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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas
Diane Schafer Goodstein, Circuit Court Judge

Appellate Case No. 2015-000622

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; All Saints Protestant Episcopal Church, Inc.; Christ St. Paul's Episcopal Church; Christ the King, Waccamaw; Church of The Cross, Inc. and Church of the Cross Declaration of Trust; Church of The Holy Comforter; Church of the Redeemer; Holy Trinity Episcopal Church; Saint Luke's Church, Hilton Head; St. Matthews Church; St. Andrews Church-Mt. Pleasant Land Trust; St. Bartholomews Episcopal Church; St. David's Church; St. James' Church, James Island, S.C.; St. John's Episcopal Church of Florence, S.C.; St. Matthias Episcopal Church, Inc.; St. Paul's Episcopal Church of Bennettsville, Inc.; St. Paul's Episcopal Church of Conway; The Church of St. Luke and St. Paul, Radcliffeboro; The Church of Our Saviour of the Diocese of South Carolina; The Church of the Epiphany (Episcopal); The Church of the Good Shepherd, Charleston, SC; The Church of The Holy Cross; The Church of The Resurrection, Surfside; The Protestant Episcopal Church of The Parish of Saint Philip, in Charleston, in the State of 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 St. Jude's Church of Walterboro; The Vestry and Church Wardens of The Episcopal Church of The Parish of Prince George Winyah; The Vestry and Church Wardens of The Church of The Parish of St. Helena and The Parish Church of St. Helena Trust; The Vestry and Church Wardens of The Parish of St. Matthew; The Vestry and Wardens of St. Paul's Church, Summerville; Trinity Church of Myrtle Beach; Trinity Episcopal Church; Trinity Episcopal Church, Pinopolis;

Vestry and Church Wardens of the Episcopal Church of The Parish of Christ Church; Vestry and Church Wardens of The Episcopal Church of the Parish of St. John's, Charleston County, The Vestries and Churchwardens of The Parish of St. Andrews,, ...

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.

MOTION TO RECUSE THE HONORABLE JUSTICE KAYE G. HEARN FROM PARTICIPATION IN THE REHEARING PETITION; MOTION FOR VACATUR OF OPINION OF JUSTICE HEARN AND FAILING THAT, MOTION BY NON-PREVAILING PARISHES AND THE DIOCESE TO VACATE ALL OPINIONS IN THIS MATTER; AND MOTION FOR CONSIDERATION OF THIS MOTION BY THE FULL COURT AND FOR OTHER RELIEF

The Respondents in this appeal are, simultaneously with the filing of this motion, also filing their Petition for Rehearing in this matter. Hence, the Respondents in this appeal will herein be referenced as "Movants." Unless otherwise specified, all Respondents are "Movants." This motion is filed pursuant to the South Carolina Rules of Appellate Procedure and the Judicial Canons, as well as the Constitutions of the United States and of South Carolina. The Court should grant this motion as set forth below. As an initial matter, as set forth below at page 18, the full Court should consider this Motion.

Movants and their counsel do not lightly make this motion. The twenty six South Carolina attorneys who have signed it do so because of their respect for the judicial system, not in derogation of it. Scholars write of the difficult decisions confronting lawyers and judges that attend a recusal motion. None of the undersigned members of the bar are free from their own biases and if they were to move to the bench, those biases would follow them. Justice Cardozo aptly noted that "[t]he great tides and currents which engulf the rest of men do not turn aside and

pass judges by. "*The Nature of the Judicial Process*, 168 (1924). While Movants strongly assert that they do not seek to impugn Justice's Hearns personal judicial integrity, nevertheless scholars studying the subject of recusal report that judges frequently view motions to recuse as personal attacks and become very defensive. *See* Michael W. Martin, *Current Issues in Judicial Disqualifications Symposium*, 30 Rev. Litig.639, (2010-2011) (noting scholars finding "error in the commonly held view that disqualification motions and attorney allegations of partiality or bias are an affront to the individual judge's personal judicial integrity…").

This "disqualification paradox" creates the reluctance Movants and their counsel have in filing this recusal motion. In taking their oath of judicial office, judges commit themselves to being, and appearing to be, impartial; yet, the disqualification rules give them the task of finding themselves impartial, or not appearing to be impartial. This inherent tension suggests that most judges would find themselves impartial despite facts that might cause parties to reasonably question the judge's impartiality. *Id.* (citing to Charles Geyh, *Why Judicial Disqualification Matters. Again*, 30 REV. LITIG. 671, 695 (2011)). "Jurists-particularly at the Supreme Court level-have occasionally shown a disturbing defensiveness..." regarding recusal motions. Id. (citing Jeffrey W. Stempel, *In Praise of Procedurally Centered Judicial Disqualification-and a Stronger Conception of the Appearance Standard Better Acknowledging and Adjusting to Cognitive Bias, Spoliation, and Perceptual Realities*, 30 Rev. LITIG. 733, 739 (2011). The law has changed rather dramatically in recent decades generally regarding disqualification of a judge, perhaps to address the above paradox. *See Id.*, noting "seismic shifts in the judicial recusal landscape since 2001."

