

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable Diane S. Goodstein
Circuit Court Judge

Case No. 2013-CP-18-00013

The Protestant Episcopal Church In The Diocese Of South Carolina, et al.,
..... Respondents,

v.

The Episcopal Church (a/k/a The Protestant Episcopal Church in the United
States of America); and The Episcopal Church in South Carolina, Appellants.

AMENDED MOTION TO AMEND DESIGNATION OF MATTERS
TO BE INCLUDED IN THE RECORD ON APPEAL

Pursuant to Rules 209 and 240 of the South Carolina Appellate Court Rules,
the Respondents move for permission to Amend their Designation of Matters to be
Included in the Record on Appeal, timely filed together with Respondents' Initial
Brief on June 15, 2015. In the alternative, the Respondents move for permission to
supplement the record on appeal pursuant to Rule 212, SCACR.

The grounds for this motion are that Respondents inadvertently failed to
designate the following trial testimony relevant to the appeal: Trial Transcript pp.
22-23; 55-56; 128, 138-139, 150-152, 154-155, 158-168, 170-172, 184, 208-209,
268-269, 272, 1765, 2336; DSC Exhibits 1, 3, 6A-C, 9, 16, 17, 32, 42A, 42C, 42D,

RECEIVED

JUL 09 2015

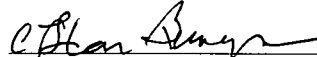
S.C. SUPREME COURT

42E, 43, 45B-D, 46, 68, 72, and 75. In addition, the Individual Respondents/Parish Designations for St. Luke's Church Hilton Head Island has a typographical error and is identified as St. Luke's Church, Hilton Head Island 7/9/14 ...; however, should read as follows: St. Luke's Church, Hilton Head Island 7/10/14 Trial Tr. Pp. 446-452, 464-465; Exhibits SL1 thru 15. In addition, Respondents consent to remove items 4 and 6 previously designated. Respondents move to amend to add these trial transcript pages and remove designations pursuant to the attached Amended Designation of Matters to be Included in the Record on Appeal, attached hereto as "Exhibit A".

Pursuant to the Order of this Court issued on April 15, 2015, Respondents collectively have taken careful measures to present the Court with only materials critical to a decision. However, in doing so, Respondents have inadvertently left off a portion of the trial transcript containing testimony which is otherwise relevant to the appeal.

Pursuant to the April 15, 2015 Order of this Court, counsel for the Respondents hereby certify that they have attempted in good faith to resolve this motion by consent. The Appellants will not be prejudiced if this motion is granted as these proposed amendments to the Respondents' Designation of Matters have been circulated with Appellants prior to any due date for their Reply Brief.

SPEIGHTS & RUNYAN



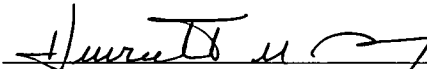
C. Alan Runyan, Esquire
Andrew S. Platte, Esquire
Speights & Runyan
2015 Boundary Street, Suite 239
Beaufort, South Carolina 29902
(803) 943-4444
Email: arunyan@speightsrunyan.com
aplatte@speightsrunyan.com

NELSON MULLINS
RILEY & SCARBOROUGH, LLP



C. Mitchell Brown, Esquire
Nelson Mullins Riley & Scarborough
1320 Main Street
Columbia, SC 29201
(803) 255-9595
Email: mitch.brown@nelsonmullins.com

McNAIR LAW FIRM, P.A.



Henrietta U. Golding, Esquire
McNair Law Firm, P.A.
P. O. Box 336
Myrtle Beach, South Carolina 29578
(843) 444-1107
Email: hgolding@mcnair.net

McNAIR LAW FIRM, P.A.



