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June 28, 2012

Karen Reid Bramblett, Esquire
The Superior Court of Pennsylvania
Office of the Prothonotary
530 Walnut St., Suite 315
Philadelphia, PA 19106

Re: In Re: The Barnes Foundation
Appeal of Barnes Watch
Docket No. 992 EDA 2012

Dear Ms. Bramblett:

Please be advised I represent myself and Barnes Watch in the captioned appeal. I have enclosed the original and two (2) copies of a Petition to Remand Based on Newly Discovered Evidence. Attached to the Petition is a Certificate of Service. I would ask for your assistance in filing this of record, and if you would return a time stamped copy to me in the self-addressed, stamped envelope provided, it would be most appreciated.

This new information is shocking where the President and CEO of the Barnes Foundation admits that everything that was said during the trial about Barnes not having enough money was false. I am asking that this matter be sent back to Judge Stanley Ott so we can have a hearing on

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this issue since apparently false information was presented. I will await your advice.

~~Very truly yours,~~



Samuel C. Stretton

SCS:jac

Enc.

Cc: Honorable Stanley Ott
Claudia Tesoro, Esquire
Brett I. Miller, Esquire
Ralph Wellington, Esquire
Richard R. Feudale, Esquire
Evelyn Yaari

VIA FEDERAL EXPRESS, OVER-NIGHT DELIEVRY

IN THE SUPERIOR COURT OF PENNSYLVANIA
EASTERN DISTRICT

IN RE: THE BARNES FOUNDATION, : SUPERIOR COURT DOCKETING
A CORPORATION : NO. 992 EDA 2012
: :
APPEAL OF BARNES WATCH :

ASSOCIATED CASE(S): 810 EDA 2012 CONSOLIDATED-CROSS APPEAL
1038 EDA 2012 CONSOLIDATED-CROSS APPEAL

TRIAL COURT DOCKET NO. 58,788

PETITION OF THE APPELLANTS, BARNES WATCH, ET AL., TO REMAND
BASED ON NEWLY DISCOVERED EVIDENCE

The Appellants, Samuel C. Stretton, Esquire and Barnes Watch, respectfully request this Honorable Court remand this case back to the Honorable Stanley Ott in the Orphans' Court of Montgomery County based on shocking newly discovered evidence for the following reasons:

1. This case is on appeal based not only on the sanctions entered against Mr. Stretton, but also due to the failure of Judge Ott to open the matter up and provide standing to Barnes Watch and others.
2. The complaint was that there had been no real opposition during the trials in 2003 and 2004 resulting in Judge Ott finding that financially the Barnes Foundation could not remain in the same place.
3. This has been vigorously contested by Mr. Stretton and his clients.

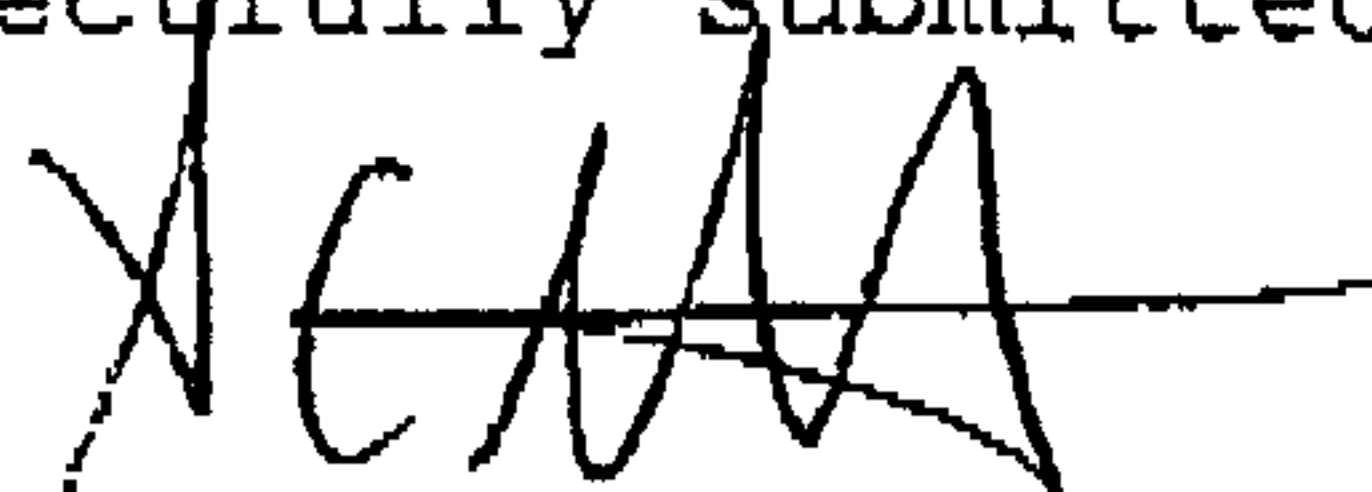
4. Kimberly Camp, the President and CEO of the Barnes Foundation during the pertinent times of the hearings before Judge Ott from 1998-2005 is apparently writing a book and put a blog on her website (<http://www.kimberlycamp.com>). Attached and marked as Exhibit "A" is a copy of the excerpt from the blog. In the blog, Ms. Camp indicated bankruptcy wasn't the reason. She indicated the Barnes Foundation had a cash surplus and was not in debt. But, she indicated saying so made the "rescue so much more gallant" (see Exhibit "A").