Though perhaps difficult for Justice Hearn, and maybe other Justices of the Court to accept, this motion is not made to impugn Justice Hearn's integrity or that of this Court, it is

made to strengthen it. As Justice Holmes stated, "[o]ne may criticize what one reveres." "The Path of the Law," 10 *Harv. L. Rev.* 457, 473 (1897). Without public confidence in the court, the rule of law itself, is imperiled. *Liljeberg v Health Services Acquisition Corp.*, 486 U.S. 847, 861, 108 S. Ct. 2194, 2203 (1988) (It is appropriate for a court to consider "the risk of undermining the public's confidence in the judicial process. We must continually keep in mind that "to perform its high function in the best way 'justice must satisfy the appearance of justice.'" citation omitted.)

> Counsel for a party who believes a judge's impartiality is reasonably subject to question has not only a professional duty to his client to raise the matter, but an independent responsibility as an officer of the court. Judges are not omniscient and, despite all safeguards, may overlook a conflict of interest.

In Re Bernard, 31 F.3d 842, 847 (9th Cir. 1994) (Kozinski, J.)

Movants and their counsel respectfully make this motion based on the facts, the law and the opinion of experts in this field.

As explained below, Justice Hearn had a duty to disclose various facts concerning her relationships with the Appellants and with a Respondent. Further, based on the facts and her relationships, she had a mandatory duty to recuse. Justice Hearn did not disclose the relationships nor did she ultimately recuse herself.

"In general, 'every person has a right to presume that every other person will perform his duty and obey the law.'" *Webb v Special Elec. Co.*, 63 Cal. 4th 167, 186, 370 P.3d 1022, 1034 (2016). Movants had the right to presume that Justice Hearn, in the end, would not participate in the decision in this matter. However, she did participate, and she penned an opinion favoring the Appellants.

I. The Facts Relating to This Motion.

This case has been challenging emotionally, spiritually, and financially to thousands of people in South Carolina. One of those people is Justice Hearn. Like all of her current and former fellow parishioners, this dispute was and is important to Justice Hearn. However, only a limited number of those people were actively engaged in the debate of the underlying issues. An even smaller handful of people left their parish homes and started new parishes because of the issues involved in this case. One of those people is Justice Hearn. This case was important to Justice Hearn, and she and her husband were actively involved in the debate of the issues and were leaders in developing a new parish after leaving their prior one. Over several years, Justice Hearn developed opinions, advocated for these opinions, and took action based on the outcomes of decisions central to this case. These actions are to be expected by any interested parishioner. However, they should have led Justice Hearn to publicly disclose them, and she should not have rendered judgment in this case. Movants rely on the facts set forth below, and on the affidavits attached hereto in support thereof.

St. Paul's Conway

Justice Hearn and her husband, George, were members of St. Paul's Conway, for many years, at least since 1998. *See* Ex. 1, Julian "Tripp" Jeffords Affidavit. *See also* Ex. 2, Depo. of George Hearn p. 15 (tracing his membership to the early 1980s). The Hearns actively participated in the life of the church. *See* Ex. 1, Affidavit of Jeffords. *See also* Ex. 2, Depo. of G. Hearn generally. St Paul's Conway is a party plaintiff to this action.

Leading up to the disaffiliation of St. Paul's Conway from The Episcopal Church ("TEC"), a group of St. Paul's parishioners vocally aligned themselves with the views of The Episcopal Church and against those of the Diocese and the majority of St. Paul's. *See* Ex. 1,

Affidavit of Jeffords. The opposition group included the Hearns and their friends, Rebecca and Richard Lovelace. *Id.* This opposition group spoke publicly in opposition to Bishop Lawrence and the direction of the Diocese and Justice Hearn also spoke publicly to various actions taken by St. Paul's rector, with whom the group disagreed. *Id.*

After disaffiliation of the Diocese and St. Paul's from TEC was announced in January, 2013, the Hearns no longer attended St. Paul's Conway. *See* Ex. 1, Affidavit of Jeffords. Rebecca Lovelace was called as a witness at trial by The Episcopal Church in South Carolina ("TECSC"). *See* Trial transcript p. 1490, R. 757. George Hearn was deposed as a witness in this case.

The Episcopal Forum

The Episcopal Forum ("Forum") is a group of people in South Carolina who advocate for stronger ties with TEC, take positions on the governance structure of TEC, and uphold the Constitution and Canons of The Episcopal Church. *See* Ex. 3, Forum Newsletter. The Forum's website states: "The 'Forum' is a 501(c)3 nonprofit corporation affiliated with *The Episcopal Church in SC* which is the southern SC diocese of *The Episcopal Church* worldwide."

The Forum has been opposed to Bishop Lawrence and his leadership regularly since 2007. *See* Ex. 4, Forum letter dated September 14, 2007. The Forum has existed since at least 2007, when it opposed the election of Mark Lawrence as bishop. *Id.* The Forum took public positions on the structure of TEC, the authority of bishops, and the disassociation of dioceses from TEC as early as 2007. *See* Ex. 5, newsletter dated September 17, 2007. Today, the Forum continues to have the mission to support TEC and TECSC, both parties to the case. *See* Ex. 6, mission statement on website June 25, 2017. The Forum has reserved seating at TECSC conventions. *See* Ex. 7, Affidavit of Karen Kusko.

