

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

Centre

County

For Prothonotary Use Only:

Docket No:

2025-CV-1736-CI

PROTHONOTARY
CENTRE COUNTY, PA

JEREMY S. BRENN

2025 JUN 26 PM 2:41

FILED FOR RECORD BY EMAIL

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A

Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:
David Aneckstein

Lead Defendant's Name:
The Pennsylvania State University

Are money damages requested? ☒ Yes ☐ No

Dollar Amount Requested: ☐ within arbitration limits
(check one) ☒ outside arbitration limits

Is this a Class Action Suit? ☐ Yes ☒ No

Is this an MDJ Appeal? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Christopher A. Macey, Jr.

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

SECTION B

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other:

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other

☐ Employment Dispute: Discrimination
☒ Employment Dispute: Other
Pa. Whistleblower Law retaliation.

☐ Other:

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other

☐ Zoning Board
☐ Other:

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional:

NOTICE

Pennsylvania Rule of Civil Procedure 205.5. (Cover Sheet) provides, in part:

Rule 205.5. Cover Sheet

(a)(1) This rule shall apply to all actions governed by the rules of civil procedure except the following:

- (i) actions pursuant to the Protection from Abuse Act, Rules 1901 et seq.
- (ii) actions for support, Rules 1910.1 et seq.
- (iii) actions for custody, partial custody and visitation of minor children, Rules 1915.1 et seq.
- (iv) actions for divorce or annulment of marriage, Rules 1920.1 et seq.
- (v) actions in domestic relations generally, including paternity actions, Rules 1930.1 et seq.
- (vi) voluntary mediation in custody actions, Rules 1940.1 et seq.

(2) At the commencement of any action, the party initiating the action shall complete the cover sheet set forth in subdivision (e) and file it with the prothonotary.

(b) The prothonotary shall not accept a filing commencing an action without a completed cover sheet.

(c) The prothonotary shall assist a party appearing pro se in the completion of the form.

(d) A judicial district which has implemented an electronic filing system pursuant to Rule 205.4 and has promulgated those procedures pursuant to Rule 239.9 shall be exempt from the provisions of this rule.

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the website of the Administrative Office of Pennsylvania Courts at www.pacourts.us.

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY
PENNSYLVANIA
CIVIL ACTION - LAW

DAVID ANECKSTEIN
137 Garret Way
Port Matilda, PA 16870,

Plaintiff,

v.

**THE PENNSYLVANIA STATE
UNIVERSITY,**
201 Old Main
University Park, PA 16802,

and

LARRY D. TERRY, II
201 Old Main
University Park, PA 16802

Defendants.

Docket No. 2025-CV-1736-CI

Type of Case: Employment Dispute --
Other (Pa. Whistleblower Law)

_____ Medical Professional Liability
Action (Check if Applicable)

Type of Pleading: Complaint

Filed on Behalf of: Plaintiff David
Aneckstein

Counsel of Record for this Party:
Christopher A. Macey, Jr.

PA I.D. Number: 207800

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY PENNSYLVANIA

CIVIL ACTION-LAW

David Aneckstein

NO. 2025-CV-1736-CI

vs.

The Pennsylvania State University, et al.

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE
CENTRE COUNTY BAR ASSOCIATION
192 Match Factory Place
Bellefonte, PA 16823
814-548-0052

To: All Defendants Below-Captioned
You are hereby notified to file a written
response to the enclosed Complaint
or a judgment may be entered against you.

THIS IS NOT AN
ARBITRATION CASE
ASSESSMENT OF
DAMAGES HEARING
IS REQUIRED. JURY TRIAL
IS DEMANDED.


Attorney for Plaintiff David Aneckstein

BELL & BELL LLP
By: Christopher A. Macey, Jr., Esquire
Identification No.: PA 207800
Jennifer C. Bell, Esquire
Identification No.: PA 81045
1617 JFK Boulevard – Suite 1254
Philadelphia, PA 19103
Telephone No.: (215) 569-2500

Attorneys for Plaintiff
David Aneckstein

DAVID ANECKSTEIN
137 Garret Way
Port Matilda, PA 16870,

Plaintiff,

v.

THE PENNSYLVANIA STATE
UNIVERSITY,
201 Old Main
University Park, PA 16802,

and

LARRY D. TERRY, II
201 Old Main
University Park, PA 16802

Defendants.