5. This statement is shocking because it is absolutely contrary to the position and information presented by the Barnes Foundation during the hearings. Barnes Foundation alleged they did not have the funds to remain in Montgomery County.

6. Although it is late in the game now with the Barnes Foundation open in Philadelphia, the Court system has to have integrity and if the President and CEO says there was ample funds and that was just a false statement about financial difficulty, then this matter needs to be sent back down to Judge Ott to sort this out. The entire basis of the appeal was the lack of standing prevented any real opposition since the Attorney General, during the hearing, did not oppose the move of the paintings.

WHEREFORE, Samuel C. Stretton, Esquire, based on this new information, asks that this case be remanded.

Respectfully submitted,



Samuel C. Stretton, Esquire
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Barnes Watch, et al.
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FROM :Yaari

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Below is an excerpt from a blog post of reflections upon the opening of the Barnes facility in Philadelphia.

From "Some Thoughts on the new Barnes Foundation" by Kimberly Camp, former President and CEO of the Barnes Foundation (1998-2005)

(Emphasis added)

Link to Camp's full blog post:

http://www.kimberlycamp.com/index.php?option=com_content&view=article&id=8&Itemid=8

"Well it's finally here. The Barnes is finally in the city of Philadelphia where it belongs. Those words echoed as the program began, and it still seems a strange sentiment. The Barnes has always belonged in Merion. Its circumstance required its relocation. That circumstance was not bankruptcy. I shared that fact with a reporter a few weeks before the opening, and he told me that I had dropped his jaw. Bankruptcy was not the reason we filed the petition to move the Foundation to the city. At the time the petition was filed, the Barnes Foundation had a cash surplus and we had no debt - none. But, saying so made the rescue so much more gallant.

Why? Pray Tell....

The reason for the Barnes Foundation move on to the Parkway in Philadelphia was simple. The same Indenture - the very same document that freezes the Barnes Foundation collection in time also said very plainly, very specifically that if the Barnes Foundation was not viable in Merion, the collection should go to a Philadelphia institution. Barnes' letters to and from colleagues and friends spoke of his interest in having the Foundation more accessible to common everyday working class people after his death. Barnes worked tirelessly to invite Philadelphia schoolchildren to the Foundation, only to be rejected by school system officials. By 1930, over 100 school districts and universities were using Barnes' pedagogy as a basis for their programs. Girl's High and Barnes alma mater Central High school, where the only two in Philadelphia who used the Foundation's collections. In a letter Albert Barnes wrote to his friend and colleague John Dewey, he worried that in an attempt to re-create the program once they were gone, people would set it in stone, make it rigid, and thereby destroy it. He was right.

The negativity from neighbors and former students was never about where the Barnes belonged. It was merely that it didn't belong only to them. There was no greater example of hypocrisy than their constant harangue. None of them ever read the Indenture or Barnes' Will. One even testified to that in court." (Note: I don't know who she is referring to among the students who testified, but I do know that Perw CEO Rebecca Rimel stated twice that she was "unfamiliar" with the Indenture of Trust of the Barnes Foundation.)

EXHIBIT "A"

IN THE SUPERIOR COURT OF PENNSYLVANIA
EASTERN DISTRICT

IN RE: THE BARNES FOUNDATION, : SUPERIOR COURT DOCKETING
A CORPORATION : NO. 992 EDA 2012
: :
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CERTIFICATE OF SERVICE

I hereby certify I am this date serving a copy of the Appellants' Petition to Remand in the captioned matter upon the following persons in the manner indicated below, which service complies with the Pennsylvania Rules of Appellate Procedure.

