

STATE OF SOUTH CAROLINA)
)
 COUNTY OF DORCHESTER)
)
 The Protestant Episcopal Church In The)
 Diocese Of South Carolina; The Trustees of)
 The Protestant Episcopal Church in South)
 Carolina, a South Carolina Corporate Body;)
 et al.,)
)
 PLAINTIFFS,)
)
 v.)
)
 The Episcopal Church (a/k/a, The)
 Protestant Episcopal Church in the)
 United States of America); The Episcopal)
 Church in South Carolina)
)
 DEFENDANTS.)
 _____)

IN THE COURT OF COMMON PLEAS
 FOR THE FIRST JUDICIAL CIRCUIT

Case No. 2013-CP-18-00013

PLAINTIFF, THE PROTESTANT
 EPISCOPAL CHURCH IN THE DIOCESE
 OF SOUTH CAROLINA AND THE
 TRUSTEES OF THE PROTESTANT
 EPISCOPAL CHURCH IN SOUTH
 CAROLINA, A SOUTH CAROLINA
 CORPORATE BODY'S ANSWERS TO
 DEFENDANT, THE EPISCOPAL
 CHURCH IN SOUTH CAROLINA'S
 FIRST REQUESTS FOR PRODUCTION

Plaintiffs, The Protestant Episcopal Church in the Diocese of South Carolina (“Diocese”) and The Trustees of The Protestant Episcopal Church in South Carolina, a South Carolina Corporate Body (“Trustees”) hereby respond to the Request for Production of the Defendant, The Episcopal Church in South Carolina. These responses are in accordance with the South Carolina Rules of Civil Procedure and not in accordance with any of the Defendant’s instructions. Further the Plaintiffs reserve its right to amend any of their Responses.

1. Produce all correspondence and other communications, including e-mails, referring or relating to purported quitclaim deeds from the Diocese of South Carolina, as purported grantor, to one or more of the plaintiff parishes.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-0001-00140.

2. Produce all correspondence and other communications, including e-mails, relating to amendments or changes purportedly made to the Constitution and canons, or the corporate charter, of the Diocese of South Carolina which were voted upon at any time in 2010 or 2011.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-00141-00744.

3. Produce all correspondence and other communications, including e-mails, between Bishop Mark J. Lawrence and any one or more of Bishops C. Fitzsimmons Allison, Jack Iker, Edward Salmon, John-David Schofield, and/or Robert Duncan, or other Bishops in The Episcopal Church, referring to, concerning, or discussing in any way the possible departure or separation of the Diocese of South Carolina from The Episcopal Church.

RESPONSE: None.

4. Produce all correspondence and other communications, including e-mails, between Bishop Mark J. Lawrence and Wade Logan, referring, relating to, concerning, or discussing in any way the possible departure or separation of the Diocese of South Carolina from The Episcopal Church, including, but not limited to, the resolution taken up by the Standing Committee in October, 2012.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

5. Produce all correspondence and other communications, including e-mails, between Bishop Mark J. Lawrence and Wade Logan, referring, relating to, concerning, or discussing in any way the preparation, execution, delivery, of quitclaim deeds executed or to be executed by the Diocese of South Carolina to parishes within the Diocese.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

6. Produce all correspondence and other communications, including e-mails, between Bishop Mark J. Lawrence and Wade Logan, referring, relating to, concerning, or

discussing in any way amendments or changes purportedly made,, or to be made, to the Diocese of South Carolina's Constitutions and canons, or to its corporate charter.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

7. Produce all correspondence and other communications, including e-mails, between Bishop Mark J. Lawrence and Wade Logan, referring, relating to, concerning, or discussing in any way real or personal property, or interests in such property, held by the Diocese, or real or personal property, or interests therein, held by the Trustees of the Diocese.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

8. Produce all correspondence and other communications, including e-mails, between Bishop Mark J. Lawrence and Wade Logan during the period from July 1, 2012, through and including November 17, 2012, relating to parish property and the affiliation of the Diocese and its parishes with The Episcopal Church.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges.

A log of the requested information withheld from production under claims of privilege is attached to these responses.

9. Produce all correspondence and other communications, including e-mails, between Mark J. Lawrence and any Bishop or Bishops of The Episcopal Church, or between Mark J. Lawrence and any Standing Committee of any other diocese, or dioceses, of The Episcopal Church, at any time during 2006 or 2007 and relating to the consideration by any such Bishop or Standing Committee of consenting to his installation as Bishop of South Carolina.

RESPONSE: Plaintiff objects to this Request on the grounds that it is overbroad and that it is irrelevant to the claims in this action. Other than the letter of March 7, 2007 set forth in Answer to Request for Admission #13.

