

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

BLAKE J. ROBBINS, et al.,	:	Civil Action
	:	
Plaintiffs	:	No. 10-665
	:	
v.	:	Hon. Jan E. DuBois
	:	
LOWER MERION SCHOOL DISTRICT, et al.,	:	
	:	
Defendants	:	

**DEFENDANTS’ RESPONSE TO PLAINTIFFS’ MOTION FOR AN
EXTENSION OF TIME TO FILE A RESPONSE TO MOTION TO INTERVENE**

Defendants, Lower Merion School District, the Board of Directors of the Lower Merion School District, and Christopher W. McGinley, Superintendent of the Lower Merion School District (collectively, the “District”), hereby respond to plaintiffs’ motion [Doc. No. 25] for an extension of time to respond to the pending motion to intervene [Doc. No. 21].

The District does not oppose plaintiffs’ motion. The District welcomes the participation of the proposed intervenors and all District parents and students in the District’s response to allegations regarding use of the laptop tracking software application at issue in this action. The District respectfully submits, however, that the plaintiffs’ requested extension would provide the District’s special counsel and computer forensic specialists a reasonable amount of time to complete their investigation of the facts relating to the history and use of the laptop tracking software application, and thus protect the District from incurring additional and potentially unnecessary legal expenses as the investigation proceeds.

Among other things, the District is seeking to ascertain: (i) the extent to which the laptop tracking software application was used; and (ii) to what extent there exists evidence of the use of the laptop tracking software application (such as webcam photographs). The District’s

advisors have made substantial progress in their investigation. They have interviewed more than twenty-five witnesses having information that the District's advisors believed might be pertinent to their investigation; collected, and are in the process of analyzing, approximately nineteen terabytes of electronic data from District computer systems, including pertinent file and e-mail servers and individual employees' computers; and collected, and are in the process of reviewing, tens of thousands of hard copy and electronic documents, including e-mails. The District is sharing relevant information with plaintiffs' counsel and computer forensic specialist.

The District is hopeful that this process will enable an expeditious and cost-efficient resolution of this litigation. Moreover, the District intends to make public the results of its comprehensive investigation. The District's hope is that the public airing of these findings will answer the questions and concerns of the parents, students and taxpayers of the District.

Respectfully submitted,

/s/Paul Lantieri III

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CERTIFICATE OF SERVICE

I hereby certify that on this day I caused a true and correct copy of the foregoing Defendants' Response to Plaintiffs' Motion For An Extension Of Time To File A Response To Motion To Intervene to be served upon the below-listed counsel by the means indicated below:

By ECF, and such document is available for viewing and downloading from the ECF system:

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Date: March 22, 2010

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