

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

GEORGE SCOTT PATERNO, as duly appointed  
representative of the ESTATE and FAMILY of  
JOSEPH PATERNO;

RYAN McCOMBIE, ANTHONY LUBRANO,  
AL CLEMENS, and ADAM TALIAFERRO,  
members of the Board of Trustees of Pennsylvania  
State University;

PETER BORDI, TERRY ENGELDER,  
SPENCER NILES, and JOHN O'DONNELL,  
members of the faculty of Pennsylvania State  
University;

WILLIAM KENNEY and JOSEPH V. ("JAY")  
PATERNO, former football coaches at  
Pennsylvania State University; and

ANTHONY ADAMS, GERALD CADOGAN,  
SHAMAR FINNEY, JUSTIN KURPEIKIS,  
RICHARD GARDNER, JOSH GAINES,  
PATRICK MAUTI, ANWAR PHILLIPS, and  
MICHAEL ROBINSON, former football players  
of 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

THE PENNSYLVANIA STATE UNIVERSITY,  
  
Nominal Defendant.

CIVIL DIVISION

Docket No. 2013-2082

**REPLY BRIEF IN SUPPORT  
OF PRELIMINARY  
OBJECTIONS**

Filed on Behalf of:  
The Pennsylvania State  
University

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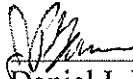
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DEBRA J. RHIEL  
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**REPLY BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS**

The Pennsylvania State University (“Penn State”), by and through its undersigned counsel, hereby files this Reply Brief in Support of its Preliminary Objections to the First Amended Complaint (the “Amended Complaint”). In reliance on the fiction that Penn State is merely a “nominal” party to this litigation, Plaintiffs have largely failed to address Penn State’s preliminary objections. Penn State reaffirms its position that the First Amended Complaint is legally deficient and should be dismissed in whole or in part for all of the reasons set forth in its Preliminary Objections and the brief filed in support thereof.

Respectfully submitted,



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May 6, 2014

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on this 6<sup>th</sup> day of May, 2014, a true and correct copy of the foregoing Reply Brief in Support of Preliminary Objections was served upon the following counsel via United States mail, first class, postage prepaid:

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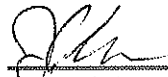
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