CENTRE COUNTY
COURT OF COMMON PLEAS
CIVIL ACTION - LAW

Docket No. 2025-CV-1736-CI

COMPLAINT – CIVIL ACTION

Plaintiff David Aneckstein, by and through his attorneys, Bell & Bell, LLP, hereby files the following Complaint and Jury Demand (“Complaint”).

PRELIMINARY STATEMENT

1. This is an action for an award of damages, punitive damages, attorneys’ fees and other relief on behalf of David Aneckstein, a current employee of The Pennsylvania State University (“PSU” or “Penn State”) who was supervised by PSU’s Vice President for Outreach, Defendant Larry D. Terry, II. Mr. Aneckstein has been, and continues to be, wrongfully retaliated against by PSU and Mr. Terry for his expressed concerns and complaints regarding unethical and/or unlawful acts of PSU that amount to waste and wrongdoing.

2. This action has been brought under the Pennsylvania Whistleblower Law, 43 Pa.C.S. § 1421, et seq. (“PWL”).

PARTIES AND VENUE

3. Plaintiff David Aneckstein is an adult male citizen who resides at the above-captioned address.

4. Defendant PSU is a research university located in University Park, Pennsylvania, with an address of 201 Old Main, University Park, Pennsylvania 16802, where Plaintiff is employed.

5. Defendant Larry D. Terry, II is PSU's Vice President for Outreach, and Mr. Aneckstein's former supervisor, with a business address of 201 Old Main, University Park, Pennsylvania 16802.

6. This cause of action arose out of transactions or occurrences that took place in whole or in part in Centre County, Pennsylvania.

7. PSU regularly conducts business within Centre County.

8. Most, if not all, of the acts referred to in this Complaint occurred in Centre County.

9. Venue is appropriate in this Court pursuant to Pa.R.C.P. 2179(a)(1), (2), (3) and (4).

10. Defendant PSU receives funding from the Commonwealth, is a public body as defined by the Pennsylvania Whistleblower Law, and is accordingly subject to the PWL.

11. With respect to the PWL claims alleged herein, at all times relevant hereto, Plaintiff was an "employee" of Defendant PSU within the meaning of the PWL and is entitled to the protections of the PWL.

12. With respect to the PWL claims alleged herein, at all times relevant hereto, Defendants acted as Plaintiff's "employer" within the meaning of the laws at issue in this suit and are accordingly subject to the provisions of said laws.

13. This Honorable Court has personal jurisdiction over the Defendants.

FACTS

14. PSU is a public state-related land-grant research university with campuses and facilities located throughout the Commonwealth of Pennsylvania.

15. Mr. Aneckstein began his employment with PSU on January 7, 2008.

16. For over seventeen years, Mr. Aneckstein has been successfully performing at a high level for both Penn State Outreach and Penn State World Campus.

17. Since the inception of his employment with PSU, Mr. Aneckstein's work has been outstanding, and he received an "exceptional" rating for five (5) consecutive years prior to March 2025.

18. Mr. Aneckstein's most recent role was that of Senior Director of Communications for Outreach and Online Education.

19. In his role, Mr. Aneckstein successfully led and supervised a team of seven (7) communications professionals across both the Outreach and Online Education units.

20. As such, Mr. Aneckstein was a dual report of the Vice President for Outreach, Mr. Terry, and the Vice Provost for Online Education, Renata Engel.

21. On or about August 28, 2024, Mr. Aneckstein filed an anonymous whistleblower complaint to the Penn State Ethics Office.

22. In this complaint, Mr. Aneckstein notified PSU of an upcoming Outreach

conference that was being mismanaged and inadequately planned and would result in significant loss of state funds.

23. Mr. Aneckstein noted that the conference was being mismanaged under the supervision of Mr. Terry and the Associate Vice President for Outreach, Justin Aglio.

24. Indeed, Mr. Aneckstein anticipated that due to mismanagement and negligence by PSU, the conference would result in losses of public funds and resources that amounted to anywhere between \$500,000 to \$1,000,000.

25. While Mr. Aneckstein's complaint was anonymous, events leading up to this complaint would allow Mr. Terry and others to infer that it was Mr. Aneckstein who reported these misgivings.

26. The signs of possible monetary losses started to become apparent in the planning stages of the conference.

27. At that time, Mr. Aneckstein offered his strategic communications services and counsel to Mr. Terry.

28. During their one-on-one meetings, Mr. Aneckstein suggested that Mr. Terry consider delaying the conference by one year as the conference was the right idea, but needed a different timeline to be successful.