Justice Hearn has been a member of the Forum for at least ten years and allowed her name to be included on published membership lists. *See, e.g.,* membership lists dated March 15, 2007, March 16, 2010, April 7, 2014, and April 21, 2017, attached as Exs. 8, 9, 10, and 11. The Forum ceased publishing its membership list this summer. In 2010, the Forum, of which Justice Hearn was a member at the time, corresponded with TEC and its subdivisions regarding the Forum's positions on the issues and actions decided in this case. *See* Ex. 12, 8/24/10 EFSC Letter to HOB and Executive Council; Ex. 13, 10/25/10 Executive Council Letter to EFSC; and Ex. 14, 11/9/10 EFSC Letter to The Province IV House of Bishops. In 2012, the President of the Forum posted an article on the Forum's website criticizing the *All Saints* opinion in much the same way as Justice Hearn's opinion. *See* Ex. 15, All Saints Opinion, 1/9/12. By publishing her membership, Justice Hearn has publicly connected herself to the activities of the Forum.

Public Recognition of Bias

Justice Hearn's bias relating to the issues in this case has been commented on in several friendly and non-friendly public forums. Charleston's *Post and Courier* published an entire article on the subject of Justice Hearn's lack of impartiality related to this case. *See* Ex. 16, Article September 27, 2015. Two popular blogs exist which are devoted to discussing the disaffiliation at issue in this case and both are openly written in a manner supportive of TEC. Scepiscopalians.com noted on April 9, 2014, attached as Ex. 17, that Justice Hearn and her husband were "prominent Episcopalians" and that they "left their longtime parish homes," and specifically noted Justice Hearn's place on the Court. As recently as August 2, 2017, scepiscopalians.com noted the specific impact of the Supreme Court opinion on Justice Hearn's former parish, attached as Ex. 18.

Episcopalschismsc.blogspot.com goes further in identifying Justice Hearn's interest in the case and bias. On December 26, 2015, Hearn was referred to as a "loyal Episcopalian" and that "The Episcopal Church could not have had a better champion," attached as Ex. 19. This website repeatedly references Justice Hearn and her husband's involvement in their parishes and issues. *See* Exs. 20, 21, and 22, posts dated April 16, 2015, August 28, 2015, and September 18, 2015. The website author sees Justice Hearn as "obviously resolved to defend the Church's claims" and TEC's "intrepid advocate, doing, in my opinion, a better job of it than the lawyer." *See* posts dated October 2, 2015 and September 28, 2015, attached as Exs. 23 and 24.

Justice Hearn also shared her personal views on the issues involved in the case. In late 2012, one of TECSC's lawyers of record in this very case, and one of Justice Hearn's former law clerks, shared the Justice's views with a third party. Walker Humphrey emailed a TEC-aligned priest that Justice Hearn had forwarded Humphrey emails about people "being labeled as outcasts," as well as her parish's plans for worship after leaving St. Paul's Conway. *See* Ex. 25 D 010770-010771. The email further states: "She also told me about the plan to use the chapel for continuing services, and I believe they asked Holy Cross-Faith Memorial for help. I think it's a good arrangement, and I hope Trip Jeffords, the rector at St. Paul's, is accommodating. I've seen some postings on St. Pauls' Facebook page which shows it's been gone for far longer than I thought." *Id.* Movants understand that if Justice Hearn's opinion controlled, St. Anne's, Justice Hearn's current church, could receive from TEC either title or the right to use the church property formerly owned by St. Paul's, Justice Hearn's former church

St. Anne's and The Episcopal Church in South Carolina

After St. Paul's Conway disassociated from TEC, Justice Hearn and her husband were part of a group that started St. Anne's. *See* Ex. 2, Depo. of G. Hearn at pp. 18-20. George Hearn

was a member of the three-person steering committee for the new group called St. Anne's and later became a member of the mission committee overseeing St. Anne's in 2014. *See* Ex. 2, Depo. of G. Hearn at pp. 18-19, 25.

George Hearn was elected to attend two conventions of TECSC in January and March of 2013. Mr. Hearn purported to attend the first convention as a delegate from St. Paul's, even though he no longer attended St. Paul's and was on the mission committee for St. Anne's. At the convention, Mr. Hearn signed a declaration of conformity to The Episcopal Church and voted to purportedly amend all of the diocesan governing documents that are at issue in this case. *See* Ex. 2, Depo. of G. Hearn at pp. 25-26, 28, 43-45, 47-59.

Justice Hearn continues to be an active member and lay leader at St. Anne's today. The current website for St. Anne's includes pictures of Justice Hearn singing in the choir. *See* www.stanneconway.org, last visited on August 21, 2017. Justice Hearn was listed on the same webpage as a service participant the week the Supreme Court issued its opinion in this case.

Evidence of Bias in the Current Opinion

There is evidence of Justice Hearn's personal views and bias in her decision in this case. Justice Hearn found that it was "clear from the record that doctrinal issues concerning....the role of women were the trigger" for the disassociation. *See* Opinion p. 37. A complete and thorough review of not just the Record on Appeal, but the entire trial transcript uncovers no mention of the role of women. George Hearn stated that the role of women in the church was an issue to him in leaving St. Paul's Conway, but this deposition testimony was not introduced at trial. *See* Ex. 2, Depo. of G. Hearn pp. 27-28.

