

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

COMMONWEALTH OF PENNSYLVANIA

v.

GERALD A. SANDUSKY

CP-14-CR-2421-2011

CP-14-CR-2422-2011

**JOINDER MOTION OF THE SECOND MILE
TO QUASH SUBPOENA**

DEBRA C. IMEL
PROTHONOTARY
CENTRE COUNTY, PA

2012 MAY -1 P 3:53

COPY
FILED FOR RECORD

The Second Mile, by its counsel, comes and files this Joinder Motion to Quash Subpoena (“Motion”) for the following reasons:

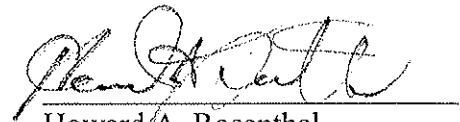
1. On or about April 10, 2012, The Second Mile (“TSM”) was served with a Subpoena by defendant Gerald A. Sandusky, a redacted copy of which is attached to this Motion as Exhibit “A.”

2. For the reasons set forth in Paragraphs 7-9, 12-13 and 15-16 of the Commonwealth’s Motion to Preclude Improper Use of Subpoena Power by Defendant, which has been filed with the Court, TSM requests that the Subpoena directed to it be quashed or subject to further Order of this Court.

3. TSM also incorporates by reference the averments of Paragraphs 4-7 of the Motion to Quash filed by the Keystone Central School District, which has been filed with the Court.

WHEREFORE, The Second Mile requests that the Subpoena directed by defendant to it

be quashed.



Howard A. Rosenthal
hrosenthal@archerlaw.com
Jeffrey M. Kolansky
jkolansky@archerlaw.com
Attorneys for The Second Mile

OF COUNSEL:
Archer & Greiner, P.C.
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1650 Market Street
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Philadelphia, PA 19103-7393
Telephone: 215-963-3300
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Commonwealth of Pennsylvania
COUNTY OF CENTRE

COMMONWEALTH OF PENNSYLVANIA

VS.

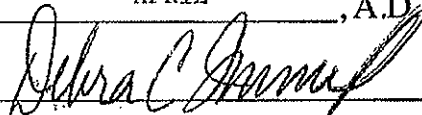
GERALD A. SANDUSKY, DEFENDANT

TO MR. DAVID WOODLE, DIRECTOR, THE SECOND MILE, 1402 SOUTH ATHERTON STREET, STATE COLLEGE
PA 16801

You are ordered by the court to come to CENTRE COUNTY COURTHOUSE, COURTROOM NO. 1,
SECOND FLOOR, 102 SOUTH ALLEGHENY STREET at Bellefonte, Pennsylvania, on
WEDNESDAY, MAY 16, 2012 at 10:00 A. M. to testify on behalf of
DEFENDANT in the above captioned case
and to remain until excused.

And bring with you the following: COMPLETE AND NON-REDACTED COPIES OF THE
INFORMATION REQUESTED IN THE SUBPOENA ATTACHMENT.

Witness, the Honorable, Thomas K. Kistler, President Judge of our said
Court at Bellefonte, this 10TH day of APRIL, A.D. 20 12

 Prothonotary

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

NOTICE

**BY ORDER OF THE COURT OF COMMON
PLEAS OF CENTRE COUNTY,
PENNSYLVANIA, DATED MARCH 13, 2012,
ANY PERSON OR AGENCY RECEIVING THIS
SUBPOENA IS NOTIFIED THAT THE NAME
OR ANY IDENTIFYING INFORMATION OF
THE PERSON FOR WHOM THE RECORDS
OR OTHER INFORMATION IS SOUGHT IS
PROTECTED BY THE SEAL OF THE COURT.**

**UNDER POTENTIAL PENALTY OF
CONTEMPT OF COURT, THE PERSON'S
NAME OR IDENTIFYING INFORMATION MAY
NOT BE DISCLOSED TO ANY PERSON
EXCEPT AS REQUIRED TO COMPLY WITH
THIS SUBPOENA.**

JOSEPH L. AMENDOLA

ATTORNEY-AT-LAW
110 REGENT COURT
SUITE 202

STATE COLLEGE, PA 16801-7966

TELEPHONE
814-234-6821

FAX
814-234-6013

SUBPOENA ATTACHMENT

Mr. Woodle, Director
The Second Mile
1402 South Atherton Street
State College, PA 16801

**Re: Commonwealth of Pennsylvania vs. Gerald A. Sandusky,
Nos. CP-14-CR-2421-2011 & CP-14-CR-2422-2011**

have
Dear Mr. Woodle:

Please make certain the names listed in the contents of this correspondence be given the utmost consideration from being made public in order to comply with the Order of the Court dated March 13, 2012 which I have enclosed for your information. This Order applies to all person(s) who may gain knowledge of the names.

Pursuant to the enclosed Subpoena and Subpoena Attachment, you are requested to provide Joseph L. Amendola, Esquire, 110 Regent Court, Suite 202, State College, PA. 16801 with copies of Department of Correction records, documents and reports as well as other information kept and maintained by the Department, as described in this Subpoena Attachment. Should your Department have no records on an accuser/alleged victim, please indicate so. The following records, documents and reports are to be provided in their original form with no redactions and/or pages omitted:

A. All information for the following former Second Mile participants as follows:

REDACTED

to include:

1. All records that detail the number of years the person participated in Second Mile sponsored events at any and all locations;
2. The actual years the person attended the Second Mile events;
3. Any and all records from High Schools, Children and Youth Service Offices, probation/parole offices and/or other

agency who made referrals for the individual to seek admission and approval for attendance;

4. Identify any and all counselors/volunteers that were assigned to each individual and the number of years the individual was present for Second Mile programs;

5. Any and all reports of Second Mile policy misconduct violations that each individual may have committed which resulted in a warning and/or removal from The Second Mile camp locations;

6. Any and all incidents that any of the aforementioned individuals may have violated Second Mile rules and/or Commonwealth laws while at a Second Mile event which required law enforcement assistance and subsequent investigation to include:

- a. Identification of any and all victims;
- b. identification of law enforcement agency that was contacted;
- c. copies of any and all Second Mile reports that were provided to law enforcement authorities that in any way relate to the misconduct or violation of Commonwealth laws;
- d. names of any and all counselors, event organizers or volunteers who were interviewed by law enforcement and/or prepared written statements for The Second Mile and their statements wherein they were provided to law enforcement.