Amanda A. Bailey, Esquire
McNair Law Firm, P.A.
P. O. Box 336
Myrtle Beach, South Carolina 29578
(843) 444-1107
Email: abailey@mcnair.net

Dated: 7/8/15

ATTORNEYS FOR RESPONDENTS

EXHIBIT "A"

Amended Designation of Matters to be Included in the Record on Appeal

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2013-CP-18-00013

The Protestant Episcopal Church
In the Diocese of South Carolina et, al. Respondents,

v.

The Episcopal Church (a/k/a/ The Protestant
Episcopal Church in the United States
Of America) and The Episcopal Church
in South Carolina Appellants.

**RESPONDENT'S AMENDED DESIGNATION OF MATTERS
TO BE INCLUDED IN THE RECORD ON APPEAL**

1. Order of 2/3/15
2. Tom Tisdale letter to Judge Goodstein re TRO dated 1/29/13
3. C. Alan Runyan Letter to Judge Goodstein dated 1/29/13
4. *(Stricken by consent.)*
5. Consent Temporary Injunction dated 1/31/13
6. *(Stricken by consent.)*
7. Order of 6/10/13
8. Order of 9/27/13
9. Order of 12/31/13
10. Findings, Opinion and Order dated 9/9/13 – Diocese of Quincy
11. Final Order and Judgment dated 10/9/13 –Diocese of Quincy
12. October 11, 2013 Exhibits 6 thru 13 from attachment to “Plaintiff’s Memorandum in Opposition to Defendant’s Motion to Vacate”.
13. D-24, pp. 70-71,124-127,129-130,134,137,139,141-151,169,175 and Exhibit 6

Exhibit A

14. Trial Transcript pp. 22-23, 27-53, 55-56, 65-66, 67, 69-75, 80-82, 127-128, 138-139 140-142, 150-152, 154-155, 158-168, 170-172, 173-174, 175-179, 180, 184, 190-207, 208-209, 236, 268-269, 272, 273-274, 308, 742-743, 744-746, 1016, 1019, 1272, 1289, 1298-1299, 1300-1301, 1302, 1318, 1475, 1476-1477, 1725, 1728, 1729, 1737-1738, 1762, 1763, 1764, 1765, 1768-1770, 1776-1778, 1991, 2336, 2337-2341, 2342, 2343, 2349, 2350, 2351-2354, 2355-2362, 2364-2365, 2409-2410, 2446-2458, 2485-2487, 2514-2517.
15. DSC Exhibits 1, 2, 3, 4, 6A-C, 7, 8, 9, 13, 14, 16, 17, 18, 32, 40, 41, 42A, 42B, 42C, 42D, 42E, 43, 44, 44 D-F, 45A, 45B-D, 46, 47-54, 56, 57, 59, 60, 61, 64, 65, 68, 69,70, 72, 74, 75, 76, 77, 78, 79
16. D383B
17. D-5
18. Chart of Respondents' creation dates (*Not presented to trial court, Chart contains reference to trial transcript prepared for ease of reference for appellate purposes.*)

INDIVIDUAL RESPONDENT/PARISH DESIGNATIONS

Church Of The Cross, Inc. and Church Of The Cross Declaration of Trust
7/14/14 Trial Tr., pp. 1096-1101, Exhibits TC-1 thru 15

The Church Of Our Saviour, Of The Diocese Of South Carolina
7/14/14 Trial Tr., pp. 972-975, Exhibits OS-1 thru 17

St. Davids Church
7/11/14 Trial Tr., pp. 710-723, Exhibits SD-1 thru 17

The Church of The Epiphany
7/9/14 Trial Tr., pp. 405-431, Exhibits E-1 thru 9

The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. Helena And The Parish Church Of St. Helena Trust
7/11/14 Trial Tr., pp. 737-758, Exhibits PCSH-1 thru 34 (PCSH-34, pp. 7/7/1784 minutes)

The Vestry and Church Wardens of St. Jude's Church of Walterboro
7/14/14 Trial Tr., pp. 948-951, Exhibits SJ-1 thru 15

