

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>BLAKE J. ROBBINS</b> , a Minor, by his Parents	:	CIVIL ACTION
and Natural Guardians, <b>MICHAEL E. ROBBINS</b>	:	
and <b>HOLLY S. ROBBINS</b> , Individually, and on	:	
Behalf of all Similarly Situated Persons	:	
	:	
v.	:	NO. 2:10-CV-0665-JD
	:	
<b>LOWER MERION SCHOOL DISTRICT</b>	:	
and <b>THE BOARD OF DIRECTORS OF THE</b>	:	
<b>LOWER MERION SCHOOL DISTRICT</b>	:	
and <b>CHRISTOPHER W. McGINLEY</b> ,	:	
Superintendent of Lower Merion School District	:	

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2010, upon consideration of Plaintiffs’ Motion for Extension of Time to File a Response to Motion to Intervene, and any responses thereto,

IT IS HEREBY ORDERED that said Motion for Extension of Time to Respond to the Motion to Intervene is GRANTED. Plaintiffs shall file their response to the Motion to Intervene by April 28, 2010.

BY THE COURT:

\_\_\_\_\_  
JAN E. DUBOIS, U.S.D.J.

**IN THE UNITED STATES DISTRICT COURT  
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<b>BLAKE J. ROBBINS</b> , a Minor, by his Parents and Natural Guardians, <b>MICHAEL E. ROBBINS</b> and <b>HOLLY S. ROBBINS</b> , Individually, and on Behalf of all Similarly Situated Persons, Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	NO. 2:10-cv-00665-JD
	:	
<b>LOWER MERION SCHOOL DISTRICT</b> ,	:	
and	:	
<b>THE BOARD OF DIRECTORS OF THE</b>	:	
<b>LOWER MERION SCHOOL DISTRICT</b> ,	:	
and	:	
<b>CHRISTOPHER W. McGINLEY</b> ,	:	
Superintendent of Lower Merion School District,	:	
Defendants.	:	

**MOTION FOR EXTENSION OF TIME TO FILE A RESPONSE  
TO MOTION TO INTERVENE**

Plaintiffs, Blake J. Robbins, a Minor, by his Parents and natural Guardians, Michael E. Robbins and Holly S. Robbins, Individually, and on Behalf of all Similarly Situated Persons (hereinafter collectively referred to as "Plaintiffs"), by their undersigned counsel, Lamm Rubenstone LLC, move this Honorable Court for an Order granting a thirty (30) day extension of time for Plaintiffs' response to the Motion of Coleen and Kenneth Wortley, Frances and David McComb and Christopher and Lorena Chambers for Intervention, and, in support thereof, aver as follows:

1. On March 17, 2010, Larry D.Silver, Esquire, David E. Romine, Esquire, Michael J. Boni, Esquire, Bart D. Cohen, Esquire, Neill W. Clark, Esquire and Thomas F. Grady, Esquire, all representing Colleen and Kenneth Wortley, Frances

and David McComb and Christopher and Lorena Chambers (“Intervenors”) filed their Motion for Intervention (Doc. No. 21) (“Motion to Intervene”).

2. Pursuant to the Stipulated Order entered by this Court on March 10, 2010, the Lower Merion School District (“LMSD”) and plaintiffs’ counsel “are in the process of investigating the facts relating to the history and use of the laptop tracking software application at issue in this action.,” such that “[T]he parties are hopeful that this information will enable an expeditious and cost-effective resolution of this action... .”

3. Over the next several weeks, LMSD and plaintiffs’ counsel will be exchanging the results of their investigation and conducting other discovery to hopefully determine the full extent of the use of the tracking software and any resultant pictures, screen shots, or other information obtained from the use of the technology.

4. Until the conclusion of this investigation, which the parties hope to conclude by April 20, 2010, Plaintiffs cannot know to what extent, if any, it will be necessary and/or appropriate to permit the intervention of additional parents, with additional counsel, all of which will cause delay and will add significant additional expense.

5. In fact, the discovery may reveal that the children of the Intervenors and/or the attorneys for Intervenors or family members are actually depicted in pictures or videos obtained from use of the web cams.

6. Further, Plaintiffs’ counsel needs time to investigate the extent to which the attorneys who seek to represent Intervenors have a conflict of interest which would prevent them under the Pennsylvania Rules of Professional Conduct from representing the proposed intervention class based upon the fact that all of the attorneys are also

members of the class which may hinder their ability to properly advise the Intervenors as required under the Pennsylvania Rules of Professional Conduct.

7. More importantly, Plaintiffs' counsel has been communicating with the attorneys for the proposed Intervenors prior to their filing of the Motion to Intervene, about their position regarding a prompt resolution of this matter.

8. Furthermore, Plaintiff's counsel intends to continue to communicate with Intervenors' counsel after the conclusion of the investigation regarding the resolution of the alleged constitutional violations into the privacy of the students and parents of the Lower Merion School District.

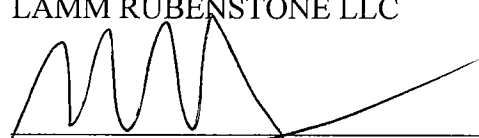
Based on the foregoing, Plaintiffs' respectfully request an extension of time of thirty (30) days until April 28, 2010 to file a response to the Motion to Intervene and or a motion to disqualify counsel to the interveners.

Respectfully submitted,

LAMM RUBENSTONE LLC

Date: 3/22/10

By:

  
\_\_\_\_\_  
Mark S. Haltzman, Esquire

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<b>LOWER MERION SCHOOL DISTRICT</b>	:	
and <b>CHRISTOPHER W. McGINLEY</b> ,	:	
Superintendent of Lower Merion School District	:	

**CERTIFICATE OF SERVICE**

I hereby certify that on the date written below the foregoing Plaintiffs' Motion for Extension of Time to File a Response to Motion to Intervene was filed electronically and is available for viewing and downloading from the ECF system, which also electronically served same on the following at the email addresses indicated:

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**LAMM RUBENSTONE LLC**

By: \_\_\_\_\_

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DATED: 3/22/10