10. Produce all correspondence and other communications, including e-mails, between Bishop Mark J. Lawrence and any one or more of the Trustees of the Diocese of South Carolina, during the period from January 1, 2010, through and including November 17, 2012, relating to the affiliation of the Diocese with The Episcopal Church.

RESPONSE: None.

11. Produce all correspondence and other communications, including e-mails, prior to November 17, 2012, between Bishop Mark J. Lawrence and C. Alan Runyan,

referring, relating to, concerning, or discussing the relationship between the Diocese of South Carolina and The Episcopal Church.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

12. Produce all documents that you contend support each and every response in which you deny, in whole or in part, any of the Counterclaim-Plaintiff Continuing Diocese's Requests for Admission.

RESPONSE: In addition to the documents produced by the Plaintiff parishes, please see these Plaintiffs' documents DSC-313-00001-04736 and DSC-J-313-00001-19825.

13. Each Counterclaim-Defendant parish is requested to produce all minutes of its vestry for the years 1886, 1887, 1889, 1890, and 2006-2012.

RESPONSE: Not Applicable.

14. Each Counterclaim-Defendant parish is requested to produce its original articles of incorporation and bylaws, and all amendments thereto and changes therein from inception.

RESPONSE: Not Applicable.

15. Each Counterclaim-Defendant parish is requested to produce all documents, including, but not limited to, vestry minutes and parish minutes, that refer in any way to the parish's incorporation or to amendments or changes to that parish's articles of incorporation or bylaws.

RESPONSE: Not Applicable.

16. Each Counterclaim-Defendant parish that was in existence in 1780 is requested to produce all vestry minutes for the years 1780-1791, inclusive, as well as copies of all correspondence dated during this time period that relates to the legal and ecclesiastical status of each such parish.

RESPONSE: Not Applicable.

17. Each Counterclaim-Defendant parish is requested to produce all of its vestry minutes from 1979, and to produce any and all documents relating to the election of such parishes representatives to the Diocesan Convention of 1979.

RESPONSE: Not Applicable.

18. All Counterclaim Defendants are requested to produce any and all documents related to or discussing the Dennis Canon, including, but not limited to, correspondence with counsel relating to the Dennis Canon's application to property in South Carolina.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges.

A log of the requested information withheld from production under claims of privilege is attached to these responses.

19. Produce all documents and communications, including communications with counsel, to which the Rev. Edward Kelaher or any vestry member of the All Saints vestry recognized by the Diocese at the time as the vestry of All Saints, was a party, including any such documents or communications that were sent to the Rev. Kelaher or any such vestry member, relating to the litigation involving All Saints Pawleys Island and the appeals in that case.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-00945-01087

20. Produce all documents prepared by counsel for Bishop Mark J. Lawrence or for the Diocese relating to the purported 2010-2011 changes in the Diocesan Constitution, canons, or corporate charter that are referenced in the Plaintiffs' complaint.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

21. Produce all quitclaim deeds executed by or on behalf of the Diocese during the period 2010-2012.

RESPONSE:

Plaintiff attaches: DSC-313-01088-01313.

22. Produce all documents that you contend provided authority for the execution and delivery of such deeds.

RESPONSE:

Plaintiff attaches: DSC-313-01314-01325.

23. Produce all records of or referring or relating to any transfer of assets, property, cash, or cash-equivalents having a value in excess of \$10,000 from the Diocese, or from the Trustees, to any person or entity, including any attorney or law firm, between January 1, 2010, and December 31, 2012.

RESPONSE: Plaintiff objects to this Request on the grounds that it seeks information beyond the scope of discovery and it is irrelevant to the claims in this action.

24. Produce the "first constitution of the Diocese of South Carolina," which, according to Paragraph 8 of your Second Amended Complaint, "was adopted at its 4th convention on May 31, 1786." In doing so, do not simply produce a journal relating to this document, but produce the document.

RESPONSE:

Plaintiff attaches: DSC-313-01326-01328.

25. Produce all correspondence and other communications between any of Plaintiffs, or any officer or agent thereof, and Canterbury House, or any officer, director, or agent thereof, during the period from January 1, 2008, through the date of service of your response, relating to the endowment of or for Canterbury House, or to the affiliation of the Diocese with The Episcopal Church.

RESPONSE:

Plaintiff attaches: DSC-313-01329-01339.

26. Produce statement of all bank accounts, and securities, brokerage, or other investment accounts of each Plaintiff, and of all individuals affiliated with or related to any Plaintiff, including any individual under the management or control of any Plaintiff, for the period from January 1, 2008, through the date of the service of your response.

RESPONSE: Plaintiff objects to this Request on the grounds that it is overbroad, seeks information beyond the scope of discovery, and that it is irrelevant to the claims in this action.