Trinity Episcopal Church, Edisto Island
7/15/14 Trial Tr., pp. 1223-1227, Exhibits TED-1 thru 19

Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. John's, Charleston County

7/15/14 Trial Tr., pp. 1142-1147, Exhibits SJC-1 thru 20

The Protestant Episcopal Church, The Parish Of St. Michael, In Charleston, In The State of South Carolina and St. Michael's Church Declaration Of Trust

7/14/14 Trial Tr., pp. 992-994, 997-998, Exhibits SMI-1 thru 27

The Vestries and Churchwardens of the Parish of St. Andrew (hereinafter "Old St. Andrews Parish Church" or "OSA")

7/15/14 Trial Tr. pp. 1189-1192, Exhibits OSA-1 thru 13

All Saints Protestant Episcopal Church, Inc.

7/9/14 Trial Tr., pp. 287-311, Exhibits AS 1 thru 9

St. Bartholomews Episcopal Church

7/11/14 Trial Tr., pp. 759-773, Exhibits SB1 thru 16

The Church of the Holy Cross-Stateburg

7/14/14 Tr. Transcript, Pgs. 919-923, Exhibits 1 thru 16

Christ St. Paul's Episcopal Church

7/9/14 Trial Tr., pp. 316-336, 348, 353-355, 7/23/14 Trial Tr. pp. 2224-2226. Exhibits CSP-1 thru 16

Christ the King, Waccamaw

7/9/14 Trial Tr. pp. 355-378, Exhibits CTK 1 thru 19

The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of Prince George Winyah

7/14/14 Trial Tr., pp.1030-1051. Exhibits PG 1 thru 17

Church Of The Holy Comforter

7/10/14 Trial Tr., pp. 516-526 & 530-557, Exhibits HC-1 thru 24, 26 thru 27

Church Of The Redeemer

7/10/14 Trial Tr., pp. 624-643, 654, Exhibits R-1 thru 26

Holy Trinity Episcopal Church

7/15/14 Trial Tr., pp. 1176-1182, Exhibits HT 1 thru 22.

The Church Of The Good Shepherd, Charleston, SC

7/14/14 Trial Tr., pp. 957-961, Good Shepherd Stipulations 1 thru 22. Exhibits GS 1 thru 18

7/15/14 Trial Tr., pp.1233-1234, Exhibit GS-19

St. Matthews Church

7/11/14 Trial Tr. pp. 845, line 17 through Pg. 857, line 25.
Exhibits SM 1 thru 5, SM 7, SM 9, SM 12 thru 14

St. John's Episcopal Church of Florence, S.C.

7/10/14 Trial Tr., pp. 655, line 4 through Pg. 670, line 9.
Exhibits SJF 1 thru 16, SJF 19, SJF 21 thru 22

St. Paul's Episcopal Church of Bennettsville, Inc.

7/14/14 Trial Tr., pp. 930-938, Exhibits SPB 1 thru 18

St. James' Church, James Island, S.C.

7/11/14 Trial Tr., pp. 864-872, SJJ1-1 thru 6, 8, 9 and 12.

St. Matthias Episcopal Church, Inc.

7/14/14 Trial Tr., pp. 1016-1023, Exhibits STM 1 thru 16.

St. Paul's Episcopal Church of Conway

7/14/14 Trial Tr., pp. 1074-1096, 7/17/14, pp. 1490-1507, 7/23/14, pp. 2281-2282,
Exhibits SPC 1 thru 10.

The Church of St. Luke and St. Paul, Radcliffeboro

7/10/14 Trial Tr., pp. 480, line 7 thru 498, line 4. Exhibits SLP 1 thru 17.

