

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

**J.S., et al.**

**Plaintiffs,**

**v.**

**BLUE MOUNTAIN SCHOOL  
DISTRICT;  
DR. JOYCE E. ROMBERGER,  
Superintendent Blue Mountain School  
District; and JAMES S.  
MCGONIGLE, Principal Blue  
Mountain Middle School, both in their  
official and individual capacities,**

**Defendants.**

**: CIVIL ACTION NO.  
: 07-CV-585  
:  
:  
: JUDGE:  
: JAMES M. MUNLEY  
:  
:  
: ELECTRONICALLY FILED  
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:  
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**DEFENDANTS’ MOTION FOR SUMMARY  
JUDGMENT**

The Defendants, Blue Mountain School District, Dr. Joyce E. Romberger and James S. McGonigle, (hereinafter referred to as “Defendants”), by and through its attorneys, Sweet, Stevens, Katz & Williams, LLP, present the following Motion for Summary Judgment and aver the following:

1. This action was commenced on or about March 28, 2007, by J.S. and her parents, Terry and Steven Snyder.
2. By way of their Complaint, the Plaintiffs allege that the Defendants violated Plaintiffs’ rights which are protected by the United States Constitution.

3. Extensive discovery took place in this case and the matter is ripe for adjudication.

4. The Defendants submit that as a matter law, all of Plaintiffs' claims should be dismissed.

5. The Defendants incorporate as though fully set forth herein its Brief in support of Summary Judgment, which will be filed in accordance with Local Rule 7.5.

6. The Defendants also incorporate as though fully set forth herein, its Statement of Uncontested Facts and Exhibit List which is being filed contemporaneously with this instant Motion.

WHEREFORE, the Defendants respectfully request that this Court enter the attached proposed Order and grant Defendants' Motion for Summary Judgment.

Respectfully submitted,  
SWEET, STEVENS, KATZ & WILLIAMS LLP

Date: November 21, 2007

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Attorney for Defendants

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<b>J.S., et al.</b>	:	<b>CIVIL ACTION NO.</b>
	:	<b>07-CV-585</b>
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<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>JUDGE:</b>
	:	<b>JAMES M. MUNLEY</b>
<b>BLUE MOUNTAIN SCHOOL DISTRICT;</b>	:	
<b>DR. JOYCE E. ROMBERGER,</b>	:	
<b>Superintendent Blue Mountain School</b>	:	
<b>District; and JAMES S.</b>	:	<b>ELECTRONICALLY FILED</b>
<b>MCGONIGLE, Principal Blue</b>	:	
<b>Mountain Middle School, both in their</b>	:	
<b>official and individual capacities,</b>	:	
	:	
<b>Defendants.</b>		

**CERTIFICATE OF SERVICE**

I, Jonathan P. Riba, Esquire, counsel for the Blue Mountain School District, Dr. Joyce Romberger and James S. McGonigle hereby certify that a true and correct copy of the foregoing Motion for Summary Judgment and Statement of Uncontested Facts is available through the Court's ECF filing system and also mailed to the following counsel at the following address, *via* U.S. First Class Mail, on this date:

MaryCatherine Roper, Esquire  
Staff Attorney  
American Civil Liberties Union of PA  
P.O. Box 40008  
Philadelphia, PA 19106

Mary Kohart, Esquire  
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SWEET, STEVENS, KATZ & WILLIAMS LLP

Date: November 21, 2007

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