29. Specifically, Mr. Aneckstein brought up major organizational changes that were likely to result in less staff to assist with the conference that were occurring

simultaneously.

30. Mr. Aneckstein also shared that the conference planner had expressed concerns with the tight timeline stating that a well-attended conference typically requires almost a full year of planning.

31. In this instance, the Outreach unit was attempting to plan a successful, large conference in under eight (8) months.

32. In addition, the planning committee failed to meet several internal deadlines for securing venues, speakers, and sponsors as well as creating an agenda to attract attendees.

33. As a result of these delays, the marketing and communications plans also could not be successfully executed to promote the conference and registration numbers remained exceptionally low.

34. Mr. Aneckstein complained about and shared with Mr. Terry that he was specifically concerned that PSU would be losing a significant amount of state appropriation dollars at a time when:

- PSU was facing a \$54,000,000 deficit,
- PSU was asking Commonwealth Campus employees to voluntarily separate from PSU,
- Tuition was rising for hardworking families,
- Pennsylvania State legislators were scrutinizing the appropriations to

PSU, as they were concerned about institutional waste,

- Certain Commonwealth Campus operations were being regionalized, and
- Certain Commonwealth Campuses were in danger of being closed (in fact, seven Penn State campuses will close in 2027 according to a recent PSU announcement in May 2025).

35. Upon Mr. Aneckstein sharing these concerns, including his concerns about loss of state funds, and suggesting to Mr. Terry that he delay the conference, Mr. Terry simply told Mr. Aneckstein that “we’re moving forward with it.”

36. Notably, Mr. Aneckstein was the only person on the conference planning team who voiced these concerns.

37. As Mr. Aneckstein feared when he first began to raise his concerns with Mr. Terry, as of August 27, 2024 - three weeks prior to the conference, out of a planned 1,500 registrants there were only 125. And even this low number of registrants was inflated as 32 of the 125 were PSU employees and 33 were speakers who were provided complimentary tickets.

38. As of August 27, 2024 – the day before Mr. Aneckstein filed his whistleblower complaint – only 170 of the 850 hotel rooms blocked for the conference were reserved, resulting in a cost to PSU of over \$160,000 on lodgings alone, due to a contractual obligation to cover the cost of unbooked rooms at \$249

per room.

39. On or about August 27, 2024, Mr. Terry also instructed the conference planning team to give away tickets to anyone who would take them to “get butts in the seats.”

40. Because Mr. Terry had not heeded Mr. Aneckstein’s advice, warnings and complaints to Mr. Terry about the waste and loss of government funds, Mr. Aneckstein filed his whistleblower complaint with Penn State’s Ethics office on August 28, 2024.

41. Ultimately, the conference was held and resulted in significant monetary loss despite Mr. Terry later touting the conference as a success. A second conference is now planned for Pittsburgh in November 2025.

42. Indeed, following the conclusion of the conference, internal documents confirmed that Mr. Aneckstein’s prior predictions were correct, as PSU lost between \$500,000 and \$1,000,000 by hosting the conference.

43. While a draft of an “After Action” report prepared by the conference planning, marketing and public relations teams placed the loss at approximately \$500,000, Mr. Aneckstein believes that report did not account for several additional items that represent a waste of government funds.

44. For example, Mr. Aneckstein believes that the After Action report did not include the cost of sending 20 PSU employees to San Diego for a week in April 2024

(including covering the cost of flights, hotels, meals, local travel costs, and other items) to do reconnaissance of the ASU x GSV conference that Mr. Terry had hoped to emulate.

45. Mr. Aneckstein believes that the After Action report did not account for multiple trips for 6-10 PSU employees to Philadelphia for planning purposes (including hotel stays, meals, transportation, per diem, and other expenses).

46. Mr. Aneckstein believes that the After Action report did not include the cost of sending 5-6 PSU employees to Dallas (including flights, hotels, meals, local travel costs, and other items) to attend another GSV-themed conference. Notably, this trip in May of 2024 included the acceptance of gifts by 5-6 PSU employees, including Mr. Terry and Mr. Aglio, to attend a Dallas Mavericks NBA game.

47. Some of these excessive costs were also the impetus behind Mr. Aneckstein's complaints directly to Mr. Terry about waste and misuse of government funding, as well as his subsequent whistleblower complaint to PSU's Ethics office.