27. Produce all communications to or from clergy with any of the Plaintiff-Counterclaim Defendant Parishes that relates to the participation by any of such parishes in the Church Pension Fund of The Episcopal Church.

RESPONSE:

Plaintiff attaches: DSC-313-01340-01374.

28. Produce all communications to or from Bishop Mark Lawrence or the Diocese addressed to or from St. Andrews Parish dated from January 1, 2008 to November 17, 2012, relating to the property in the name of St. Andrews Parish and the parish's affiliation with the Diocese of The Episcopal Church.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-01375-01389.

29. Produce all documents, relating to the Articles of Incorporation, bylaws, declarations of trust, and other trust instruments, that serve as governing documents of the Trustees of the Diocese, and copies of all amendments to or changes in any of such governing documents.

RESPONSE:

Plaintiff attaches: DSC-313-01390-01429.

30. Produce all documents received from, or addressed to, the Trustees during the period from January 1, 2008 to December 31, 2012.

RESPONSE: The Plaintiffs object to this Interrogatory on the grounds that it is overbroad.

31. Produce the Minutes of the Standing Committee of the Diocese of South Carolina for all meetings of the committee from January 1, 2005 to November 17, 2012.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-01430-01527.

32. Produce all minutes of the Plaintiff Trustees of the Protestant Episcopal Church in South Carolina, including, without limitation, minutes of the Board of Directors of the Trustees, for the period from January 1, 2005 to November 17, 2012.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-01528-01562.

33. Produce the Articles of Incorporation referenced in Paragraph 1 of your Complaint, and all amendments to such Articles, as well as any Articles of Incorporation or Articles of Association preceding the Articles referenced in Paragraph 1.

RESPONSE:

Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses. Plaintiff attaches: DSC-313-01563-01619.

34. Produce copies of any amendments or changes to the Constitution and canons of the Diocese of South Carolina that were made subsequent to July 1, 1979, as well as any documents and minutes related to such amendments or changes.

RESPONSE:

Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses. Plaintiff attaches: DSC-313-01620-01872.

35. Produce all documents related to any request made to the Diocese by any parish for permission to sell, transfer, lease, consecrate, encumber or alienate property held by such parish or for permission to remove or take down any dedicated or consecrated building.

RESPONSE:

Plaintiff attaches: DSC-313-01873-01945.

36. Produce all Constitution and Canons of the Diocese of South Carolina from its formation to November 17, 2012.

RESPONSE:

Plaintiff attaches the Journals of all Conventions of the Diocese from May, 1785 through March, 2012. These contain the Constitutions and Canons of the Diocese: DSC-313-00001-19825.

37. Produce all documents relating to the sale, transfer, or other liquidation of properties held by dormant or former parishes in the Diocese of South Carolina.

RESPONSE:

Plaintiff attaches: DSC-313-01946-01955.

38. Produce all documents relating to the adoption, and consideration, and compliance with, the Canon headed "Prohibiting the Desecration of Consecrated Buildings and the Alienation of Church Property Without Consent of the Ecclesiastical Authority and the Standing Committee" of the Canons of the Diocese of South Carolina.

RESPONSE:

Plaintiff attaches: DSC-313-01956-01968.

39. Produce all documents referring, relating to, concerning or discussing actions taken or to be taken by the Diocese of South Carolina to ensure compliance by parishes of the Diocese of Sections 5, 6 and 7 of the Canon headed "Of Business Methods in Church Affairs" of the Canons of the Diocese of South Carolina.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-01969-04709.

40. Produce copies of all deeds and any other conveyances to or from any of the Counterclaim-Defendant parishes from July 1, 1979 to present.

RESPONSE:

Plaintiff attaches: DSC-313-04710-04728.

41. Produce the notice that the Diocese of South Carolina filed in the Georgetown public records on September 19, 2000, along with all correspondence and communications related to the reasons for filing that notice.

RESPONSE: Plaintiffs and Plaintiffs' counsel object to this request on the basis that it seeks information protected by the attorney client and work product privileges. A log of the requested information withheld from production under claims of privilege is attached to these responses.

Subject to the objection, Plaintiffs attach: DSC-313-04729-04736

42. Produce all documents, other than documents produced in response to any of the foregoing Requests for Production, that you contend support the allegations in your Second Amended Complaint.

RESPONSE: In addition to the documents produced by the Plaintiff parishes, please see these Plaintiffs' documents DSC-313-00001-04736 and DSC-J-313-00001-19825.

This 15th day of August, 2013

*The Protestant Episcopal Church In The
Diocese of South Carolina; and The Trustees of the
Protestant Episcopal Church of South Carolina, a
South Carolina Corporate Body:*

By: _____

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