

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF INDIANA
 SOUTH BEND DIVISION

THERESA RHOADES and MICHAEL)	
RHOADES as parents and next friends)	
of C. R., a minor,)	
)	
Plaintiffs,)	
)	
v.)	Cause No. 3:05-CV-00586-JTM-CAN
)	
PENN HARRIS MADISON SCHOOL)	
CORPORATION, DAVID R. TYDGAT,)	
DAVE RISNER, STEVEN HOPE, VICKIE)	
MARSHALL, MARNI CRONK,)	
MADISON CENTER, INC.,)	
)	
Defendants.)	
)	

SCHOOL DEFENDANTS’ MOTION
FOR SUMMARY JUDGMENT

Come now the School Defendants, the Penn-Harris-Madison School Corporation, David R. Tydgate, Dave Risner, Steven Hope, Vickie Marshall, and Marni Cronk, by counsel, and pursuant to Rule 56 of the Federal Rules of Civil Procedure respectfully request that the Court grant them summary judgment on the Plaintiffs’ Complaint as under the undisputed facts the School Defendants are entitled to judgment as a matter of law. In support of said motion the School Defendants would show the Court the Complaint with its attached Exhibits, the Plaintiffs’ response to the School Defendants’ First Requests for Admissions, , the Affidavit of David R. Tydgate with its attached exhibits, and the School Defendants’ Brief in Support of their Motion for Summary Judgment.

Wherefore the School Defendants, the Penn-Harris-Madison School Corporation, David R. Tydgate, Dave Risner, Steven Hope, Vickie Marshall, and Marni Cronk, respectfully request that the Court enter judgment against the Plaintiffs’ Complaint as the facts are undisputed and

the School Defendants are entitled to judgment as a matter of law, together with all other just and proper relief in the premises.

Respectfully submitted,

Locke Reynolds LLP

By: /s/Thomas E. Wheeler

Thomas E. Wheeler, II, #13800-49

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2006, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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