### ORIGINAL

# IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY PENNSYLVANIA CIVIL ACTION B LAW

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ESTATE of JOSEPH PATERNO; ) **Docket No.:** 2013-2082 and ) Type of Case: ) Declaratory Judgment WILLIAM KENNEY and JOSEPH V. ) Injunction Breach of Contract (AJAY@) PATERNO, former football coaches ) Tortious Interference with ) Contract at Pennsylvania State University, ) Defamation Plaintiffs. ) Commercial Disparagement v. ) Conspiracy NATIONAL COLLEGIATE ATHLETIC **Type of Pleading:** ASSOCIATION ("NCAA"), Praecipe to Withdraw as Counsel of Kory S. Wilmot, MARK EMMERT, individually and as Esquire President of the NCAA, and Filed on Behalf of: EDWARD RAY, individually and as former National Collegiate Athletic Chairman of the Executive committee of the Association & Mark Emmert NCAA. Defendants. 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

## IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA

ESTATE of JOSEPH PATERNO;	)
and	) )
WILLIAM KENNEY and JOSEPH V. ("JAY") PATERNO, former football coaches at Pennsylvania State University	) ) ) ) ) Civil Division
Plaintiffs,	)
v.  NATIONAL COLLEGIATE ATHLETIC ASSOCIATION ("NCAA"),	Docket No.: 2013-2082
MARK EMMERT, individually and as President of the NCAA, and	
EDWARD RAY, individually and as former Chairman of the Executive committee of the NCAA,	TOURNESS OF THE PROPERTY OF TH
Defendants. )	5- 5

### PRAECIPE TO WITHDRAW AS COUNSEL

## TO THE PROTHONTOARY/CLERK OF SAID COURT:

Please withdraw the Appearance of Kory S. Wilmot, Esquire, as counsel for Defendants, the National Collegiate Athletic Association ("NCAA") and Dr. Mark

Emmert ("Dr. Emmert"). Defendants the NCAA and Dr. Emmert will continue to be represented by Thomas W. Scott, Esquire, Robert J. Daniels, Esquire, Everett C. Johnson, Jr., Esquire, Brian E. Kowalski, Esquire, Sarah M. Gragert, Esquire, and Drew R. Wisniewski, Esquire.

Respectfully submitted,

Date: October 9, 2016

Thomas W. Scott, Esquire

Attorney I.D. #15681

KILLIAN & GEPHART, LLP

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Date: October 19, 2016

Kory S. Wilmot, Esquire

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Kory.wilmot@lw.com

#### **CERTIFICATE OF SERVICE**

I, Thomas W. Scott, hereby certify that I am serving the foregoing Praecipe to Withdraw as Counsel, by First Class Mail and email to:

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

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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 iloveland@kslaw.com mjensen@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

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Counsel for Dr. Edward J. Ray

Dated: October \_\_\_, 2016

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Counsel for Defendants the NCAA,

Dr. Emmert