The Church Of The Resurrection, Surfside

7/10/14 Trial Tr., pp. 582-611, Exhibits RS-1, RS-6 thru 11, RS-13- RS-20

**The Protestant Episcopal Church, Of The Parish Of St. Philip, In Charleston,
In The State of South Carolina**

7/15/14, Trial Tr.: pp. 1199, ln. 15-25; 1200-1216; 1217, ln. 1-23; 1219, ln. 7-25;
1220; 1221, ln. 1-8; 1222, ln 4-25; 1223, ln 1-2, Exhibits SPH 1 thru 43.

**The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of
St. Matthew**

7/14/14 Trial Tr., pp. 982 lines 15 thru 988 line 23. Exhibits SMFM 1 thru 18.

The Vestry and Wardens Of St. Paul's Church, Summerville

7/14/14 Trial Tr.: pp. 1051, ln. 13 – 21, 1052, ln. 8 – 1064, Ln. 18.
Exhibits SPS -1 thru 29.

Trinity Church of Myrtle Beach

7/11/14 Trial Tr., pp. 800-807, 809-816; TMB Exhibits 1 thru 26

**Vestry and Church-Wardens Of The Episcopal Church Of The Parish Of
Christ Church**

7/14/14 Trial Tr., pp. 1111 line 8 through p. 1114 line 4, 1116 line 21 through Pg. 1118 line 25. 7/15/14, Trial Tr., pp. 1130 line 6 through Pg. 1131 line 3. Exhibits CC-1 thru 38.

Trinity Episcopal Church, Pinopolis

7/11/14 Trial Tr., pp. 691-710, Exhibits TP-1 thru 14

St. Andrews Church – Mt. Pleasant and The St. Andrews Church – Mt. Pleasant Land Trust

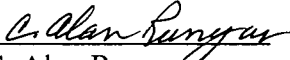
7/9/14 Trial Tr., pp. 378, ln. 20 to 397, ln. 2. SAMP 1 thru 29

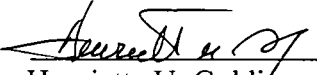
St. Luke's Church, Hilton Head Island

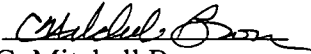
7/10/14 Trial Tr., pp. 446-452, 464-465; Exhibits SL-1 thru 15.

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,


C. Alan Runyan
Andrew S. Platte
Speights & Runyan
205 Boundary Street,
Suite 239
Beaufort, SC 29902


Henrietta U. Golding
Amanda A. Bailey
McNair Law Firm
P.O. Bo 336
Myrtle Beach, SC 29578


C. Mitchell Brown
Nelson, Mullins, Riley
& Scarborough
1320 Main Street
Columbia, SC 29201

ATTORNEYS FOR RESPONDENTS

Dated: July 8, 2015

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable Diane S. Goodstein
Circuit Court Judge

Case No. 2013-CP-18-00013

RECEIVED
JUL 09 2015
S.C. SUPREME COURT

The Protestant Episcopal Church In The Diocese of South Carolina; et al.,
..... Respondents,

v.

The Episcopal Church (a/k/a, The Protestant Episcopal Church in the United States of
America); The Episcopal Church in South Carolina, Appellants.

PROOF OF SERVICE

I, Carole Koerner, an employee of McNair Law Firm, P.A. attorneys for the Respondents,
do hereby certify that I have served a copy of the Amended Motion to Amend Designation of
Matters to be Included in the Record on Appeal, Exhibit A (Respondent's Amended Designation
of Matter to be Included in the Record on Appeal) and Proof of Service, on this the 8th day of July,
2015, by electronically mailing copies of the same to the attorneys identified below:

ATTORNEYS FOR APPELLANTS:

Blake A. Hewitt #73674
John S. Nichols #4210
BLUESTEIN, NICHOLS,
THOMPSON & DELGADO
bhewitt@bntdlaw.com

jsnichols@bntdlaw.com

Thomas S. Tisdale, Jr., Esquire
Jason S. Smith, Esquire
Hellman Yates & Tisdale
tst@hellmanyates.com
js@hellmanyates.com
andrea.st.amand@hotmail.com

