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Attorneys for Plaintiff Graham B. Spanier

GRAHAM B. SPANIER,

Plaintiff,

v.

LOUIS J. FREEH and
 FREEH SPORKIN & SULLIVAN, LLP,

Defendants.

:
 : COURT OF COMMON PLEAS
 : OF CENTRE COUNTY

:
 : No. 2013-2707

2016 OCT 28 10 16 AM
 COURT OF COMMON PLEAS
 CENTRE COUNTY, PA

PLAINTIFF'S SUMMARY OF DIFFERENCES BETWEEN THE ORIGINAL COMPLAINT AND THE FIRST AMENDED COMPLAINT

AND NOW comes Plaintiff, Graham B. Spanier, through his attorneys, who files this Summary of Differences Between the Original Complaint and the First Amended Complaint in accordance with the Court's October 28, 2016 Order. The summary below reflects the changes that were made to Plaintiff's February 10,

2016 Complaint (“Original Complaint”) following the Court’s September 27, 2016 Order on Defendants’ Preliminary Objections and the Court’s September 27, 2016 Opinion, as reflected in Plaintiff’s October 17, 2016 First Amended Complaint.

Case Caption

1. Former Defendant Freeh Group International Solutions, LLC (“FGIS”) was removed from the case caption of Plaintiff’s First Amended Complaint, reflecting that the Court sustained Defendants’ preliminary objections as to the tortious interference claim — the sole claim directed at FGIS — and ordered a dismissal of this count as it was barred by the statute of limitations.

2. The “type of case” description was edited in the First Amended Complaint to include only a reference to defamation, reflecting the Court’s dismissal of the tortious interference claim directed at former Defendant FGIS.

Counts

3. Count I: Defamation for Statements in Freeh Report was edited in accordance with the Court’s September 27, 2016 Order and Opinion on Defendants’ Preliminary Objections. All statements found by the Court to be entirely non-actionable have been removed from Paragraph 239 (former Paragraph 256), which sets forth the specific statements in the Freeh Report that are alleged to be defamatory. Further, consistent with the Court’s Order, where certain statements in the Freeh Report were held to contain both actionable and non-

actionable language, Plaintiff has identified and set forth which portions of those statements are alleged to be defamatory and which are not.

4. Count II: Defamation for Spoken Statements During the July 12, 2012 Press Conference was edited in accordance with the Court's September 27, 2016 Order and Opinion on Defendants' Preliminary Objections. The statement found by the Court to be entirely non-actionable has been removed from Paragraph 257 (former Paragraph 274), which sets forth the specific statements from the press conference that are alleged to be defamatory. Further, consistent with the Court's Order regarding a statement that the Court found to contain both actionable and non-actionable language, Plaintiff has identified and set forth which portions of that statement are alleged to be defamatory and which are not.

5. Count III: Defamation for Written Prepared Remarks Distributed from July 12, 2012 Press Conference was edited in accordance with the Court's September 27, 2016 Order and Opinion on Defendants' Preliminary Objections. The statement found by the Court to be entirely non-actionable has been removed from Paragraph 274 (former Paragraph 291), which sets forth the specific statements from the written prepared remarks that are alleged to be defamatory. Further, consistent with the Court's Order regarding a statement that the Court found to contain both actionable and non-actionable language, Plaintiff has

identified and set forth which portions of that statement are alleged to be defamatory and which are not.

6. Count IV: Defamation for Statements Made by Freeh in the February 10, 2013 Press Release was edited in accordance with the Court's September 27, 2016 Order and Opinion on Defendants' Preliminary Objections. Consistent with the Court's Order regarding a statement that the Court found to contain both actionable and non-actionable language, Plaintiff has identified and set forth in Paragraph 292 (former Paragraph 309) which portions of that statement are alleged to be defamatory and which are not.

7. The former Count V: Tortious Interference with Prospective Contractual/Business Relations (Against Freeh and FGIS) was removed altogether from the First Amended Complaint, reflecting the Court's September 27, 2016 Order sustaining Defendants' objection that this count was barred by the statute of limitations.

Factual Allegations Removed Entirely:

8. Plaintiff removed and did not reassert in the First Amended Complaint the allegations in former Paragraphs 14-15, which related solely to the dismissed claim for tortious interference against FGIS.

9. Plaintiff removed and did not reassert in the First Amended Complaint the allegation in former Paragraph 109, which related solely to the dismissed claim for tortious interference against FGIS.

10. Plaintiff removed and did not reassert in the First Amended Complaint the allegations in former Paragraphs 241-254, all of which related solely to the dismissed claim for tortious interference against FGIS.

11. Plaintiff removed and did not reassert in the First Amended Complaint the allegations in former Paragraphs 326-331, all of which related solely to the dismissed claim for tortious interference against FGIS.

Factual Allegations Edited/Revised

12. Plaintiff revised the allegations in Paragraph 1 (former Paragraph 1) to remove all references to former Defendant FGIS and to the acts relating to the dismissed claim for tortious interference.

13. Plaintiff revised the allegations in Paragraph 4 (former Paragraph 4) to remove references to statements that the Court held to be non-actionable for purposes of Plaintiff's defamation claims.

14. Plaintiff revised the allegations in Paragraph 6 (former Paragraph 6) to remove references to statements that the Court held to be non-actionable for purposes of Plaintiff's defamation claims.

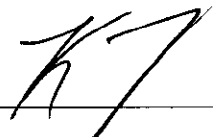
15. Plaintiff revised the allegations in Paragraph 14 (former Paragraph 16) to remove all references to former Defendant FGIS and to the acts relating to the dismissed claim for tortious interference.

16. Plaintiff revised the allegations in Paragraph 15 (former paragraph 17) to remove the references to former Defendant FGIS and to the acts relating to the dismissed claim for tortious interference.

17. Plaintiff revised the allegations in Paragraph 20 (former Paragraph 22) to remove the reference to FGIS as a “Defendant.” It is now solely identified as a relevant third party.

18. Plaintiff revised the allegations in Paragraph 34 (former Paragraph 36) to remove jurisdictional allegations relating to former Defendant FGIS and the dismissed tortious interference claim.

Respectfully submitted,

Dated: November 16, 2016 By:  _____

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*ATTORNEYS FOR PLAINTIFF GRAHAM
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CERTIFICATE OF SERVICE

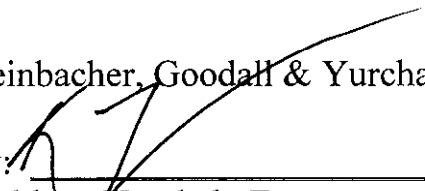
I hereby certify that a true and correct copy of the foregoing was served on the below counsel of record on November 16, 2016.

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Dated: November 16, 2016

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