In another section of her opinion, Justice Hearn strongly criticizes Bishop Lawrence by arguing that Lawrence joined an effort to lead his prior diocese, San Joaquin, out of TEC. *See*

fn. 23. The record on appeal and trial transcript are devoid of such information. The published opinions on the San Joaquin case never mention Lawrence at all. In his deposition, which was not part of the record, Lawrence testified that he left San Joaquin before taking any position on their disassociation. *See* Ex. 26, Depo. of Mark Lawrence pp. 177-79, 183-84.

Further, Justice Hearn states in fn. 14 "although there can be no question that the individual parishes have been affiliated with the National Church for decades, the trial court found in its order that '[n]one of the Plaintiff parish churches have ever been members of [the National Church].'" The record is clear that the trial court was right. The clerk of the Supreme Court specifically asked for Requests to Admit to be supplemented in the record. On October 8, 2013, TEC admitted "[p]arish churches are not members of The Episcopal Church." *See* Ex. 27, Requests for Admission dated October 8, 2013. This same admission appeared in the Record on Appeal already at R. pp. 81 & 630. This finding in Justice Hearn's opinion exists despite the clear admission from the party itself.

Justice Hearn states that the Diocese did not disassociate because its amendment of its corporate documents was trumped because "the National Church has promulgated its own set of rules concerning corporate governance, including changes to the bylaws." Op. at 14. However, TEC has no governance provisions in its constitution (R.1532) and canons (R.1703) which speak at all to the ability of a Diocese to amend its governance documents or that require the Diocese to secure approval for such amendments from anybody. There is no reference at all to a Diocese's Constitution and Canons or to its articles of incorporation or bylaws. In fact, it was undisputed that interference ("regulation or control") with a Diocese's internal policy or affairs was forbidden to TEC's provincial synods. R.783-84. There was no provision here like that in *Serbian E. Orthodox Diocese for U. S. of Am. & Canada v. Milivojevich,* 426 U.S. 696 (1976),

where a Diocese submitted its governance documents, either originally or when amended, to any other body for approval. 426 U.S. at 715, n. 9.

Justice Hearn As A Party

Under the laws of South Carolina, Justice Hearn is considered a party to this action and should not hear this case. The positions taken by the Defendants in the litigation are clear. TECSC stated in responses to Interrogatories "that members of [TECSC] are persons." *See* Exs. 28 and 29, Response to St. Philip's Interrogatories Nos. 5 and 6, and Response to Request for Admission No. 3. St. Anne's in Conway was an unincorporated association until at least April 1, 2013. Justice Hearn was a member of St. Anne's at least by the beginning of 2013. *See* Ex. 2, Depo. of G. Hearn p. 18.

Members of unincorporated associations are responsible for judgments against the association. *See* S.C. Code Ann. §15-35-170. Thus, under the position taken by TECSC, Justice Hearn could be personally liable for any judgment entered against TECSC, at least until April 1, 2013, at a minimum, when St. Anne's incorporated. When this lawsuit was filed, either Justice Hearn was a member of TECSC under its interpretation of membership, or Justice Hearn was a member of the unincorporated association St. Anne's, which was itself a member of another unincorporated association, The Episcopal Church in South Carolina.

TEC takes the position that individual parishes are not members of TEC. *See* Ex. 27, Response to Church of Our Savior, et al. Request for Admission No. 2. Individuals are members of TEC.[1] TEC cannot bring diversity actions in federal court because its citizenship is that of its

[1] In its November 2013 answer to the Diocese's First Interrogatories, question 5, "who do you contend are members of the unincorporated association known as The Episcopal Church and on what documents do you base your response?", TEC's answer is "See Church Canon I.17(1)(a)." That canon provides that baptized individuals are members. R. 1576.

individual members. *Brown v. Protestant Episcopal Church in the United States of America*, 8 F.2d 149 (1925). Justice Hearn is a member of TEC, and she is a member of the unincorporated association, TECSC.

In addition, Justice Hearn was previously a member of Plaintiff St. Paul's Conway until late 2012 or early 2013. *See* Exs. 2 and 1, Depo. of G. Hearn p. 18 & Jeffords Affidavit. Thus, when St. Paul's Conway joined the lawsuit on January 22, 2013 as a plaintiff, Justice Hearn was either still a member of a Plaintiff parish, or had only just withdrawn her membership within weeks over the issues involved in the lawsuit.

TEC and TECSC, the two Defendants, are unincorporated associations. Members of an unincorporated association are parties to the action involving the unincorporated association. *Elliott v. Greer Presbyterian Church*, 181 S.C. 84; 186 S.E. 651 (1936); *accord, Crocker v. Barr*, 305 S.C. 406, 409, 409 S.E.2d 368, 370 (1991). Once the association is before the court, the rights of its members will be determined in the state court action. *Graham v. Lloyd's of London*, 296 S.C. 249, 371 S.E.2d 801 (1988). Neither TEC nor TECSC are legal entities "separate from the persons who compose [them]." *Graham*, 296 S.C. at 255, 371 S.E.2d at 804; *Medlin v Ebenezer Methodist Church*, 132 S.C. 498, 129 S.E. 830 (1925). Judgment in a state court action is entered against members of an unincorporated association *individually*. *Crocker*, 305 S.C. at 409, 409 S.E.2d at 370; *Elliott*, 181 S.C. 84, 186 S.E. 651.