R. Walker Humphrey, II, Esquire
WATERS & KRAUS
whumphrey@waterskraus.com

Attorneys for The Episcopal Church in South Carolina

David Booth Beers, Esquire
Mary E. Kostel, Esquire
dbeers@goodwinprocter.com
mkostel@goodwinprocter.com

Allan R. Holmes, Esquire
Timothy Lewis, Esquire
aholmes@gibbs-holmes.com
timolewis@gibbs-holmes.com

Attorneys for The Episcopal Church

COUNSEL FOR RESPONDENTS:

C. Alan Runyan, Esquire
Andrew S. Platte, Esquire
Speights & Runyan
arunyan@speightsrunyan.com
aplatte@speightsrunyan.com

Attorneys Church of The Cross, Inc. and Church of the Cross Declaration of Trust, The Church of Our Saviour, of the Diocese of South Carolina, The Protestant Episcopal Church, of the Parish of Saint Philip, in Charleston South Carolina, The Protestant Episcopal Church, The Parish of Saint Michael in Charleston, in the State of South Carolina and St. Michael's Church Declaration of Trust, The Vestry and Church Wardens of the Episcopal Church of the Parish of St. Helena and the Parish Church of St. Helena Trust, Trinity Episcopal Church, Edisto Island, Vestry and Church Wardens of the Episcopal Church of the Parish of St. John's Charleston County, Vestry and Church Wardens of St. Jude's Church of Walterboro, Parish of St. Andrew, and Old Saint Andrews Parish Church

Henrietta U. Golding, Esquire
McNair Law Firm, P.A.
Email: hgolding@mcnair.net

Attorney for St. Luke's Church Hilton Head

Charles H. Williams, Esquire
Williams & Williams
chwilliams@williamsattys.com

*Attorneys for 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*

David S. Cox, Esquire
Barnwell Whaley Patterson & Helms, LLC
dcox@barnwell-whaley.com

*Attorneys for 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*

Thomas Davis, Esquire
Harvey & Battey, PA
tadavis@harveyandbattey.com

*Attorneys for 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*

C. Pierce Campbell, Esquire
Turner, Padget, Graham & Laney
pcampbell@turnerpadget.com

*Attorneys for All Saints Protestant Episcopal Church, Inc.,
St. Bartholomews Episcopal Church and The Church of the Holy Cross*

I. Keith McCarty, Esquire
McCarty Law Firm, LLC
ikeithmccarty@gmail.com

Attorneys for Christ St. Paul's Episcopal Church

Harry A. Oxner, Esquire
Oxner & Stacy
oxhat@aol.com

Attorneys for Christ the King Waccamaw and The Vestry and Church Wardens of The Episcopal Church of the Parish Of Prince George Winyah

Thornwell F. Sowell, III (Biff)
Bess J. DuRant (803) 231-7832
Sowell Gray Stepp & Laffitte, LLC

bsowell@sowellgray.com
bdurant@sowellgray.com

Attorneys for the Church of the Holy Comforter

Robert R. Horger, Esquire
Horger, Barnwell & Reid, LLP
rhorger@hbrllp.com

Attorneys for the Church of The Redeemer

William A. Scott, Esquire
Pedersen & Scott, PC
bscott@pslawpc.com

Dane Sowinski, Esquire
Rogers Townsend & Thomas PC
dane.sowinski@rtt-law.com

Attorneys for the Holy Trinity Episcopal Church

Lawrence B. Orr, Esquire
Orr Elmore & Ervin, LLC
lbo@orrfirm.com

Attorneys for Saint Matthews Church, and St. John's Episcopal Church of Florence, South Carolina

Saunders M. Bridges, Jr., Esquire
Aiken Bridges Elliott Tyler & Saleeby

smb@aikenbridges.com

Attorneys for St. John's Episcopal Church of Florence, South Carolina

Harry Easterling Jr., Esquire
Goldberg & Easterling, P.A.
gandelaw@bellsouth.net

*Attorneys for St. David's Church
and St. Paul's Episcopal Church of Bennettsville, Inc.*

