

FRIENDS of the BARNES FOUNDATION

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DESPITE SENSIBLE ALTERNATIVES, CURRENT BARNES BOARD PUSHES PLAN TO DISMANTLE THE BARNES IN MERION – A NATIONAL TREASURE

NORRISTOWN – Friends of the Barnes Foundation attorney Eric F. Spade, Esquire, argues before Judge Stanley Ott of Montgomery County Orphans' Court for the re-opening of hearings on the Barnes Foundation controversy, citing substantial changes in circumstances that invite preservation of the Barnes Foundation in its historic home in Merion.

Mr. Spade will ask Judge Ott to re-visit the matter because significant new developments have dramatically improved the financial situation of the Barnes Foundation in Merion. Through an Ordinance of Lower Merion Township passed in 2007, the number of visitors to the site may substantially increase, providing a substantial increase in visitor revenue. A Montgomery County proposal for a \$50,000,000 purchase/leaseback arrangement would provide another substantial financial benefit.

Another issue raised by Mr. Spade is the fact that the Barnes Foundation in Merion, as an intact entity of the gallery building, arboretum, and collections has been deemed eligible to apply for National Historic Landmark status. The Barnes Foundation could be eligible for federal grants if it received National Historic Landmark status. The potential to receive that status would be eliminated were the site in Merion to be disturbed, such as the plan to move the art collection to the City of Philadelphia.

Mr. Spade also cites the 2002 earmark by the Pennsylvania legislature of over \$100,000,000 for construction of a building to house the Barnes art collection in Philadelphia, a fact not known to the Court at the time of earlier hearings.

Other participants in the oral arguments will include legal representatives of the Barnes Foundation, the Pennsylvania Attorney General, and Montgomery County. In their brief, the Trustees of the Barnes Foundation ask the Court: to deny the petition for re-opening hearings, to deny standing for the petitioners, to strike from the record the information about the \$107,000,000 in state-appropriated funding for the move to Philadelphia, and to force the Friends of the Barnes Foundation to pay their legal fees.

For further information, see the Friends of the Barnes Foundation website at <http://www.barnesfriends.org>