

July 29, 2015

Henrietta U. Golding

hgolding@mcnair.net

**VIA HAND DELIVERY**

The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court of South Carolina  
P. O. Box 11330  
Columbia, South Carolina 29211-1330

**RECEIVED**

JUL 29 2015

Re: The Diocese of South Carolina, et al. v. The Episcopal Church  
Case Tracking No.: 2015-000626

**S.C. Supreme Court**

Dear Mr. Shearouse:

Please accept this letter as a clarification of certain statements made by Appellants' counsel in his letter dated July 28, 2015. In this letter, Appellants infer that the Respondents are at fault for the inclusion of alleged "...unnecessary" exhibits.

Unfortunately, Appellants' counsel failed to disclose that by letter dated May 26, 2015, Respondents' Counsel requested that, in order to not include certain exhibits, Appellants' stipulate that the Respondents followed the appropriate corporate procedures in amending corporate documents and the Respondents' real and personal property is titled and held in their names. This letter is attached as Exhibit 1, letter of C. Alan Runyan to Allan R. Holmes and Blake A. Hewitt dated May 26, 2015.

As can be seen in the attached letter dated May 26, 2015, Respondents recommended that the Parties enter into a Stipulation so that the Record on Appeal would not contain "unnecessary materials". Since no response was made by Appellants' counsel to the May 26, 2015 letter, a follow-up letter dated June 2, 2015 was sent by Mr. Runyan; this letter is attached as Exhibit 2. Appellants' counsel did not agree to the stipulation nor did they propose alternative stipulations.

Appellants failed to disclose this pertinent information to the Court in their counsel's letter dated July 28, 2015.

Please do not hesitate to contact me if there is any question whatsoever with respect to this matter.

McNAIR LAW FIRM, P.A.  
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2411 Oak Street, Suite 206  
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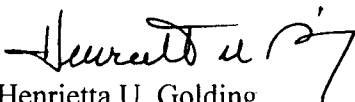
Daniel E. Shearouse  
July 29, 2015  
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MCNAIR  
ATTORNEYS

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Sincerely,

McNAIR LAW FIRM, P.A.

  
Henrietta U. Golding

HUG:ck  
Enclosures

cc: All Counsel of Record (via email)

**SPEIGHTS & RUNYAN**  
ATTORNEYS AT LAW  
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BEAUFORT, SOUTH CAROLINA 29902  
(803) 943-4444

C. ALAN RUNYAN  
ARUNYAN@SPEIGHTSRUNYAN.COM

FACSIMILE (843) 822-0142

May 26, 2015

Via Email

Allan R. Holmes  
Gibbs & Holmes  
171 Church Street, Suite 110  
Charleston, SC 29401

Blake A. Hewitt, Esq.  
Bluestein, Nichols, Thompson & Delgado  
P.O. Box 7965  
Columbia, SC 29202

RE: *The Protestant Episcopal Church in the Diocese of South Carolina  
et al. v. The Episcopal Church, et al.*  
Appellate Case No. 2015-000622

Dear Allan and Blake:

I write hoping to narrow the record designations which may be required of the Plaintiffs depending on the Defendants' view of the issues being appealed.

There appear to be two issues that could significantly decrease the record designations if uncontested by the Defendants. My recollection from the trial was that there was no attempt by the Defendants to show that the Plaintiffs failed to follow the appropriate corporate procedures to successfully amend their corporate documents in a manner that would be consistent with the termination of their relationship with the Defendants. The trial court made such a finding. Or, at 33 ("The Defendants neither contested, nor offered contrary evidence to the proof that the parish churches, where necessary, met the procedures required by the 1994 Act, their governance documents or both to sever any relationship they might have with the Defendants."); your initial brief appears to concede this point. Initial Brief, at 8 ("The Plaintiffs subsequently changed their governing documents to remove these pledges, apparently following appropriate corporate procedures for making such changes, citing *All Saints*").

Second, the Defendants did not contest that the Plaintiffs' real and personal property was titled in their respective names. Or, at 34 ("It is uncontested that all the real and personal property of the Plaintiffs is titled and held in their names. It is equally undisputed that there is nothing in the deeds of their real property referencing any trust in favor of TEC"). The only discussion in your initial brief regarding the real property is whether certain language not in the

Exhibit 1

deeds or titles nevertheless creates a trust.

Much of the evidence was to establish that these procedures were followed and that the real and personal property is titled in the Plaintiffs' names. In light of the Chief Justice's Order that the Court not be presented with "unnecessary materials," ("It is important that the record be culled in such a way to allow the Court to make a decision in an efficient and timely manner without having to wade through volumes of unnecessary materials" (Or., April 15, 2015)) we would like to avoid burdening the record with this testimonial and documentary evidence if that can be done.

If you agree that these two issues are uncontested, please sign below and return to me

Sincerely,



C. Alan Runyan

CAR/els

\_\_\_\_\_  
Allan R. Holmes, on behalf of  
The Episcopal Church

\_\_\_\_\_  
Blake A. Hewitt, on behalf of The  
Episcopal Church in South Carolina

Cc: All Counsel

RECEIVED

JUL 29 2015

S.C. Supreme Court

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FACSIMILE (843) 522-0142

June 2, 2015

**Via Email**

Allan R. Holmes  
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171 Church Street, Suite 110  
Charleston, SC 29401

Blake A. Hewitt, Esq.  
Bluestein, Nichols, Thompson & Delgado  
P.O. Box 7965  
Columbia, SC 29202

*RE: The Protestant Episcopal Church in the Diocese of South Carolina,  
et al. v. The Episcopal Church, et al.  
Appellate Case No. 2015-000622*

Dear Allan and Blake:

Having not received a response from you regarding the issue raised in my letter of May 26, 2015, copy attached, we have instructed parish counsel that record designations must be made for these issues.

Sincerely,



C. Alan Runyan

CAR/els

Cc: All Counsel

Exhibit 2