Expert Opinions[2]

Lawrence J. Fox and Nathan Crystal have been attorneys, teachers, authors, and experts in legal ethics and professional responsibility for most of their professional lives. This has included leadership positions in the professional ethics bodies of the American Bar Association

[2] *See* Affidavits of Lawrence J. Fox and Nathan Crystal, attached as Exs. 30 and 31.

and the South Carolina Bar. They have reviewed the material submitted to this Court and have concluded:

Justice Hearn is disqualified from participation in this case because Justice Hearn's impartiality might reasonably be questioned, because Justice Hearn is biased in favor of the defendants and because Justice Hearn has personal knowledge of disputed evidentiary facts.

Justice Hearn and her husband have an economic interest and more than a "de minimus" interest in this case that is substantially affected by the proceeding.

Justice Hearn failed to attempt to comply with the remittal provision of the Judicial Ethics Canon.

Justice Hearn's participation, applying an objective bias standard, violates the due process rights of the Plaintiffs under the United States Constitution.

Justice Hearn's disqualification is not waived because she did not follow the procedure for waiver of disqualification, her participation was a structural error in the proceedings which is not subject to waiver and in any event, the waiver provisions do not apply where there is personal bias or prejudice.

II. The Basis of Justice Hearn's Duties To Disclose and Recuse and to Refrain from Participation in any Rehearing Petition.

The due process clauses of the United States and South Carolina Constitutions, as well as the Judicial Canons and law of South Carolina, required that Justice Hearn make disclosures and disqualify herself from participation in this matter. Because she did neither, and instead participated by writing an opinion favoring the Appellants, her opinion should be stricken and vacated. These same precepts preclude Justice Hearn from participating in the Rehearing Petition in this matter.

A. Constitutional and Structural Bars to Justice Hearn's Participation.

As stated by the United States Supreme Court, "[u]nder our precedents there are objective standards that require recusal when "the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable." *Caperton v. A.T. Massey Coal Co.,* 566 U.S. 868 (2009) (citing *Withrow v. Larkin,* 421 U.S. 35, 47, 95 S. Ct. 1456, 43 L. Ed. 2d 712 (1975)). In *Caperton,* the Supreme Court held that the Fourteenth Amendment was violated when one of the majority justices of the West Virginia Supreme Court refused to recuse himself due to receiving large campaign contributions from, and through the efforts of, the corporation's principal. The Supreme Court held that actual bias and prejudice need not be shown in order to establish a constitutional deprivation of due process. Objective standards may require recusal whether or not actual bias on the part of a judge exists or can be proved. The failure to consider objective standards requiring recusal is not consistent with the imperatives of due process, the *Caperton* Court held.

The *Caperton* Court held that the true constitutional test was not actual prejudice or actual bias, but the question is whether, "under a realistic appraisal of psychological tendencies and human weakness," the interest "poses such a risk of actual bias or prejudgment that the practice must be forbidden if the [***1214] guarantee of due process is to be adequately implemented." *Id.*, citing *Withrow*, 421 U.S., at 47, 95 S. Ct. 1456, 43 L. Ed. 2d 712. It is respectfully submitted that the "Facts" section above show this objective constitutional test precludes Justice Hearn from rendering a decision in this matter.

In addition to this objective constitutional test, the United States Supreme Court has held that "an unconstitutional potential for bias exists when the same person serves as both accuser and adjudicator in a case." *Williams v. Pennsylvania,* 136 S. Ct. 1899, 1905 (2016), (citing *In re*

Murchison, 349 U.S. 133, 136-37 (1955).) "This objective risk of bias is reflected in the due process maxim that 'no man can be a judge in his own case and no man is permitted to try cases where he has an interest in the outcome.'" *Id* at 1906. This scenario is also present here and represents an additional structural and insurmountable due process problem. *See supra*, "Facts," relating to Justice Hearn actually being a party to this very action and affidavits of Fox and Crystal, that Justice Hearn has a personal interest in the outcome.

Similarly, under the *Caperton* test, the conflicts of Justice Hearn's spouse must be imputed to the Justice herself for federal due process purposes. As explained above, George Hearn was a critical player in the underlying events of this case, and he was even a witness in this case for he provided deposition testimony in support of one of the parties. Indeed, it appears that the federal recusal statute and the recusal requirements of almost every state—including South Carolina, *see infra*—require recusal whenever a judge's spouse has more than a de minimis interest in a case or is likely to be a material witness in the case. *See Adair v. State, Dep't of Educ.*, 474 Mich. 1027, 1033–34 (2006). Due process requires no less.

As a result of the *Caperton* test of an "unacceptable risk of actual bias" being met, in addition to Justice Hearn effectively ruling in favor of her interests in her own case as prohibited by *In re Murchison*, Justice Hearn was and is under a mandatory duty to disqualify herself from participation in this matter. As a result, her opinion in this case should be vacated.

In *Williams v. Pennsylvania*, 136 S. Ct. 1899 (2016), the issue presented was whether the justice's denial of a recusal motion and his subsequent participation in the proceedings violated the due process clause of the 14th Amendment. The facts of the *Williams* case span almost 30 years. It began when Williams, and a friend, Draper, were arrested and charged with murder. At the time of the arrest, Ronald Castille was the district attorney. The prosecutor in the District

Attorney's office wanted to seek the death penalty against Williams. To do so, he had to get the approval of the DA, Castille. Castille signed the prosecutor's memorandum, stating "approved to proceed on the death penalty." Williams was subsequently convicted and sentenced to death. For the next 26 years, the conviction and sentence were upheld on appeal, state post-conviction review, and federal habeas review.

