

Graham Spanier

1 IN THE COURT OF COMMON PLEAS
2 PHILADELPHIA COUNTY, PENNSYLVANIA
- - -
3 PENNSYLVANIA MANUFACTURERS' : CIVIL ACTION
ASSOCIATION INSURANCE :
4 COMPANY, :
Plaintiff, :
5 - vs. - : JANUARY TERM, 2012
THE PENNSYLVANIA STATE :
6 UNIVERSITY AND JOHN DOE A, :
Defendants. : NO: 04126

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8 THE PENNSYLVANIA STATE : CIVIL ACTION
UNIVERSITY, :
Plaintiff, :
9 - vs. - : NOVEMBER TERM, 2013
PENNSYLVANIA MANUFACTURERS' :
10 ASSOCIATION INSURANCE :
COMPANY, :
11 Defendants. : NO: 03195

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12 THE PENNSYLVANIA STATE : CIVIL ACTION
UNIVERSITY, :
13 Plaintiff, :
- vs. - : NOVEMBER TERM, 2013
14 PENNSYLVANIA MANUFACTURERS' :
ASSOCIATION INSURANCE :
15 COMPANY, :
Defendants. : NO: 03197

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17 - - -
18 Friday, May 29, 2015
- - -

19 Videotaped oral deposition of GRAHAM
SPANIER, taken pursuant to notice, was held at the law
20 offices of Kleinbard Bell & Brecker, LLC, 1650 Market
Street, One Liberty Place, 46th Floor, Philadelphia,
21 Pennsylvania 19103, at 9:43 a.m., on the above date,
before Lisa DePascale, a Court Reporter and Notary
22 Public of the Commonwealth of Pennsylvania and
Delaware.

23 GOLKOW TECHNOLOGIES, INC.
877.370.3377 ph/917.591.5672 fax
24 deps@golkow.com

1 child.

2 What did you ~~mean by~~ "anything
3 resembling that with any child"?

4 A. I'm not sure what I meant specifically. If you
5 go back and read the prior few pages, this was a very
6 hostile interview --

7 Q. I want to ask you about that.

8 A. -- I was trying to be perfectly clear that I
9 was being very inclusive about -- because I don't know
10 what all the crimes could be, but anything that
11 crossed into this territory, of course, would have
12 been something necessitating intervention, but the
13 bottom line is, I never heard about anything like
14 that.

15 Q. Well, based on these statements, do you have or
16 did you have an understanding that there could be
17 inappropriate activity with minors that might be
18 something less than criminal?

19 MS. KORNFELD: Objection.

20 MS. AINSLIE: Objection, calls for
21 total speculation.

22 MR. ENGELMYER: I asked if he had an
23 understanding.

24 MS. AINSLIE: Tell me that again, just

1 rephrase it, would you?

2 MR. ENGELMYER: I'll have her read it
3 back.

4 Would you be kind enough.

5 (Court reporter read the record as
6 requested.)

7 MS. AINSLIE: If you had an
8 understanding you may answer that.

9 THE WITNESS: I had no understanding of
10 anything that merited a level of intervention
11 other than the intervention that we took.

12 BY MR. ENGELMYER:

13 Q. And I'm sorry, when you say "other than the
14 intervention that we took," what are we referring to?
15 The intervention that we took, I'm just not sure what
16 you're referencing?

17 A. When I had this brief heads up in 2001 that
18 someone was uncomfortable after seeing Jerry in the
19 shower, but that he wasn't sure what he saw because it
20 was indirect and around a corner, I felt, as did Tim
21 Curley and Gary Schultz in our brief discussion, that
22 we were uncomfortable with that as well. And we
23 didn't want him to be doing that again. And we agreed
24 that he should have a directive that showering with

1 his kids, presumably his Second Mile kids, was not
2 something that was appropriate for Penn State athletic
3 facilities. And that we should give him a directive
4 not to do that again. And out of an abundance of what
5 I felt at the time was responsibility on our part,
6 because he was no longer an employee of Penn State, to
7 inform the head of the Second Mile that we were
8 uncomfortable with this, and that we did not want any
9 Second Mile kids to be in our locker room or shower
10 facilities.

11 Q. If I may, I forgot to ask you this; are you
12 currently an employee of Penn State as you sit here
13 today?

14 A. Yes.

15 Q. When you say Mr. Sandusky was not an employee
16 as of 2001, and excuse my ignorance, he did have
17 emeritus status as of 2001, correct?

18 A. Yes.

19 Q. I just don't know. If you have emeritus status
20 does that mean you are still not an employee of the
21 University?

22 A. That's correct we have thousands of people --

23 Q. That have --

24 A. -- that have emeritus status. It is virtually