48. Mr. Aneckstein, and others on the team, shared concerns that Mr. Terry and Mr. Aglio were enjoying the ability to network with important and powerful individuals and make connections that would position them for significant personal gain regardless of the conference's ultimate success (or failure). Mr. Aneckstein and others also shared suspicions that Mr. Terry and Mr. Aglio were benefitting personally through these expenditures of state funds including the travel, recognition and other

perks. They also had concerns about potential kickbacks or securing of board appointments.

49. Despite the conference being a failure, Mr. Terry misrepresented the results of the conference when he stated to President Neeli Bendapudi and Chief of Staff Michael Wade Smith that the conference had been a resounding success.

50. Subsequently, shortly after complaining to Mr. Terry directly, and within two (2) months of Mr. Aneckstein filing his whistleblower complaint with the PSU Ethics office, Mr. Terry began targeting and retaliating against Mr. Aneckstein.

51. During a Zoom meeting, Mr. Terry told Mr. Aneckstein, “I don’t have a need for your position in Outreach.”

52. Mr. Terry further stated that he would be removing five (5) of Mr. Aneckstein’s direct reports and reassigning them to the marketing leader despite that individual having no expertise in communications.

53. However, over the prior two (2) years, Mr. Aneckstein had devoted upwards of 80-90% of his time to initiatives in Mr. Terry’s Outreach unit, including being nominated by Mr. Terry to serve as a project leader for Mr. Terry on a University-wide strategic planning process for the Penn State president’s office.

54. While no definitive date was provided to Mr. Aneckstein for this reorganization except for “as soon as possible,” the changes began to occur within a matter of weeks without any sort of transition plan.

55. Following the Zoom meeting, Mr. Terry ceased almost all contact with Mr. Aneckstein.

56. Mr. Aneckstein was then excluded from conversations with his staff and removed from leadership team meetings without any notice.

57. Notably, Mr. Terry ceasing contact and communications so abruptly with Mr. Aneckstein was especially unusual due to their prior history of calling and texting each other's personal phones after hours and on weekends to either discuss work or share personal interests.

58. Mr. Aneckstein reached out to the Human Resources (HR) Director, Lindsey Harter, to inquire if he had done something to warrant the change in his duties or if there was an issue with his performance.

59. Ms. Harter responded in the negative to both questions.

60. Subsequently, Mr. Aneckstein has been informed by several individuals inside and outside of the Outreach unit, including Vice Provost Renata Engel, that Mr. Terry is planning to promote an employee within the unit who was a subordinate of Mr. Aneckstein to a position almost identical to the one Mr. Aneckstein held, despite Mr. Terry telling Mr. Aneckstein that his position was no longer needed.

61. Furthermore, Mr. Terry has already promoted an individual in marketing to handle some of the internal, external, and executive communications tasks that had originally been part of Mr. Aneckstein's work.

62. As a result of this restructure, Mr. Aneckstein had only two (2) direct reports remaining on the Online Education side of his position.

63. Effective January 1, 2025, Mr. Aneckstein was demoted when those two (2) direct reports were removed along with all his external communication responsibilities and job duties.

64. While Mr. Aneckstein recognized that there was an overall organizational restructure occurring throughout PSU, he was the only employee out of 125 who lost his entire team and all his responsibilities.

65. Since his whistleblower complaints to Mr. Terry and PSU Ethics, Mr. Aneckstein has actively sought to find other positions within PSU, but has been consistently rejected for each position to which he has applied.

66. Indeed, since September 2024, Mr. Aneckstein has applied to many positions within PSU with no success and, in some instances, not even an interview despite the fact that all positions were well within his management expertise and skill level. In other instances, Mr. Aneckstein made it to the final rounds of interviews only to not receive an offer after Mr. Terry or Ms. Engel got involved.

67. On or about April 18, 2025, Mr. Aneckstein filed a complaint with the PSU Ethics Office regarding the retaliation to which he was being subjected by Mr. Terry and PSU for making his whistleblower complaints.

68. Prior to complaining again, Mr. Aneckstein approached PSU human

resources and indicated he was contemplating a further complaint for retaliation.

69. In response, human resources attempted to dissuade Mr. Aneckstein from complaining, indicating that they personally would not feel comfortable complaining.

