

# FRIENDS of the BARNES FOUNDATION

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## **FOR IMMEDIATE RELEASE**

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### **Update: Judge Ott Raises Barnes Foundation Case to the Next Level**

(COURTHOUSE, NORRISTOWN) – October 19, 2007) Today marked an important development for those working for preservation of the Barnes Foundation when Judge Stanley Ott moved the Barnes matter to the next level in Montgomery County Orphans' Court. Speaking in a packed courtroom, Judge Ott acknowledged receipt of two petitions concerned with the future of the Barnes Foundation filed by Friends of the Barnes Foundation and by Montgomery County. The Friends of the Barnes Foundation petition calls into question the actions of the current Board of Trustees of the Barnes Foundation and the Pennsylvania Attorney General, whose statutory role is to act as protector of the trust of Albert Barnes.

Judge Ott set a briefing schedule for the parties to respond to the petitions, with the Barnes Foundation and the Pennsylvania Attorney General's office filing a brief within 30 days. Attorney Mark Schwartz, Esq. for Friends of the Barnes Foundation and Carolyn Carluccio, Esq., Deputy Solicitor for Montgomery County are to file their briefs 30 dates later. Attorney for the Friends of the Barnes Foundation, Mark D. Schwartz, of Bryn Mawr, requested oral arguments and also raised the option for the court to act *sua sponte* or "on his own" to explore the facts in the petitions right away. While he did not completely rule it out, Judge Ott said he would not act *sua sponte* at this time, but will take the time to review the briefs filed by the parties involved.

Speaking after the proceeding, Friends of the Barnes member Walter Herman said, "Judge Ott is taking our petition seriously and moving the action to the next level."