

SAMUEL C. STRETTON  
ATTORNEY AT LAW  
301 SOUTH HIGH STREET  
P.O. BOX 3231  
WEST CHESTER, PA 19381-3231

(610) 696-4243  
FAX (610) 696-2919

April 23, 2012

Karen Reid Bramblett, Esquire  
Prothonotary  
Superior Court of Pennsylvania  
530 Walnut Street, Suite 315  
Philadelphia, PA 19106

Re: In Re: The Barnes Foundation  
992 EDA 2012

Dear Ms. Bramblett:

Please be advised I represent the Appellants, Barnes Watch and myself in the captioned matter. Enclosed please find the Superior Court Docketing Statement as well as the required attachments and a Certificate of Service.

Please advise if anything else is needed. Thank you.

Very truly yours,

Samuel C. Stretton

SCS:jac

Enc.

Cc: Honorable Stanley R. Ott  
Lawrence Barth, Esquire  
Ralph G. Wellington, Esquire  
Richard R. Feudale, Esquire  
Evelyn Yaari

**SUPERIOR COURT OF PENNSYLVANIA**  
**Civil Docketing Statement**

Pursuant to Pa.R.A.P. 3517, you must complete and return this form and attachments to the Prothonotary of the Superior Court by April 25, 2012. A completed copy of this form must also be provided to each appellee. THIS FORM IS FOR CIVIL APPEALS ONLY. If this is not a civil appeal, notify the Superior Court Prothonotary and the correct form will be provided to you.

**A. CASE IDENTIFICATION**

1. Case Caption: In Re: The Barnes Foundation
2. Superior Court Docket No: 992 EDA 2012
3. Party or parties filing appeal: Barnes Watch & Samuel C. Stretton, ESO

**B. TIMELINESS OF APPEAL (Check only those which apply and fill in the date(s))**

- Date of judgment of order appealed from 3/7/12 and 10/6/11
- Date of Pa.R.C.P. 236 notice \_\_\_\_\_
- Date praecipe for judgment filed \_\_\_\_\_
- Date judgment filed \_\_\_\_\_
- Date notice of appeal filed 4/5/12
- Was reconsideration requested in the lower court?  Yes  No (date) \_\_\_\_\_
- Was it expressly granted?  Yes  No (date) \_\_\_\_\_

**C. APPEAL FROM THE TRIAL COURT**

Attach copies of the following: (1) trial court's judgment, order or decree from which this appeal is taken; (2) notice of appeal; (3) trial court docket; and (4) trial court opinion, if available.

1. Is the order appealed from a final appealable order?  Yes  No

Specify rule and subsection governing finality (e.g., Pa.R.A.P. 301, 313, 341) and, if desired, any applicable case law.

\_\_\_\_\_

2. If the order is not a final order:

a. Is the order appealable as of right under Pa.R.A.P. 311?  Yes  No  
(specify which subsection) \_\_\_\_\_

b. Was permission to appeal granted pursuant to:

(i) Pa.R.A.P. 1311?  Yes  No Misc. Docket. No. \_\_\_\_\_

(ii) Pa.R.A.P. 1501 et seq?  Yes  No Misc. Docket. No. \_\_\_\_\_

3. How have issues been preserved? (e.g., pre-trial motions, timely objection motion to remove non-suit, petition to strike/open) yes - motions

4. Did the trial court order a concise statement of matters complained of on appeal to be filed pursuant to Pa.R.A.P. 1925(b)?

Yes (date) \_\_\_\_\_  No

Date of filing appellant's Pa.R.A.P. 1925(b) statement with the trial court prothonotary/clerk

\_\_\_\_\_

Date of filing appellant's Pa.R.A.P. 1925(b) statement with the trial judge \_\_\_\_\_

D. NATURE OF DISPOSITION BELOW

At the end of Docketing Statement, you will find a list of possible procedural dispositions in the court below. List the procedural disposition applicable to this appeal using the corresponding letter. If the disposition used in the lower court does not appear on the list provided, please type or print the nature of the disposition below.

5 - Motion to Open Judgment

E. TYPE OF CASE

At the end of Docketing Statement, you will find a list of substantive case types. List the substantive case type(s) involved in this appeal using the corresponding letter(s). List as many as apply. If your case type does not appear on the list provided, please type or print the substantive type of case involved in this appeal.

M

F. RELATED CASE

List all related cases pending in any court (e.g., co-defendants, cross appeal, cross-claims, counterclaims, bankruptcy proceedings or other appeals):

CASE NAME	COURT	CASE NO.	TYPE OF CASE
<u>In re Barnes</u>	<u>Superior Court</u>	<u>798 EDX 200</u>	<u>- Cross appeal</u>
<u>Richard Reudale</u>	<u>Superior Court</u>	<u>810 EDA 201</u>	<u>attorney general</u>

Docket No. of cross appeal 1038 EDA 201

G. DESCRIPTION OF APPEAL (If necessary attach additional pages for completion of 1 and 2)

1. Brief description of action and result below:

appeal from Sanction and from  
denial of Petition to open.

