

1                   IN THE COURT OF COMMON PLEAS  
2                   PHILADELPHIA COUNTY, PENNSYLVANIA  
3                   PENNSYLVANIA MANUFACTURERS' : CIVIL ACTION  
4                   ASSOCIATION INSURANCE   :  
5                   COMPANY,                   :  
6                   Plaintiff,               :  
7                   - vs. -                : JANUARY TERM, 2012  
8                   THE PENNSYLVANIA STATE   :  
9                   UNIVERSITY AND JOHN DOE A,   :  
10                  Defendants.             : NO: 04126  
11                  - - - - -  
12                  THE PENNSYLVANIA STATE   : CIVIL ACTION  
13                  UNIVERSITY,               :  
14                  Plaintiff,               :  
15                  - vs. -                : NOVEMBER TERM, 2013  
16                  PENNSYLVANIA MANUFACTURERS' :  
17                  ASSOCIATION INSURANCE   :  
18                  COMPANY,                :  
19                  Defendants.             : NO: 03195  
20                  - - - - -  
21                  THE PENNSYLVANIA STATE   : CIVIL ACTION  
22                  UNIVERSITY,               :  
23                  Plaintiff,               :  
24                  - vs. -                : NOVEMBER TERM, 2013  
25                  PENNSYLVANIA MANUFACTURERS' :  
26                  ASSOCIATION INSURANCE   :  
27                  COMPANY,                :  
28                  Defendants.             : NO: 03197  
29                  - - - - -  
30                  \*\* C O N F I D E N T I A L \*\*  
31                  Monday, September 29, 2014  
32                  - - -  
33                  Oral deposition of JOHN DOE 75, taken  
34                  pursuant to notice, was held in the offices of  
35                  - - -  
36                  at 10:34 a.m., on the above date,  
37                  before Lisa DePascale, a Court Reporter and Notary  
38                  Public of the Commonwealth of Pennsylvania and  
39                  Delaware.  
40  
41  
42

1 had, that got stolen.

2 Q. Given to you by Mr. Sandusky?

3 A. Yeah.

4 Q. Is that you in the picture on the second page?

5 A. (Reviewing document.) Yep.

6 Q. And is that Mr. Sandusky next to you?

7 A. Yeah.

8 Q. Was this at a Second Mile program?

9 A. Yeah.

10 Q. All right. Now, I want to draw your attention  
11 to the paragraph that begins "Rather, when Penn State  
12 is deciding," on the first page. It's on the first  
13 page. At the bottom, you see the paragraph that  
14 starts, "Rather, when Penn State University is  
15 deciding the value"?

16 It says, it references "In the summer  
17 of 1987 assistant football coach, Joe Sarra, walked  
18 into the Penn State Football Coach's Meeting Room and  
19 observed Jerry Sandusky with his hand down the waist  
20 band of, then, 13 year old" Mr. John Doe 75's  
21 "shorts." Is that an accurate statement?

22 A. Yes.

23 Q. Is that the meeting room that is on the drawing  
24 that you made?

1 A. Mm-hmm.

2 Q. And what do you remember about that event?

3 A. Well, I'll draw it. Let's --

4 Q. Well, I'll tell you what, if you're going to  
5 the draw again, let me give you another piece of paper  
6 and we'll...

7 A. (Witness drawing.) So the room is almost  
8 exactly like this, but it's a lot bigger.

9 Q. We're talking about the coach's meeting room  
10 where Mr. Sarra walked in?

11 A. Yep. (Indicating.) Door is right here. Table  
12 is right here. Seats about 25. We're right here.  
13 (Indicating.)

14 Q. And Mr. Sarra walked in through the door and  
15 saw Mr. Sandusky's hand down your shorts?

16 A. Didn't walk in through the door, but you ever  
17 go and like check on -- like I have kids, you know,  
18 that I'm very protective of. Did you ever like open a  
19 door, check, you know, see, yeah, everything's okay,  
20 you know.

21 Q. So he poked his head in?

22 A. Yeah.

23 Q. And did he say anything when he saw Mr.  
24 Sandusky's hands down your shorts?

1 A. Nothing.

2 MS. ROMAGNOLI: Objection.

3 BY MR. ENGELMYER:

4 Q. Did Mr. Sandusky say anything to you?

5 A. He didn't say anything to me, no.

6 Q. Did he say don't tell anybody or what are we  
7 going to do that someone saw this? Was there any  
8 discussion like that?

9 A. Nothing.

10 Q. Okay. Did he -- there is a reference on  
11 Document 133. Take a look at it. It says, "on this  
12 occasion" -- I'm going to give this to you -- "another  
13 coach, Joe Sarra, opened the door and clearly observed  
14 them and said, 'Oh, Sorry,' leaving the room Sandusky  
15 kissed him on the forehead after this as if to tell  
16 him it's ok." And I'll give you a chance to read  
17 that.

18 A. Yeah, that's accurate.

19 Q. Just hold on one second.

20 MR. ENGELMYER: Let me ask you to mark  
21 this.

22 - - -

23 (Exhibit 136, Hand drawing, 1 page was  
24 marked for identification.)