In 2012, Williams' attorneys discovered that the prosecutor procured false testimony from Draper, suppressed evidence regarding Williams' relationship with the victim, and failed to disclose a benefit that Draper received for the testimony against Williams. He then filed a petition for Post-Conviction Relief pursuant to Pennsylvania statute. The court of common pleas ordered the District Attorney's office to produce "previously undisclosed files of the prosecutor and police." In those files was the sentencing memorandum with Castille's approval for the prosecutor to seek the death penalty. The court of common pleas, in light of the evidence of false testimony, suppression of evidence, and the prosecution's failure to disclose a benefit provided to a witness against Williams, stayed the execution and ordered a new sentencing hearing. The Commonwealth then submitted an emergency application to the Pennsylvania Supreme Court to vacate the stay of the execution. At the time the emergency petition was filed with the Supreme Court, Castille was serving as Chief Justice. Williams filed a response to the Commonwealth's petition as well as a Motion for Recusal. Chief Justice Castille denied the motion for recusal and the State Supreme Court vacated the court of common pleas' order. Chief Justice Castille joined the majority opinion, which reinstated the death sentence, and also authored a concurrence.

Williams petitioned for certiorari to the United States Supreme Court, which was granted. Before the United States Supreme Court, Williams argued that Castille's decision as the District Attorney to seek the death penalty barred him from acting as Chief Justice and deciding the

petition to overturn his sentence because he was, in essence, acting as both the accuser and the judge in the case. The Supreme Court agreed, holding that under the Due Process Clause, there is an impermissible risk of actual bias when a judge earlier had significant, personal involvement as a prosecutor in a critical decision regarding the defendant's case (*Id.* at 1905). The Court held: "Chief Justice Castille's significant, personal involvement in a critical decision in Williams's case gave rise to an unacceptable risk of actual bias." (*Id.* at 1908.).

The question then became, "whether Williams is entitled to relief." (*Id.* at 1909.) The Court observed: "In past cases, the Court has not had to decide the question whether a due process violation arising from a jurist's failure to recuse amounts to harmless error if the jurist is on a multimember court and the jurist's vote was not decisive." (*Id.* (emphasis added).) The Court went on to hold that "[A]n unconstitutional failure to recuse constitutes structural error even if the judge in question did not cast a deciding vote." *Id.* (emphasis added). The Court remarked that "[t]he deliberations of an appellate panel, as a general rule, are confidential. As a result, it is neither possible nor productive to inquire whether the jurist in question might have influenced the views of his or her colleagues during the decision making process." *Id.* Thus, it "does not matter whether the disqualified judge's vote was necessary to the disposition of the case." *Id.* The result was a vacating of the opinion, and a rehearing awarded.

Here, Justice Hearn did cast the deciding vote as to most of the parishes. Because of this, the Movants request the following relief: 1) that her opinion be vacated; and 2) that she not be permitted to participate with regard to the Petition for Rehearing.

B. Judicial Canons Bar Justice Hearn's Participation in the Matter and Require that Justice Hearn's Opinion be Vacated.

Judicial Canon 3E(1)(a) specifically provides that the judge "*shall* disqualify himself or herself" when "(a) the judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of disputed evidentiary facts concerning the proceeding." The word "shall" is mandatory, and as is set forth above in the "Facts" section of this Motion, Justice Hearn meets this standard.

Similarly, the South Carolina canons, like federal due process law, impute the conflicts of Justice Hearn's husband to Justice Hearn herself. Canon 3E(1)(d) provides that a judge "shall" disqualify herself where "the judge's spouse," *inter alia*, "is a party to the proceeding, or an officer, director or trustee of a party," "is known by the judge to have a more than de minimis interest that could be substantially affected by the proceeding," or "is to the judge's knowledge likely to be a material witness in the proceeding." Here, George Hearn *was in fact a material witness* in the case. And he undoubtedly has more than a de minimis interest in the case, given his role in the underlying dispute, his leadership position within St. Anne's, and the fact that St. Anne's could receive the right to possession or use of the property formerly owned by St. Paul's. Thus under Canon 3E(1)(d), Justice Hearn must be recused.

Judicial Canon 3F, Remittal of Disqualification, provides that if a judge is disqualified under the terms of 3E, he "*may* disclose on the record the basis of [his] disqualification and may ask the parties and their lawyers to consider, out of the presence of the judge, whether to waive disqualification. If following disclosure of any basis for disqualification *other than personal bias or prejudice concerning a party*, the parties and lawyers, without participation by the judge, all agree that the judge should not be disqualified, and the judge is then willing to participate, the

judge may participate in the proceeding. The agreement shall be incorporated in the record of the proceeding." As can be seen by the emphasized language from the Canon, the only bases of disqualification that cannot be waived under this Judicial Canon paragraph are "personal bias" and "prejudice concerning a party." Put simply, disqualification of Justice Hearn under the Canons is mandatory, and cannot be waived. Both Nathan Crystal and Lawrence Fox have concluded that Justice Hearn is personally biased.