2. Issues to be raised on appeal:

- 1- Did the Court err in imposing sanctions?
- 2- Did Judge Ott err in not reopening the case?
- 3- Did the Attorney General have a conflict of interest?  
Did the Attorney General have a duty to present evidence opposing the
- 4- Did Judge Ott err in not granting standing pursuant to a private  
attorney general theory?

HAVE YOU ATTACHED Order from which appeal is taken?  Yes  No

Notice of appeal?  Yes  No

Trial court docket?  Yes  No

Trial court opinion, if available?  Yes  No

IF THIS DOCKETING STATEMENT IS NOT FILLED OUT IN ITS ENTIRETY WITH ALL REQUESTED DOCUMENTS ATTACHED, YOU MAY BE SUBJECT TO DISMISSAL OF THE APPEAL.

See Pa.R.A.P. 3517, amended June 5, 2001, effective September 1, 2001.

Signature [Signature] Date 4/23/12  
 Print Name Samuel C. Stretton, Esq. Atty. I.D. No. 18491  
 E-Mail Address S.Stretton@verizon.net

IN THE SUPERIOR COURT OF PENNSYLVANIA  
EASTERN DISTRICT

IN RE: THE BARNES FOUNDATION, : SUPERIOR COURT DOCKETING  
A CORPORATION : NO. 992 EDA 2012

:  
:

CERTIFICATE OF SERVICE

I hereby certify I am this date serving a copy of the Docketing Statement of the Appellants, Barnes Watch and Samuel C. Stretton, Esquire, to the Superior Court in the captioned matter upon the following persons in the manner indicated below.

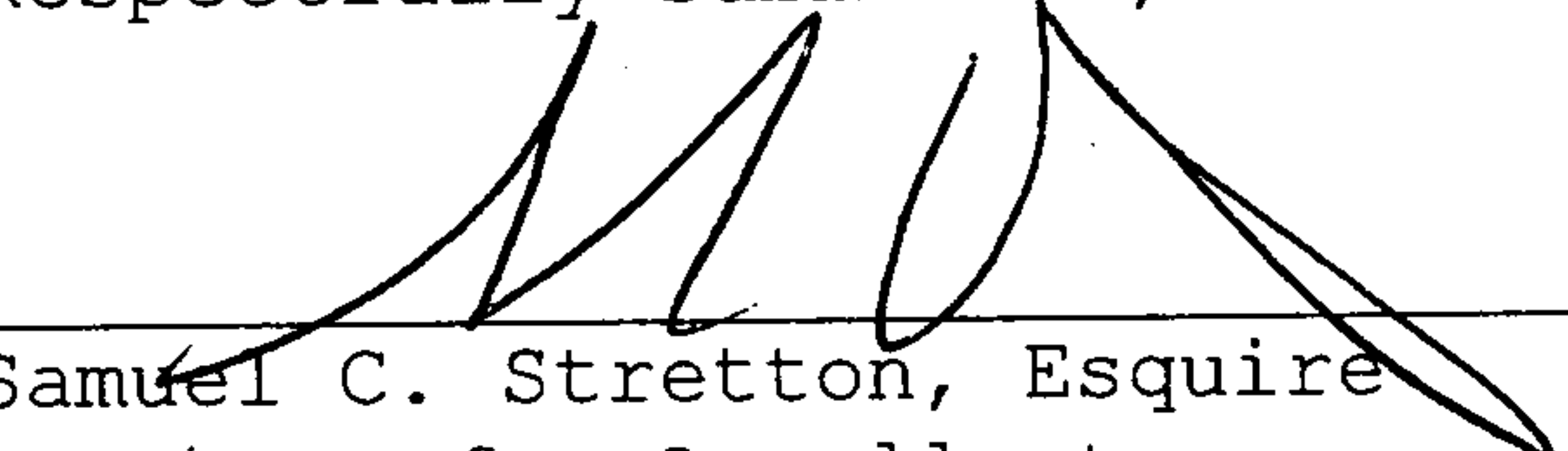
Service by First Class Mail addressed as follows:

1. Honorable Stanley R. Ott  
Montgomery County Courthouse  
P.O. Box 311  
Norristown, PA 19404-0311
2. Lawrence Barth, Esquire  
Senior Deputy Attorney General  
Commonwealth of Pennsylvania  
Office of the Attorney General  
Charitable Trusts & Organizations Section  
21 South 12<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Philadelphia, PA 19107-3603
3. Ralph G. Wellington, Esquire  
Schnader, Harrison, Segal & Lewis  
1600 Market Street, Suite 3600  
Philadelphia, PA 19103
4. Richard R. Feudale, Esquire  
33 E. 3<sup>rd</sup> Street  
P.O. Box 227  
Mount Carmel, PA 17851-0227

5. Evelyn Yaari  
35 Overhill Road  
Bala Cynwyd, Pennsylvania 19004

Respectfully submitted,

4/24/12  
Date

  
\_\_\_\_\_  
Samuel C. Stretton, Esquire  
Attorney for Appellants,  
Barnes Watch and  
Samuel C. Stretton, Esquire  
301 S. High Street  
P.O. Box 3231  
West Chester, PA 19381  
610-696-4243  
Attorney I.D. No. 18491