

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

Y.S., et al.	:	CIVIL ACTION
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
	:	
THE SCHOOL DISTRICT OF	:	No. 85-6924
PHILADELPHIA	:	
	:	
Defendant	:	

ORDER

AND NOW, this day of , 2013, upon consideration of the Motion of Plaintiffs to Reopen and the Response of Defendant The School District of Philadelphia in Opposition,

IT IS HEREBY ORDERED that the Motion is Denied without prejudice.

IT IS FURTHER ORDERED that attorneys for plaintiffs provide to the Court and to counsel for the defendant, within twenty (20) days from the date of this Order, true copies of signed authorizations, powers of attorney, engagement letters, fee agreements or other proof that they have current authority to represent the named plaintiffs Y.S., S.C. and P.K. and/or their parents in this civil action.

William H. Yohn, Jr., Judge

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

Y.S., et al.	:	CIVIL ACTION
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
THE SCHOOL DISTRICT OF	:	No. 85-6924
PHILADELPHIA	:	
	:	
Defendant	:	

**RESPONSE OF DEFENDANT THE SCHOOL DISTRICT OF
PHILADELPHIA IN OPPOSITION TO MOTION TO REOPEN**

Defendant The School District of Philadelphia ("the School District") opposes the Motion of plaintiffs to Reopen the Case, for the following reasons:

1. The named plaintiffs may no longer have standing as class representatives to pursue enforcement of claims against the School District.
2. The School District does not know if the named plaintiffs are alive and well and whether they are currently represented by the attorneys who entered their appearances for them.
3. The School District requests that the Court order the plaintiffs' attorneys to produce current authorizations, powers of attorney, engagement letters or fee agreements signed by the named plaintiffs, Y.S., S.C. and P.K. or their parents, authorizing the attorneys to represent them in this case.
4. Attorneys should not pursue education reform by civil litigation unless they currently represent clients who have standing to pursue the claims.

5. There have been major changes in the governance and management of the School District since the Amended Stipulation was agreed to in 2010.

6. The School District is in a severely-distressed financial condition.

7. The School District is considering moving to vacate the Amended Stipulation.

8. No independent legal authorities are relied upon in support of this Response in Opposition.

THEREFORE, the School District requests that the Motion to Reopen be denied without prejudice.

s/ Miles H. Shore
Miles H. Shore
Pa. Identification No. 03274
The School District of Philadelphia
440 North Broad Street, Suite 313
Philadelphia, PA 19130
(215) 400-5162
(215) 400-4121 (Fax)

Attorney for Defendant
The School District of Philadelphia

CERTIFICATE OF SERVICE

I hereby certify that the attached Response of Defendant The School District of Philadelphia in Opposition to Motion to Reopen, has been filed electronically on May 16, 2013 and is available for viewing and downloading from the ECF system and that the attorneys listed below have consented to electronic service:

Paul Saint-Antoine, Esquire
Chanda A. Miller, Esquire
Drinker Biddle & Reath, LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103-6996

Michael Churchill, Esquire
Sonja D. Kerr, Esquire
Public Interest Law Center of Philadelphia
United Way Building
1709 Benjamin Franklin Parkway, 2nd Floor
Philadelphia, PA 19103

Maura McInerney, Esquire
Education Law Center
The Philadelphia Building
1315 Walnut Street, 4th Floor
Philadelphia, PA 19107-4717

Attorneys for Plaintiffs

s/Miles H. Shore

Miles H. Shore

Attorney for Defendant