

# The New York Times

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## “Fighting for the Barnes”

Opponents of a plan to move the [Barnes Foundation](#) and its world-renowned art collection from a Philadelphia suburb to a downtown museum quarter asked a Pennsylvania judge yesterday to reconsider his 2004 decision allowing the relocation. Lawyers for the Friends of the Barnes Foundation, a community group, and for the government of Montgomery County, Pa., where the Barnes has been since its founding in the late 1920s, appeared before Judge Stanley R. Ott of the Montgomery County Orphans' Court in Norristown, Pa., to request that he reopen the case. Judge Ott's ruling permitted the foundation, which has struggled financially, to bypass the charter and bylaws of its founder, Albert C. Barnes, below in a portrait by Giorgio de Chirico, who stipulated that no picture in his collection could be lent, sold or moved from the walls of the galleries that he built for it in Merion, Pa. The judge said he considered the move “the only viable alternative” to save the Barnes from bankruptcy. But the opponents contend that there are now other alternatives. The county has offered to buy the foundation's buildings and land for \$50 million or more to keep the collection in place. Mark D. Schwartz, a lawyer for the Friends group, told the judge that “very simply our position is that you were misled” by the Barnes about its financial options before the 2004 decision, and he implored the judge to overturn his earlier decision immediately. Judge Ott declined and accused Mr. Schwartz of trying to play to the crowd that had packed the small courtroom. “That's a grandstand request, and I don't appreciate it,” he said, and then asked the parties to establish a schedule to file additional papers for the case to proceed.

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