIA STATE UNIVERSITY,

Defendant.

)
) Civil Division
)
) Docket No. 2013-2082
)
) **PLAINTIFFS' RESPONSE TO**
) **DEFENDANT THE PENNSYLVANIA**
) **STATE UNIVERSITY'S NEW**
) **MATTER**
) Filed on Behalf of the Plaintiffs
)
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IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

The ESTATE of JOSEPH PATERNO;)
)
AL CLEMENS, member of) Civil Division
the Board of Trustees of Pennsylvania State University; and)
) Docket No.
WILLIAM KENNEY and JOSEPH V. ("JAY") PATERNO,) 2013-2082
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.)

**PLAINTIFFS' RESPONSE TO
DEFENDANT THE PENNSYLVANIA STATE UNIVERSITY'S
NEW MATTER**

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DEBRA S. JENSEN
PROthonARY
CENTRE COUNTY, PA

180. The averments contained in paragraph 180 of Defendant's New Matter constitute conclusions of law to which no response is required. To the extent they are deemed factual in nature, they are denied.

181. The averments contained in paragraph 181 of Defendant's New Matter constitute conclusions of law to which no response is required. To the extent they are deemed factual in nature, they are denied.

182. The averments contained in paragraph 182 of Defendant's New Matter constitute conclusions of law to which no response is required. To the extent they are deemed factual in nature, they are denied.

183. The averments contained in paragraph 183 of Defendant's New Matter constitute conclusions of law to which no response is required. To the extent they are deemed factual in nature, they are denied.

184. The averments contained in paragraph 184 of Defendant's New Matter constitute conclusions of law to which no response is required. To the extent they are deemed factual in nature, they are denied.

WHEREFORE, Plaintiffs respectfully requests that judgment be entered in their favor and against the Defendants.

Respectfully submitted,


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Dated: December 17, 2014

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing **RESPONSE TO NEW MATTER** was served this 17th day of December, 2014 by email to the following:

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