Further, even if the facts were different and Justice Hearn believed her impartiality could not reasonably be questioned, the Canon commentary under Canon 3E goes on to state that the judge "*should* disclose on the record the information that the judge believes the parties or their lawyers might consider relevant to the question of disqualification, even if the judge believes there is no real basis for disqualification." Here, Justice Hearn made no disclosures, although it is beyond argument that she knew or should have known of various considerations which should have been publicly disclosed by her. Thus, there can be no waiver of other disqualification grounds within the Canons, *viz*, Canons 3E1c, and 3E1d(i), (iii), all of which are supported by the "Facts" section of this motion, *supra*.

Lastly, "[w]hen a judge fails to disclose information to the parties that the judge knew or should have known, this failure to disclose could provide the basis for a motion to disqualify." *See* Leslie W. Abramson, *Appearance of Impropriety Deciding When a Judge's Impartiality Might Reasonably be Questioned,"* 14 Geo. J. Legal Ethics 55, 69 (2000). Hence, according to the Canons, Justice Hearn must be disqualified and her opinion vacated.

C. South Carolina Supreme Court Precedent Also Supports Disqualification.

This Court in *In re Underwood*, 417 S.C. 433, 790 S.E.2d 761 (2016) noted the mandatory nature of both the disclosure and disqualification duties of Judges under the Canons. There, the Judge in mitigation offered that she felt the issues concerning her duties were waived when no one raised any complaints to her about her handling of the matter. This Court noted:

> Respondent asserts she thought that she was complying with the remittal requirements by announcing her conflict before court and proceeding when no objections were voiced. She now recognizes that remittal requires that the disclosure be made on the record to each defendant, that each defendant be given time to consider the matter with counsel, and that the defendant's decision on the matter be placed on the record. Respondent also incorrectly believed that when defendants requested she take their plea and/or knew her connection with the Sheriff's Department that the conflict was waived and she could take the plea. Respondent now recognizes that in these situations she was required to comply with the requirements of Section 3F of Canon 3.

Id.[3] Hence, this Court correctly strictly applied the Canons there and should likewise do so here.

Further, in *Davis v. Parkview Apartments,* 409 S.C. 266, 762 S.E.2d 535 (2014) this Court addressed a motion to disqualify a judge. There, the alleged "prejudice" of the judge was due to certain social relationships he had with the attorneys and attorneys' families. This Court found that "[n]one of the disqualification situations outlined in Canon 3E were present here." Given that only the social relationships were at issue, "under the Rules the circuit judge was not required to disclose any of these relationships with counsel, nor recuse himself." By negative implication, since in this case the facts and relationships are very different, the opposite conclusion is required.

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[3] The Canons were adopted in 1991. Older authority opining that personal bias can be waived is thus inapposite. *See, e.g, Butler v. Sea Pines Plantation*, 282 S.C. 113, 317 S.E.2d 464 (Ct. App. 1984)(bias and prejudiced deemed waived).

Lastly, this Court has not hesitated to reverse and remand for a new trial where there is an allegation of bias made to this Court and this Court finds that the Record does not support the factual findings of a judge. *See Ellis v. Proctor & Gamble*, 315 S.C. 283, 433 S.E.2d 856 (1993) (findings of master not supported by record, judge alleged to be biased, trial reversed). As shown above in the "Facts" section of this motion, Justice Hearn recited as "fact" some events that nowhere appear in the Record on Appeal or in the trial transcript. Hence, Justice Hearn must be disqualified and her opinion vacated.

III. Timeliness Concerns Cannot Bar this Recusal Motion.

Timeliness concerns cannot bar consideration of this recusal motion. The plain text of the Canons makes clear that disqualification *cannot be waived* for reasons of personal bias and prejudice concerning a party. In light of the active participation of Justice Hearn and her husband in the facts giving rise to this case – including Justice Hearn's participation in an Episcopal Church institution that has pushed for sanctions against Bishop Lawrence, and her husband's leadership of St. Anne's – Justice Hearn has both actual and apparent bias, and this conflict cannot be waived.

This Court's decision in *Davis*, 409 S.C. at 289, does not require a different result. To be sure, *Davis*, citing *Duplan Corp. v. Deering Milliken, Inc.*, 400 F. Supp. 497 (D.S.C. 1975), notes in *dicta* that the "timeliness of the motion [to disqualify] is questionable." *Davis*, 409 S.C. at 289. Of course, federal courts, ***unlike*** South Carolina state courts, have statutes that guide them on issues of timeliness. In fact in *Duplan*, the district court noted this, stating: "This court is of the opinion that Canon 3C is intended to be utilized by every judge at the outset of every case as a checklist to assist him in determining whether he should at that point disqualify himself from any participation in the proceedings." Once the judge becomes active in the proceeding, he "has

the benefit of statutory guidance as to when and under what conditions he should disqualify himself." The district court went on to state that "once a federal judge has commenced his deliberations in a particular action, any challenge to his continued consideration of that matter, based on grounds for which Congress has provided a remedy, must employ those remedies and not the Code of Judicial Conduct". *Duplan* 400 S. Supp. at 505(emphasis added.) 28 U.S.C. §§ 144 and 455 govern recusal in federal court after the judge takes the case. One of these statutes, Section 144, has an explicit timeliness requirement, and the other, Section 455, is the one for which many courts imply a timeliness requirement.