B. All complaints filed on behalf of the above-named individuals listed in Paragraph A for any misconduct or inappropriate actions by the Defendant that relates to any and all Second Mile functions in State College, Pennsylvania and any other locations within and outside Pennsylvania.

C. All written statements, videotape or audio taped statements obtained by The Second Mile regarding any internal investigation of the Defendant regarding any misconduct or inappropriate actions.

D. All information and/or records of financial support, in-kind donations or future donations based upon contractual means between The Second Mile and REDACTED (his attorney or authorized representative) that will in any way benefit The Second Mile.

E. Any documents which in any way relate to the Sandusky investigation that The Second Mile has within The Second Mile office and/or storage.

F. Any and all Second Mile property that was turned over to the Office of Attorney General/Commonwealth, Pennsylvania State Police, The Freeh Group, and The Pennsylvania State University Board of Directors through the use of a subpoena or search warrant or by voluntary means.

G. All Second Mile documents provided to any insurance carrier that were requested as a result of the current investigation.

H. Any and all information described above unless already provided under separate request of the Subpoena Attachment.

I. Any and all documentation that were returned and/or kept and maintained by any law enforcement agency or private entities retained to investigate the Sandusky matter or any other lateral case that the Sandusky matter may be related.

J. Any and all subpoena(s) and search warrants with attachments that were served upon Second Mile personnel and/or other member(s) of The Second Mile that mandate The Second Mile provide information.

K. All records that reflect "special guests" that Gerald A. Sandusky was authorized to invite pursuant to the retirement party protocol established by The Second Mile as host of his retirement party as well as the following:

1. Records that reflect any and all "special guests" returned an RSP and were in attendance;
2. Any and all video or still photographs that would depict those in attendance under control of The Second Mile and/or in storage;
3. Any and all seating placement by name, organization and special guests that depict those in attendance

Truly,



Joseph L. Amendola, Esquire

JLA:dka

ACCUSER/ALLEGED VICTIM INFORMATION

REDACTED

REDACTED

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY,
PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA :

VS. :

CP-14-CR-2421-2011

CP-14-CR-2422-2011

GERALD A. SANDUSKY :

ORDER

AND NOW, MARCH 13, 2012, to carry out the agreement reached between counsel, it is ordered as follows:

1. The names of persons heretofore identified as Victims 1 through 10 shall remain protected under the seal of the Court and may not be disclosed by any person, except pursuant to court order or other authorization of the court.
2. Any subpoena seeking records regarding the alleged victims who have been publicly identified to date only as Victims 1 through 10 from child welfare agencies; physicians, hospitals or other medical providers; mental health providers; schools; social service agencies; or the like, shall have affixed to the front of the subpoena in at least 18 point type the following notice:

NOTICE

BY ORDER OF THE COURT OF COMMON PLEAS OF CENTRE COUNTY PENNSYLVANIA, DATED MARCH 13, 2012, ANY PERSON OR AGENCY RECEIVING THIS SUBPOENA IS NOTIFIED THAT THE NAME OR ANY IDENTIFYING INFORMATION OF THE PERSON FOR WHOM THE RECORDS OR OTHER INFORMATION IS SOUGHT IS PROTECTED BY THE SEAL OF THE COURT.


UNDER POTENTIAL PENALTY OF CONTEMPT OF COURT, THE PERSON'S NAME OR IDENTIFYING INFORMATION MAY NOT BE DISCLOSED TO ANY PERSON EXCEPT AS REQUIRED TO COMPLY WITH THIS SUBPOENA.

FILED FOR RECORD

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DEBRA C. IMMEL
PROTHONOTARY
CENTRE COUNTY, PA

By the Court:

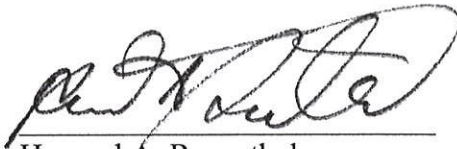

John M. Cleland, S.J.
Specially Presiding

**IN THE COURT OF COMMON PLEAS OF
CENTRE COUNTRY, PENNSYLVANIA
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
v.	:	CP-14-CR-2421-2011
	:	CP-14-CR-2422-2011
GERALD A. SANDUSKY	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of May, 2012, a true and correct copy of the foregoing Motion to Quash Subpoena was served upon Joseph L. Amendola, Esquire, 110 Regent Court, Suite 202, State College, Pennsylvania 16801-7966, counsel for defendant, and Jonelle Eshbach, Esquire, Senior Deputy Attorney General, 1600 Strawberry Square, Harrisburg, Pennsylvania 17120, counsel for the Commonwealth, by hand delivery.



Howard A. Rosenthal
Jeffrey M. Kolansky
Attorneys for The Second Mile

OF COUNSEL:
Archer & Greiner, P.C.
One Liberty Place
1650 Market Street
32nd Floor
Philadelphia, PA 19103-7393
Telephone: 215-963-3300
Fax: 215-963-9999

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DEBRA C. IMMEL
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CENTRE COUNTY, PA
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