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2015 APR 15 PM 2:22
DEBRA C. JIMEL
PROthonotary
CENTRE COUNTY, PA

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY,
PENNSYLVANIA
CIVIL ACTION – LAW

	:	Docket No. 2013-2707
GRAHAM B. SPANIER	:	
	:	Type of case: Defamation
Plaintiff,	:	
v.	:	Type of Pleading:
	:	Supplemental Submission of
LOUIS J. FREEH and FREEH SPORKIN	:	Defendant Louis J. Freeh and
& SULLIVAN, LLP,	:	Freeh Sporkin & Sullivan, LLP
Defendants.	:	With Regard to Their Motion
	:	Motion for Assignment of An
	:	Out of County Judge
	:	
	:	Filed on Behalf of: Defendants
	:	
	:	Counsel of Record:
	:	Robert C. Heim, Esquire
	:	Michael L. Kichline, Esquire
	:	Asha T. Mehrotra, Esquire
	:	William T. McEnroe, Esquire
	:	Lisa M. Welsh, Esquire

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY,
PENNSYLVANIA
CIVIL ACTION – LAW

GRAHAM B. SPANIER,

Plaintiff,

v.

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

Defendants.

Docket No. 2013-2707

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DEBRA C. HINEL
PROTHONOTARY
CENTRE COUNTY, PA

**SUPPLEMENTAL SUBMISSION OF DEFENDANTS LOUIS J. FREEH
AND FREEH SPORKIN & SULLIVAN, LLP WITH REGARD TO THEIR
MOTION FOR ASSIGNMENT OF AN OUT OF COUNTY JUDGE**

To President Judge Thomas K. Kistler and Judge Jonathan D. Grine:

On April 10, 2015, Defendants Louis J. Freeh and Freeh Sporkin & Sullivan, LLP (“FSS”) submitted a Motion for Assignment of an Out-of-County Judge to preside over the above-captioned action, which arises out of the Sandusky/Pennsylvania State University (“Penn State” or “PSU”) matter. In their Motion, Louis Freeh and FSS respectfully suggested that the Court consider appointment of Judge Todd A. Hoover of the Dauphin County Court of Common Pleas to preside over this matter. Mr. Freeh and FSS made this suggestion because Judge Hoover currently presides over the criminal case brought by the

Commonwealth of Pennsylvania against Graham Spanier, many of the issues in the two cases are similar, and Judge Hoover seemed particularly well-positioned to protect the Fifth Amendment rights of potential witnesses.

Late in the day on April 10, 2015, an announcement was made that Judge Hoover would be taking an indefinite medical leave of absence. *See* Julianne Mattera, *Judge Todd Hoover Taking Medical Leave of Absence*, PennLive (April 10, 2015 5:16 P.M.), <http://centrecountypa.gov/index.aspx?NID=506>. Defendants learned of this announcement on April 14, 2015. Given the circumstances, and to respect Judge Hoover's leave of absence, Defendants withdraw their suggestion that the Court consider assigning Judge Hoover to hear this case.

WHEREFORE, Defendants Louis J. Freeh and FSS requests that the Court grant their Motion for Assignment of an Out-of-County Judge and request that an out-of-county judge be assigned to this proceeding.

Dated: April 15, 2015

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Lisa M. Welsh, hereby certify that I caused to be served on April 15, 2015, a true and correct copy of the foregoing Supplemental Submission With Regard to Motion for Assignment of an Out-of-County Judge by first-class mail upon the following:

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April 15, 2015

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Debra Immel, Prothonotary
Centre County Courthouse
Bellefonte, PA 16823

Re: Graham B. Spanier vs. Louis J. Freeh and Freeh Sporkin & Sullivan, LLP
No. 2013-2707 (Centre County, PA)

Dear Ms. Immel:

Enclosed please find an original and three (3) copies of Defendants' Supplemental Submission with Regard to Their Motion for Assignment of An Out of County Judge. Please file the original document, and return three (3) time-stamped copies to me.

Thank you.

Very truly yours,

MILLER KISTLER & CAMPBELL

By:


Lisa M. Welsh, Esquire

LMW/lac

Enclosures

cc: The Honorable Thomas King Kistler, w/enc.

The Honorable Jonathan D. Grine, w/enc.