

STATE CHARTER SCHOOL APPEAL BOARD
COMMONWEALTH OF PENNSYLVANIA

Lehigh Valley Dual Language Charter School :
Applicant :
v. : CAB 2013-07
Bethlehem Area School District :
Respondent :

STIPULATION

AND NOW comes Bethlehem Area School District (hereafter "School District"), by and through its counsel, King, Spry, Herman, Freund & Faul, LLC, and Lehigh Valley Dual Language Charter School (hereafter "Charter School"), by and through its counsel, The MacMain Law Group, LLC, who hereby agree to the following stipulation and request that the stipulation be adopted as an order as follows:

1. On or about November 25, 2014 the Charter School filed an appeal from the School District's Board of Directors' decision that denied the Charter School's request to amend its charter to allow it to utilize the facility located at 623 Sixth Ave., Bethlehem, PA as its second location.
2. On or about December 5, 2014, the School District filed a Motion, with supporting brief, to Quash the Charter School's appeal.
3. On or about December 22, 2014, the Charter School filed a response in opposition to the School District's Motion to Quash the Charter School's Appeal.
4. On or about December 31, 2014, the School District filed a Motion with supporting brief to quash the Charter School's Response in Opposition to the School District's Motion to Quash Appeal and to Deem the School District's Motion to Quash Appeal as Unopposed.

5. On January 9, 2015, the Charter School filed an Answer in Opposition with supporting brief to the School District's Motion to Quash the Charter School's Response in Opposition to the School District's Motion to Quash Appeal and the Deem the School District's Motion to Quash Appeal as Unopposed.

6. The parties, for the considerations contained in this Stipulation, the sufficiency of which is hereby acknowledged, agree as follows:

a. The School District will withdraw its Motion to Quash the Charter School's Response in Opposition to Bethlehem Area School District's Motion to Quash Appeal and to Deem the School District's Motion to Quash Appeal as Unopposed;

b. The Charter School agrees that it will not argue and/or file any pleading that the School District has failed to file a timely answer to the Charter School's Appeal unless the School District fails to file an answer in compliance with any future directive from CAB;

c. Counsel will appear on Wednesday, February 18, 2015 and will argue the merits of the School District's pending Motion to Dismiss the Appeal and the Charter School's response to said Motion.

Wherefore, the parties respectfully request that CAB accept this Stipulation and adopt it as an Order.

Date: 2/6/15

King, Spry, Herman, Freund & Faul, LLC

Ellen C. Schurdak
Ellen C. Schurdak, Esq.; ID No. 79541
Counsel for Respondent

Date: 2/6/2015

The MacMain Law Group, LLC
Brian H. Leinhauser
Brian H. Leinhauser, Esq.
Counsel for Applicant