

(The following is excerpted from The Citizens' Voice of Wilkes-Barre, Pa.)



## Penn State University settles for \$60M

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Penn State is prepared to spend close to \$60 million on civil settlements with former defensive coordinator Jerry Sandusky's child sex abuse victims, sources familiar with the negotiations told The Citizens' Voice, a Times-Shamrock newspaper, late Wednesday.

The university has reached tentative settlement agreements with a majority of the 32 plaintiffs who claimed they were victimized by Mr. Sandusky over a four-decade span and is in the process of codifying and signing those deals, the sources said.

They include the man identified by prosecutors as Victim 6, the subject of a brief 1998 police investigation into Mr. Sandusky's abuse; the boy in the 2001 shower incident reported to former football coach Joe Paterno and three top university administrators; and Matt Sandusky, who went to investigators with long-suppressed allegations of abuse during his adoptive father's criminal trial in June 2012.

The university's board of trustees authorized the settlement total, known in legal circles as the "global amount," at its meeting last week, but did not disclose the amount, the terms of the tentative

deals or the number of plaintiffs involved.

The figure, which one of the sources said could range from \$58 million to \$62 million, is nearly the same as the fine the National Collegiate Athletic Association, the governing body of college athletics, imposed on the university last summer after it found the administrators lacked institutional control by failing to report Mr. Sandusky's abuse to police.

The sources, speaking on the condition of anonymity because they were not authorized to comment on the negotiations, said a public announcement of the settlements could come as early as next week, depending on how soon the final agreements are drawn up, reviewed by the plaintiffs and their attorneys, and signed.

A university spokesman declined comment Wednesday night.

... Tom Kline, whose client claimed Sandusky abused him on the Penn State campus six months after university administrators were told of the February 2001 shower incident, said via email from Berlin that "tentative agreements" have been reached in "many cases."

"Penn State and the lawyers for the Sandusky victims have now moved from the stage of negotiat-

ing to the stage of papering and documenting numerous previously achieved informal deals, which will include my client, Victim 5," Kline, a Hazleton native, said.

"There are now many fewer moving parts than previously existed before the PSU negotiators were authorized by the board to extend formal offers, and we now appear to be close to seeing formal agreements consummated that include a large numbers of victims' claims settled."

... The tentative agreements, the sources said, include a non-disclosure clause barring Sandusky's victims from mentioning the amount they received from the university, the offers and counteroffers that were exchanged during the negotiations, or the terms of the agreement.

The university's negotiators, Rozen and his law partner, Kenneth R. Feinberg, evaluated each plaintiff's claim individually, instead of offering a blanket amount per victim, the sources said.

Victims who testified at Sandusky's trial and had their allegations substantiated by a guilty verdict, will likely receive more. One of the sources said there was a "wide disparity" in offers to victims whose claims could have been challenged under a state statute of

limits statute and those who testified.

Under state law, persons over the age of 30 are barred from suing for the sexual abuse they suffered while a minor. Penn State could have challenged those claims, including from Matt Sandusky, but decided to settle those cases too to avoid public relations blowback, one of the sources said.

Penn State has moved aggressively to settle the claims.

The university retained Rozen and Feinberg in September to facilitate the settlement negotiations and avoid a drawn out legal process. Together, Rozen and Feinberg have resolved litigation stemming from the Sept. 11, 2001 terrorist attacks and the 2010 BP oil spill in the Gulf of Mexico.

In the BP case, Feinberg's firm sorted through more than 1 million claims and distributed more than \$6 billion in settlement funds. The oil giant set aside funds for the clean up of oil-stained beaches and to restart the tourism-heavy Gulf Coast economy.

Penn State President Rodney Erickson said last November the university was prepared to spend as much as necessary on the Sandusky settlements and had insurance policies and loan interest earmarked for the purpose.

"This is not like a capped fund, such as the World Trade Center situation or the Virginia Tech state fund," Erickson said.