Mark Evans, Esquire
mevans14@bellsouth.net

Attorneys for St. James Church James Island, South Carolina

Stephen S. McKenzie, Esquire
Coffey, Chandler & Kent, P.A.
steve@cckmlaw.com

*Attorneys for St. Matthias Episcopal Church, Inc.
and The Church of the Epiphany (Episcopal)*

Robert S. Shelton, Esquire
Bellamy Law Firm
rshelton@bellamylaw.com

Attorneys for St. Paul's Episcopal Church of Conway

David B. Marvel, Esquire
Prenner Marvel, P.A.
dave@prennermarvel.com

David L. DeVane, Esquire
david@attorneyscharleston.com

Attorneys for The Church of St. Luke and St. Paul, Radcliffeboro

John Furman Wall, III, Esquire
walljohn@bellsouth.net

Attorneys for The Church of the Good Shepherd, Charleston, South Carolina

William A. Bryan, Esquire
Bryan & Haar
billbryan@bryanandhaar.net

Attorneys for The Church of the Resurrection, Surfside

G. Mark Phillips, Esquire
Nelson Mullins Riley & Scarborough, LLP
mark.phillips@nelsonmullins.com

*Attorneys for The Protestant Episcopal Church, of the Parish of
Saint Philip, in Charleston South Carolina*

W. Foster Gaillard, Esquire
Womble, Carlyle, Sandridge & Rice, LLP
fgaillard@wcsr.com

*Attorneys for The Protestant Episcopal Church, of the Parish of
Saint Philip, in Charleston South Carolina*

Francis M. Mack, Esquire
fmmack@windstream.net

*Attorneys for The Vestry and Church Wardens of the Episcopal Church
of the Parish of St. Matthew*

Brandt Shelbourne, Esquire
E. Hope Lumpkin, Esquire
Shelbourne Law Firm
brandt@shelbournelaw.com
hope@shelbournelaw.com

Attorneys for The Vestry and Wardens of St. Paul's Church, Summerville

Susan MacDonald, Esquire
Nelson, Mullins, Riley & Scarborough, LLP
susan.macdonald@nelsonmullins.com

Jim Lehman, Esquire
Nelson, Mullins, Riley & Scarborough, LLP
Jim.lehman@nelsonmullins.com

Attorneys for Trinity Church of Myrtle Beach

Allan P. Sloan, III, Esquire
Joseph C. Wilson IV, Esquire
Pierce, Hems, Sloan & Wilson

chipsloan@phsm.net
joewilson@phsm.net

Edward P. Guerard, Jr., Esquire
tguerardjr@gmail.com

Attorneys for Vestry and Church-Wardens of the Episcopal Church of the Parish of Christ Church

John B. Williams, Esquire
WILLIAMS & HULST, LLC
jbw@williamsandhulst.com

Attorneys for Trinity Episcopal Church, Pinopolis

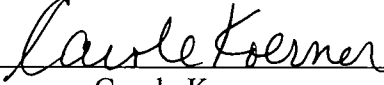
George J. Kefalos, Esquire
Oana D. Johnson, Esquire
GEORGE J. KEFALOS, P.A.
george@kefaloslaw.com
oana@kefaloslaw.com

Stephen Spitz, Esquire
sc.spitz@prodigy.net

Attorneys for The Vestry and Church Wardens of the Episcopal Church of the Parish of St. Andrew's Church, Mount Pleasant

Henry Grimball, Esquire
WOMBLE, CARLYLE, SANDRIDGE & RICE, LLP.
hgrimball@wcsr.com

*Attorneys for The Protestant Episcopal Church, The Parish of Saint Michael in Charleston,
in the State of South Carolina and St. Michael's Church Declaration of Trust*


Carole Koerner