

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

	)	
	)	
	)	Docket No. 2023-cv-2998-C1
	)	
	)	TYPE OF PLEADING
SPOTLIGHT PA,	)	Motion for Leave to File Second
	)	Amended Complaint
Plaintiff;	)	
	)	FILED ON BEHALF OF
BOARD OF TRUSTEES OF THE	)	Spotlight PA
PENNSYLVANIA STATE	)	
UNIVERSITY,	)	COUNSEL OF RECORD
	)	Paula Knudsen Burke
Defendant.	)	
	)	PA I.D. NUMBER
	)	87607
	)	

**PLAINTIFF’S MOTION FOR LEAVE TO FILE SECOND AMENDED  
COMPLAINT AND STAY BRIEFING AND ARGUMENT SCHEDULE**

Plaintiff Spotlight PA, by and through its undersigned counsel, hereby files this Motion for Leave to File Second Amended Complaint and Stay Briefing and Argument Schedule pursuant to Pennsylvania Rule of Civil Procedure 1033 and in compliance with Centre County Local Rule 208.2. In support thereof, Plaintiff states as follows:

1. Plaintiff initiated the instant litigation through a complaint filed on December 6, 2023.

2. On March 6, 2024 Plaintiff filed its First Amended Complaint.
3. On March 26, 2024 Defendant filed Preliminary Objections to the First Amended Complaint.
4. On April 5, 2024 the Court issued a briefing and argument schedule regarding the Preliminary Objections.
5. On May 6, 2024 Defendant filed its brief in support of its Preliminary Objections.
6. Defendant held a Board of Trustees meeting on May 21, 2024, at which time Plaintiff learned of apparent new violations of the Sunshine Act, 65 Pa.C.S. §§ 701 *et seq.*
7. Considering this development, and because Defendant filed Preliminary Objections seeking dismissal of the instant suit in its entirety, Plaintiff's new Second Amended Complaint will not only benefit the proceedings but will clarify and enhance Plaintiff's First Amended Complaint significantly.
8. Counsel for the parties met and conferred on May 31, 2024 by telephone to discuss whether Defendant would consent to the filing of Plaintiff's Second Amended Complaint; after conferring with his client, Defendant's counsel on June 3, 2024 advised Plaintiff's counsel that his client did not concur.

9. Plaintiff therefore seeks leave of this Court to file a Second Amended Complaint. The proposed Second Amended Complaint is attached hereto as Exhibit 1.

10. Plaintiff also seeks a stay of the briefing and argument schedule in this matter.

WHEREFORE, Plaintiff respectfully requests this honorable Court grant this Motion and enter the attached proposed Order granting Plaintiff leave to file the attached Second Amended Complaint and to stay the briefing and argument schedule.

Dated: June 3, 2024

Respectfully submitted,

/s/ Paula Knudsen Burke  
Paula Knudsen Burke  
PA I.D. No. 87607  
REPORTERS COMMITTEE FOR  
FREEDOM OF THE PRESS  
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*Counsel for Plaintiff Spotlight PA*

**CERTIFICATE OF COMPLIANCE WITH PUBLIC ACCESS POLICY**

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

**CENTRE COUNTY LOCAL RULE 208.2(d) CERTIFICATION**

The undersigned counsel for movant hereby certifies and attests that she has conferred or attempted to confer with all interested parties to resolve the matter without Court action. Counsel for the Defendant does not consent to the present filing.

Date: June 3, 2024

Submitted by: Paula Knudsen Burke

Signature: /s/ Paula Knudsen Burke

Attorney No.: 87607

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SPOTLIGHT PA,	)	
Plaintiff;	)	
	)	Docket No. 2023-cv-2998-C1
BOARD OF TRUSTEES OF THE	)	
PENNSYLVANIA STATE	)	
UNIVERSITY,	)	
Defendant.	)	
	)	
	)	
	)	

**PROPOSED ORDER OF COURT**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2024, the Court ORDERS  
as follows:

1. Plaintiff’s motion file the proposed Second Amended Complaint is  
**GRANTED;**
  
2. Plaintiff’s motion to stay the briefing and argument schedule issued on April  
5, 2024 is **GRANTED.**

**BY THE COURT:**  
\_\_\_\_\_  
J.