1

2 THE WITNESS: Especially the kiss.

3 BY MR. ENGELMYER:

4 Q. You remember him kissing you on the forehead  
5 after this?

6 A. Yeah.

7 Q. Okay. So just --

8 A. And I can tell you the exact position I just  
9 told. He's right like this. (Indicating.)

10 Q. Wait. I'm sorry. I want to -- let's just  
11 clear who you're talking about. Who's the "he" that's  
12 like this?

13 A. Jerry.

14 Q. All right. So Sandusky is sitting in a chair?

15 A. Yeah. No, he's not sitting in a chair; he's  
16 laying on the ground.

17 Q. Okay.

18 A. This is messed up, man. Right over like on  
19 that side of the table. This door would be over  
20 there. (Indicating.) He's laying on the ground with  
21 his head pointing this way, (indicating) and right  
22 like this, like a little figure 4, and I'm in between  
23 him right here. (Indicating.)

24 Q. Are you both -- are either of you clothed?

1 A. Clothed, but like, you know, his hand is right  
2 down on my...

3 Q. In your shorts?

4 A. Yeah.

5 Q. And Mr. Sarra walked in, did he say, oh, sorry,  
6 do you remember that?

7 A. I'm pretty sure he did. It might have been --

8 I'm pretty sure. Yeah.

9 Q. Okay.

10 A. It might have been -- you know, there is so  
11 much -- to remember exactly, how can you remember  
12 exactly? I mean...

13 Q. I'm only going by what Mr said in  
14 his letter.

15 A. I'm pretty sure it was like, oh, sorry, or like  
16 oh, you know, like -- it's just like a door opened,  
17 looked in, oh, sorry, you know, or...

18 Q. From where he -- just hold that for a second.

19 I want to make sure I'm going to mark things here.

20 We've marked as 134 your drawing of the  
21 locker room. Okay. And 136 is your drawing of the  
22 meeting room that Mr. Sarra walked in when  
23 Mr. Sandusky's hands was down your shorts?

24 A. Yeah.

1 Q. You have described -- I'm going to put an X  
2 where you and Mr. Sandusky were laying on the ground  
3 as you've just described it. Have I done that  
4 correctly?

5 A. Mm-hmm.

6 Q. All right. And the door, I'm going to put a  
7 circle around. (Indicating). Is that correct?

8 A. Yeah.

9 Q. And you said that Mr. Sarra poked his head in  
10 the door and could see you and Mr. Sandusky laying on  
11 the floor?

12 A. Yeah.

13 Q. Do you remember whether -- when Mr. Sandusky  
14 kissed you on the forehead, you remember that?

15 A. Yeah.

16 Q. And did he say anything to you?

17 A. Didn't say anything, no.

18 Q. Okay.

19 MS. ROMAGNOLI: Steve, can I just get  
20 clarification on the drawing?

21 MR. ENGELMYER: Sure.

22 MS. ROMAGNOLI: And is it -- I don't  
23 mean to hijack your questioning here. The  
24 testimony is that Mr. Sandusky's head was

1 facing the door? Could we get that?

2 MR. ENGELMYER: All right. Well, let's  
3 ask that.

4 BY MR. ENGELMYER:

5 Q. Let's just be clear. I put a circle around  
6 where the door is. And I put an X where you two were  
7 laying with his hand down your shorts. Was his head  
8 facing the door or --

9 A. Both heads are facing the door.

10 Q. Okay. So both heads are facing the door. Did  
11 you lock eyes with Mr. Sarra when he walked in?

12 A. Well, I knew who he was.

13 Q. So you saw --

14 A. He's friends with Jerry. He's been at Jerry's  
15 house many times when I was there. Yeah.

16 Q. And you said that you thought it was his son  
17 that was picking you up?

18 A. I'm almost positive. It's like...

19 Q. Did you ever say anything to his son --

20 MS. ROMAGNOLI: Can you...

21 BY MR. ENGELMYER:

22 Q. Go ahead. I'm sorry. I didn't mean to  
23 interrupt you. Don't ever let me interrupt you. I  
24 thought you were done. So if you're not.

1 A. No. Go ahead.

2 Q. I was asking, you thought it was  
3 that was driving you back and forth?

4 A. I'm almost positive, yeah.

5 Q. Did you ever say anything to in  
6 those drives about what had seen?

7 A. No.

8 Q. Did you ever tell anybody what Mr. Sarra had  
9 seen, other than obviously recently?

10 A. No, but it's now -- definitely crossed my mind  
11 a time or two.

12 Q. Were you interviewed by the Attorney General  
13 for the Sandusky criminal trial?

14 A. No.

15 - - -

16 (Exhibit 137, Confidential Intake  
17 Questionnaire, 4 pages, was marked for  
18 identification.)

19 - - -

20 BY MR. ENGELMYER:

21 Q. Okay. I'm going to mark as 137 the  
22 questionnaire that was filled out in support of your  
23 claim.

24 Have you seen that before, Mr. John Doe

1 75?

2 A. No.

3 Q. Okay. Let me just draw your attention, there's  
4 a few things in the I want to -- can I ask you to take  
5 a look at Page 2 Paragraph 6.

