

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

A.M., a minor, by and through JAMIE and RON	)	
McKALIP, his parents and natural guardians, J.V.,	)	
a minor, by and through BARBRA and DAVID	)	
VAUGH, his parents and natural guardians, L.W.,	)	Civil Action No.
by and through THOMAS and DIANA WOLAK,	)	
his parents and natural guardians, J.H., a minor, by	)	
and through KEVIN HADLEY, his parent and	)	
natural guardian, CONNEAUT SCHOOL	)	
DISTRICT and SLIPPERY ROCK AREA	)	
SCHOOL DISTRICT,	)	
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
PENNSYLVANIA INTERSCHOLASTIC	)	
ATHLETIC ASSOCIATION, INC., PIAA	)	
DISTRICT 10 COMMITTEE and MICHAEL	)	
FERRY,	)	
	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL OF CIVIL ACTION**

TO: UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Pursuant to 28 U.S.C. §§ 1331, 1441 and/or 1446, Defendants Pennsylvania

Interscholastic Athletic Association, Inc. (“PIAA”), PIAA District 10 Committee, and Michael Ferry hereby remove the above-captioned action from the Court of Common Pleas of Crawford County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania. In support of this removal, Defendants state as follows:

1. On September 30, 2020, Plaintiffs initiated a civil action against the Defendants by filing a Writ of Summons and a Petition for Preliminary Injunction (the “Petition”) in the Court of Common Pleas of Crawford County, Pennsylvania. The matter was docketed at Number AD 2020-473.

2. True and correct time-stamped copies of the Writ of Summons and the Petition are attached hereto as **Exhibits A** and **B**, respectively, and incorporated herein by reference for removal purposes only.

3. The Petition generally arises out of Plaintiffs' displeasure that four high school student-athletes from either the Conneaut School District or Slippery Rock Area School District (collectively, the "Student Plaintiffs") are not eligible to participate in PIAA District 10's Boy's Golf Championships (the "Golf Championships") being held at The Country Club in Meadville, Pennsylvania on Friday, October 2, 2020, *i.e.*, just two (2) days after the Petition was filed.

4. At least one of the reasons the Student Plaintiffs are not eligible to play in the Golf Championships is because PIAA District 10, in response to the COVID-19 pandemic and in an abundance of caution, reduced the number of eligible entrants at all golf championships during 2020.

5. Paragraph 29 of the Petition alleges that the "Student Plaintiffs are entitled to protection under the equal protection clause of the Fourteenth Amendment and the actions of the PIAA and PIAA District 10 must adhere to a rational basis standard." *See* Exhibit B attached hereto, Petition, at p. 6, ¶ 29.

6. Because Plaintiffs seek relief on claims arising out of the Constitution of the United States, and said claims arise under the laws of the United States, this Court has original jurisdiction over the action pursuant to 28 U.S.C. § 1331.

7. Accordingly, this action is properly removed to this Court under 28 U.S.C. § 1441(a) and (c)(1).

8. As required by 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty days after Defendants' receipt of the Petition setting forth the claims of federal law.

9. A copy of this Notice of Removal is being filed with the Prothonotary of the Court of Common Pleas of Crawford County, Pennsylvania and served upon all parties in accordance with 28 U.S.C. § 1446(d).

10. Defendants file with this Notice of Removal a copy of all process and pleadings served upon it in the state court action prior to the filing of this Notice of Removal (*see* **Exhibits A** and **B** attached hereto).

WHEREFORE, Defendants hereby remove this action from the Court of Common Pleas of Crawford County, Pennsylvania, to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

By: /s/ Brian H. Simmons  
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Dated: October 1, 2020

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date a true and correct copy of the foregoing document was emailed and served via first class mail, postage prepaid and/or e-mail, upon the following:

George Joseph, Esquire  
Andrew M. Schmidt, Esquire  
Quinn, Buseck, Leemhuis,  
Toohey & Kroto, Inc.  
2222 West Grandview Boulevard  
Erie, PA 16506

BUCHANAN INGERSOLL & ROONEY PC

By: /s/ Brian H. Simmons  
Brian H. Simmons

Dated: October 1, 2020