

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

TERESA RHOADES and MICHAEL )  
ALLEN RHOADES, individually and as )  
parents and next friends of C. R., a minor, )

Plaintiffs, )

v. )

Case No. 3:05-CV-0586

PENN-HARRIS-MADISON SCHOOL )  
CORPORATION, DAVID R. TYDGAT, )  
DAVE RISNER, STEVEN HOPE, VICKIE )  
MARSHALL, MARNI CRONK, and )  
MADISON CENTER, INC., )

Defendants. )

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**DEFENDANT, THE PENN-HARRIS-MADISON SCHOOL CORPORATION'S MOTION  
FOR EXTENSION OF TIME TO SUPPLEMENT ITS MOTION FOR SUMMARY  
JUDGMENT AND TO RESPOND TO PLAINTIFF'S SUPPLEMENTAL BRIEF IN  
OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Comes now the defendant, Penn-Harris-Madison School Corporation ("School Defendant"), by counsel, and files this Motion for Extension of Time to Supplement is Motion for Summary judgment and to Respond to Plaintiff's Supplemental Brief in Opposition to Defendant's Motion for Summary Judgment, and in support thereof School Defendant would show the Court as follows:

1. School Defendant initially filed its Motion for Summary judgment on February 21, 2006. Originally, the School Defendant anticipated filing a Motion to Dismiss.
  
2. On March 22, 2006, Plaintiffs filed a response to the Motion for Summary Judgment along with a Motion for an Extension of Time to complete discovery.

3. On April 27, 2006, this Court lifted a previously entered stay on discovery and indicated that a revised briefing schedule would be established following the close of discovery.

4. On November 6, 2006, a Case Management Plan was filed indicating that discovery would end April 30, 2007, with the dispositive motions being filed within sixty (60) days after the close of discovery, June 30, 2007.

5. Thereafter, on December 7, 2006, a revised Case Management Plan was approved with the date of completion of discovery being set for July 30, 2007 and all potentially dispositive motions being filed August 30, 2007.

6. On January 24, 2007, the plaintiff filed Plaintiffs' Supplemental Brief in Opposition to School Defendant's Motion for Summary Judgment.

7. School Defendant has not yet completed discovery and believes that it cannot properly supplement its previously filed Motion for Summary Judgment and/or respond to Plaintiffs' Supplemental Brief in Opposition Thereto, until such discovery is completed.

8. Further, an extension of time to allow School Defendant to complete the discovery will not prejudice any of the parties, including the plaintiff, as deadlines for completion of discovery and filing dispositive motions will not be affected.

WHEREFORE, School Defendants respectfully request that they be given up to July 30, 2007 to complete discovery and up to August 30, 2007 to supplement their Motion for Summary Judgment and to reply to Plaintiff's Supplemental Brief in Opposition to School Defendant's Motion for Summary Judgment, and for all other relief proper in the premises.

Respectfully submitted,  
LOCKE REYNOLDS LLP

By: /s/ Marsha Volk Bugalla  
Marsha Volk Bugalla, #1974-98  
Attorneys for Defendant, The Penn-Harris-  
Madison School Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7th day of February, 2007, 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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