6 A. (Reviewing document.)

7 Q. You see the second sentence where it says,  
8 "Coach Sarra also witnessed" Mr. John Doe 75's "abuse  
9 in 1987"?

10 A. Mm-hmm.

11 Q. Is that the abuse you have just described with  
12 these drawings?

13 A. Yes.

14 Q. The last sentence there says, "It is believed  
15 that many persons at Penn State knew that boys were  
16 being abused by Mr. Sandusky." Do you have any  
17 evidence to support that statement?

18 A. I mean, what evidence? I don't know. You know  
19 I mean, other than -- I mean, do I think? I think a  
20 lot of things.

21 Q. Okay.

22 A. I mean, you know, you start -- your mind starts  
23 wondering, man. You know you start thinking, did this  
24 guy really -- was he helping him or, you know...

1 Q. And "this guy" being or somebody else?

2 A. Could be them all. They could all be in a  
3 little, you know, it could just be like really  
4 frigging demented and weird, you know. But did it  
5 cross my mind? Yeah, there is no doubt. Do I know  
6 for sure? I don't know for sure.

7 Q. Did you ever see any other young men being  
8 abused by Mr. Sandusky?

9 A. No, but Jerry has a hell of a lot of pictures.  
10 I thought it was normal back then, like in his house.  
11 You go in through his front door and then go to the  
12 left, and he had like a little den there with where  
13 his computer, where he would work a little bit. But  
14 he'd have a lot of pictures of a lot of different kids  
15 up, you know, but I always noticed there was like a  
16 lot more of me than most. There were one or two other  
17 ones that had quite a few. And quite honestly, you  
18 would get like jealous of them, you know, you'd be  
19 like jealous.

20 Q. Of the other young men?

21 A. Of like the other ones, like the ones that you  
22 could see that he cared about a lot, you know.

23 Q. Did you ever see him with other young men in  
24 the locker room facility you've described?

1 A. No.

2 MS. ROMAGNOLI: Objection, vague.

3 BY MR. ENGELMYER:

4 Q. So you never saw him showering with other young  
5 men other than yourself?

6 A. Never saw him showering with anybody else. But  
7 my brother went through the same thing. And he's all  
8 messed up. And, you know, he has so much pride --

9 Q. You're talking about your brother?

10 A. My brother has a similar story to me, but he  
11 does not have -- he -- I asked him, you ever?  
12 Anything ever? And he just denies it to the bitter  
13 end. But that's a way of dealing with it, too. I'm  
14 not sure, you know, it's difficult to understand  
15 because he is an alcoholic.

16 Q. Well, what makes you think your brother was  
17 also a victim of Mr. Sandusky?

18 A. I don't know if he is, but, you know, is it  
19 potential? Does it bug me if I don't know? Yeah, it  
20 bugs me because I don't know. But he has a similar  
21 story to mine, you know, been up there; it was just a  
22 little bit of a time period after me.

23 Q. He's a little younger than you?

24 A. Yeah.

1 Q. Did you ever see him in the weight room or work  
2 out room with other young men?

3 MS. ROMAGNOLI: You mean Sandusky?

4 MR. ENGELMYER: Yes.

5 THE WITNESS: No, it was always me.

6 BY MR. ENGELMYER:

7 Q. And how about in the coach's meeting room?

8 A. It was always me.

9 Q. Did it ever strike you as odd that the sexual  
10 abuse was occurring right off the main locker room of  
11 the Penn State football program?

12 MS. ROMAGNOLI: Objection.

13 THE WITNESS: Yeah. Especially, I  
14 mean, when this is all happening, maybe not as  
15 much as you do like reflect back like now. You  
16 know, now I think I have a better  
17 understanding. My mind was manipulated so bad  
18 that you think like some of this stuff is  
19 normal. Like it's scary. Now, you look back  
20 on this, and it's like, man, I can't believe  
21 you didn't put two and two together. And you  
22 know because you get scared, too, you know.  
23 And there's -- when you come from a broken home  
24 and have a lot of issues going on, you know,

1                   you're like backed up against a corner it's  
2                   like you against a lot of people, you know.  
3                   It's difficult, man.

4                   MR. ANDREOZZI: Mr. Doe 75, try to  
5                   stick to answering the questions. We'll get  
6                   through all this.

7                   THE WITNESS: Sorry.

8                   MS. ROMAGNOLI: Do you want to take a  
9                   break? We've been at this for a while.

10                  MR. ANDREOZZI: Do you need a break or  
11                  do you want to keep going?

12                  MR. ENGELMYER: Do you need a break or  
13                  do you want to keep going? Whatever --

14                  THE WITNESS: I'd rather just get this  
15                  over with, to be honest.

16                  MR. ANDREOZZI: Okay. We'll be here  
17                  for a while, so just stick to answering the  
18                  questions as best you can.

19                  THE WITNESS: Okay.

20    BY MR. ENGELMYER:

21    Q.           The question was have you seen -- did you see  
22                  Mr. Sandusky with any other young men? And I think  
23                  you said your answer was no --

24    A.           No.