

IN THE ORPHANS' COURT DIVISION OF THE COURT OF COMMON PLEAS
OF CENTRE COUNTY, PENNSYLVANIA

IN RE: THE SECOND MILE : ORPHANS' COURT NO. 14-12-0255

THE PENNSYLVANIA STATE UNIVERSITY'S RESPONSE TO PETITION
FOR DISTRIBUTION OF ASSETS AND THE DISSOLUTION OF THE SECOND MILE

The Pennsylvania State University (the "University") hereby responds to the Petition for Distribution of Assets and the Dissolution of The Second Mile pursuant to Sections 5547(b) and 5981 of the Pennsylvania Nonprofit Corporation Law of 1988, 15 Pa. C.S. §§ 5101 *et seq.*, filed on January 7, 2016 (the "Petition").

The Petition states that "Petitioners are aware that the Pennsylvania State University ('Penn State') has indicated that it may file a claim for indemnification against The Second Mile and/or its insurers arising out of the claims by victims of Sandusky which were filed against and/or settled by Penn State." Pet. ¶ 22.

The University hereby states that in addition to filing claims for indemnification against The Second Mile and/or its insurers, the University also may file other claims against those entities and/or against officers or members of the Board of Directors of The Second Mile. The University reserves all rights with respect to all of the claims it may file against these entities and individuals.

The University respectfully requests that if the Court grants the Petition, the Court include the following statement in its Order:

Except as expressly provided herein with regard to barring claims against The Second Mile that are not filed with the Attorney General within 120 days after the date on which the notice required under 15 P.A. C.S.A. § 5992(c) is last published, *see* Pet. ¶ 36, this Order is not intended to abridge, modify, or infringe upon the rights of The Pennsylvania State University with respect to any

CHRISTOPHER H. MILLINDER
REGISTERED TO WILLS &
CLERK OF ORPHANS COURT

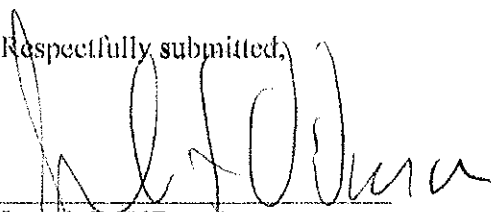
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claims it may bring against The Second Mile and/or The Second Mile's insurers, officers, and/or directors.

Dated: January 27, 2016

Respectfully submitted,



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Counsel for The Pennsylvania State University

CERTIFICATE OF SERVICE

I, Alexander R. Bilus, certify that a true and correct copy of the foregoing Response to Petition for Distribution of Assets and the Dissolution of The Second Mile was served on January 27, 2016 on the following:

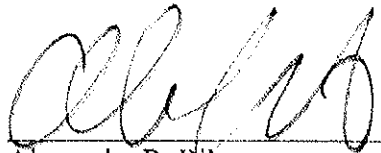
VIA EMAIL AND MAIL

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