Service by facsimile and First Class Mail addressed as follows:

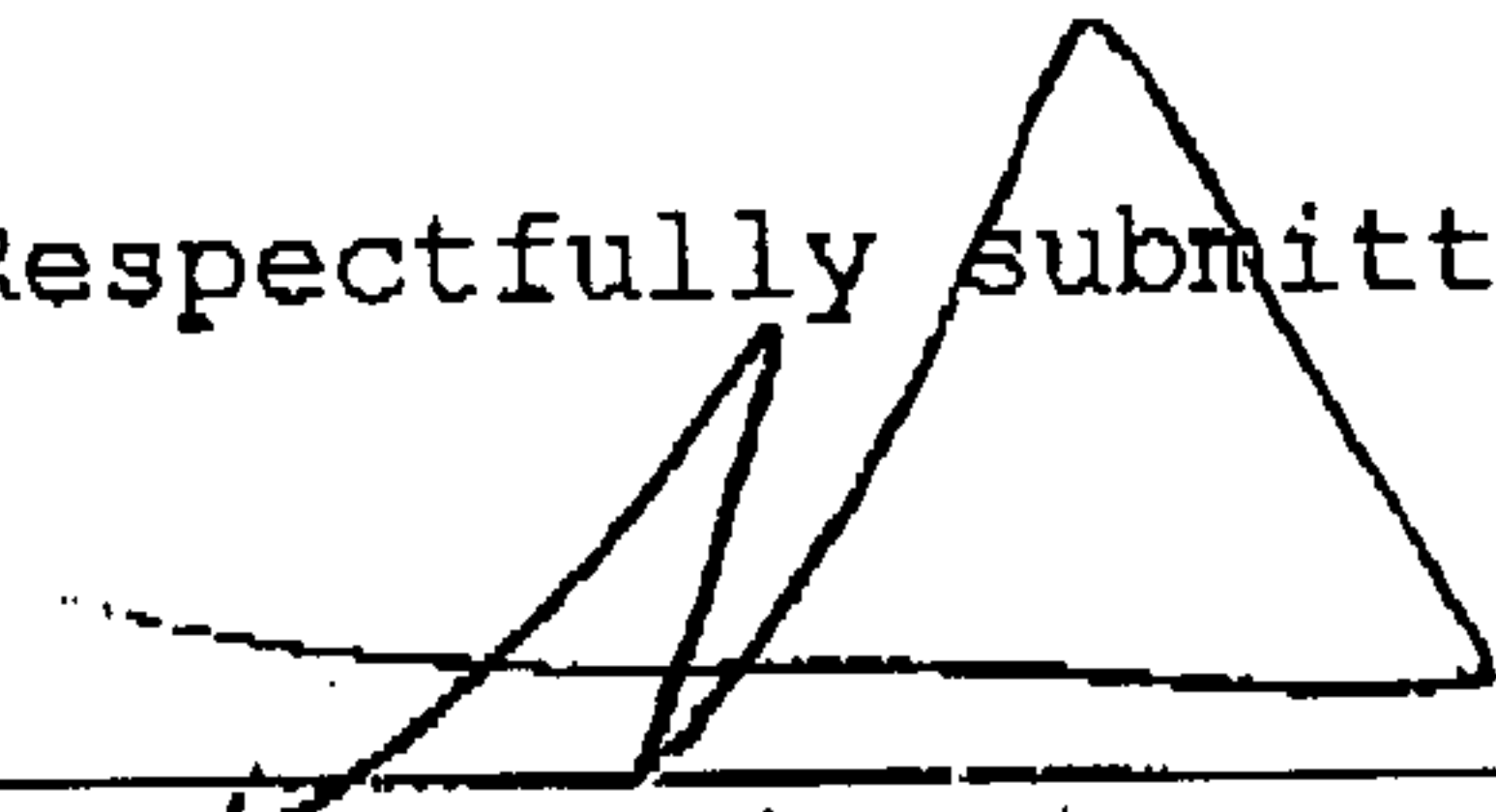
1. Honorable Stanley R. Ott
Montgomery County Courthouse
P.O. Box 311
Norristown, PA 19404-0311
2. Claudia M. Tesoro, Esquire
Commonwealth of Pennsylvania
Office of the Attorney General
21 South 12th Street, 3rd Floor
Philadelphia, PA 19107-3603
(215) 560-2981
3. Ralph G. Wellington, Esquire
Schnader, Harrison, Segal & Lewis
1600 Market Street, Suite 3600
Philadelphia, PA 19103
(215) 751-2488

- 4. Richard R. Feudale, Esquire
 33 E. 3rd Street
 P.O. Box 227
 Mount Carmel, PA 17851-0227
 (570) 339-2633

Service by First Class Mail addressed as follows:

- 5. Brett Miller, Esquire
 The Barnes Foundation
 300 North Latch's Lane
 Merion, PA 19066
- 6. Evelyn Yaari
 35 Overhill Road
 Bala Cynwyd, Pennsylvania 19004

Respectfully submitted,



6/28/12
 Date

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 Barnes Watch, et al.
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 Attorney I.D. No