70. In fact, during a conversation with the human resources Director in December 2024 where Mr. Aneckstein shared his previous whistleblower complaint and intention to potentially file a further complaint, the Director, Ms. Harter, shared that she had considered filing a whistleblower complaint at PSU previously, but opted not to out of fear of retaliation.

71. Following these events, Mr. Aneckstein has grown concerned that PSU is making disparaging statements about him and that he continues to be subjected to ongoing retaliation by PSU and by his manager, Ms. Engel.

72. During Mr. Aneckstein's performance evaluation with Ms. Engel on March 27, 2025, she told him that she does not know what he does these days and openly pondered what she would say if asked for a reference for Mr. Aneckstein.

73. More specifically, Ms. Engel told Mr. Aneckstein that she was reviewing his performance evaluation trying to think of what she would say if someone called asking her for a reference because she did not know what she would say.

74. Based on the foregoing, Mr. Aneckstein has justifiable concern that his reputation is in jeopardy both within PSU and externally.

75. Based on the foregoing, Mr. Aneckstein maintains that he has been and

continues to be wrongfully retaliated against for his expressed concerns and complaints regarding unethical and/or unlawful acts of PSU, including, but not limited to, waste and misuse of public funds and resources, in violation of the PWL.

76. These wrongful acts resulted in extreme embarrassment, humiliation, and harm to Mr. Aneckstein's professional reputation and career.

77. Mr. Aneckstein has suffered significant financial impact, including impact on his future earnings potential, retirement contributions and retiree insurance benefits, as a direct and proximate result of the actions and inactions of the Defendants.

78. As a result of the Defendants' conduct described herein, Mr. Aneckstein has incurred a significant obligation for attorneys' fees and costs of bringing this action.

79. As a result of Defendants' conduct described herein, Mr. Aneckstein has suffered and continues to suffer significant emotional distress.

80. Defendants and their agents acted with knowledge of, or in reckless disregard of the probability that their actions and inactions would cause Mr. Aneckstein to suffer emotional distress.

81. Defendants' actions were intentional and willful and warrant the imposition of punitive damages.

COUNT I
Pennsylvania Whistleblower Law, 43 Pa.C.S. § 1421, et seq.

82. Plaintiff David Aneckstein repeats and incorporates by reference the allegations of all previous paragraphs as if fully set forth at length herein.

83. Mr. Aneckstein became aware of numerous wrongdoings being committed by Defendants as alleged herein, including, but not limited to, mismanagement and waste of public funds and resources that amount to waste and wrongdoing.

84. Mr. Aneckstein submitted good-faith whistleblower complaints regarding his concerns, including specifically objecting to waste and wrongdoing within the definition of the PWL.

85. In retaliation for making these whistleblower complaints and Mr. Aneckstein otherwise objecting to waste and wrongdoing, Defendants retaliated against Mr. Aneckstein as set forth herein, in violation of the PWL.

86. Defendants have demoted Mr. Aneckstein by removing his direct reports and his responsibilities and making it impossible for him to find another position within PSU, in violation of the PWL.

87. As the direct and proximate result of Defendants' violation of the Pennsylvania Whistleblower Law, Plaintiff David Aneckstein has sustained loss of earnings, severe emotional and psychological distress, loss of self-esteem, damage to his professional reputation and career, loss of future earning power, as well as

back pay, front pay, and interest due thereon, and has incurred attorneys' fees and costs.

WHEREFORE, Plaintiff David Aneckstein respectfully requests that judgment be entered in his favor and against Defendants in an amount in excess of Fifty-Thousand Dollars (\$50,000.00), and that this Court award such other relief as the Court may deem just and proper.

JURY DEMAND

Plaintiff hereby demands trial by jury as to all issues so triable.

BELL & BELL LLP

By: 

Christopher A. Macey, Jr., Esquire
(PA 207800)

Jennifer C. Bell, Esquire
(PA 81045)

Bell & Bell LLP

1617 John F. Kennedy Blvd. – Suite 1254
Philadelphia, PA 19103

Phone: (215) 569-2500

Fax: (215) 569-2220

christophermacey@bellandbelllaw.com

Attorneys for Plaintiff David Aneckstein

Dated: June 26, 2025

VERIFICATION

I, David Aneckstein, state that I am the Plaintiff in this action and hereby verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that the statements therein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read "David Aneckstein", written in a cursive style.

David Aneckstein

Date: June 26, 2025