Hence, the *Davis* Court should not have been guided by federal cases that have a statutory overlay leading them to certain decisions regarding timeliness. Regardless, the reason that the timeliness was deemed questionable by the *Davis* Court is that the party there moved for recusal on the basis of impartiality nearly two years after the judge disclosed the bulk of the relationship involved. Here, Justice Hearn never made any disclosures. Further, the Plaintiffs had a good faith basis to believe she would ultimately adhere to her obligations and not rule in the case. In any event, the structural constitutional problems in this matter cannot be waived or dismissed via timeliness on due process of law grounds. The vacatur must occur in this particular case, regardless, because of the compelling constitutional grounds[4].

Even if the Court were to conclude that this motion is untimely with respect to whether it should *vacate* Justice Hearn's prior opinion in this case, timeliness concerns undoubtedly cannot bar Movants' request for Justice Hearn's *prospective recusal.* In other words, timeliness concerns cannot justify Justice Hearn's continued participation in this case notwithstanding her

[4] *See In re Chavez*, 130 S.W.3d 107 (Tex. Ct. App. 2003)(motions to disqualify based on bias and prejudice not subject to timeliness due to Texas constitutional concerns.

bias and conflict of interest. The United States Court of Appeals for the Third Circuit, for example, has recognized this point in two separate cases involving the federal recusal statute, holding that when a motion for recusal is "presented to the [judge] prior to a proceeding over which the judge would preside," the motion cannot be denied for lack of timeliness, lest a judge who has an actual or apparent bias be allowed to continue to preside over the case. *United States v Furst*, F.2d 588, 581 (3d Cir. 1989). The *Furst* Court explained that "authorities dealing with situations in which recusals were sought to upset what had already been done" are inapposite when a party seeks prospective recusal. *Id.*

Similarly, in *In re Kensington Int'l*, 368 F.3d 289 (3d Cir. 2004), the Court required the district court to recuse itself prospectively even though a party had moved for recusal 22 months after learning about the grounds for recusal. *Id.* at 316-17. The *Kensington* Court emphasized that the federal recusal statute requires a weighing of the "competing institutional interest in avoiding the appearance of impropriety, on the one hand, and avoiding the abuse of [recusal] procedure, on the other." *Id.* Here, just as in *Kensington*, because "the seriousness of the grounds for recusal that exist on this record far outweighs any significance" of the timeliness of the recusal motion, this Court cannot "have the issue of timeliness trump what [it] ha[s] concluded are the principles of [the federal recusal statute]." *Id.* at 317. Put simply, the judicial system cannot tolerate a judge with an actual or apparent bias to continue to sit on proceedings after a recusal motion is brought. *See Also Bradley v. Milliken*, 426 F. Supp. 929, 931 (E.D. Mich. 1977) (holding that plaintiffs' motion "is untimely" but nonetheless addressing the merits because "[w]ere plaintiffs' assertions grounds for recusal, we could not sit on this case regardless of any implied waiver or the untimeliness of the motion").

IV. This Motion Should Be Decided by the Full Court, Not by Justice Hearn Alone.

While it is not unusual for a motion for disqualification to be heard by the judge to whom the motion is directed, this should not be the case here. As noted by the Supreme Court in *Williams, supra,* citing *In re Murchison*, 349 U.S. 133, 136-37 (1955), the Courts must adhere to the due process maxim that 'no man can be a judge in his own case and no man is permitted to try cases where he has an interest in the outcome.'" *Id* at 1906. Here, as noted above, Justice Hearn participated and wrote an opinion directly affecting her favorably as a party and her interests within the meaning of the Canon. As a matter of due process, she cannot continue in such a role by deciding whether she will disqualify herself and nullify her opinion (just as she cannot participate in any future rehearing in this matter). It would thus be a denial of Movant's due process if Justice Hearn is permitted to decide her own disqualification motion alone.

V. Conclusion and Arguments As to Relief Requested.

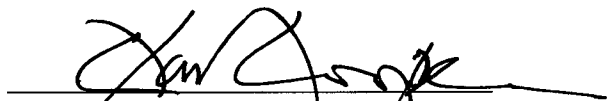
Based on the foregoing, and on the affidavits attached hereto, Movants request that the full Court grant this Motion, and vacate the opinion of Justice Hearn. Movants further request that Justice Hearn not be permitted to participate in the Petition for Rehearing in this case. Should Rehearing without Justice Hearn be deadlocked at 2-2, the Movants further move that the Chief Justice appoint a fifth participant jurist to break the tie. The due process violation would continue if her disqualification from participation in Rehearing simply affirmed the decision in which she participated that caused a violation of due process in the first instance. Failing the above requested relief, Movants who improperly lost their property rights[5] move to vacate all

[5] The Movant Diocese (with the exception of Camp Christopher) and 8 parishes prevailed as to their property.

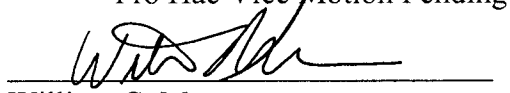
opinions in this matter, and order rehearing and a new oral argument with a newly constituted Court.[6]

Signature Page(s) Attached

[6] Due to the retirement of former Chief Justices Pleicones and Toal, it is not anticipated that either would ordinarily participate in the rehearing. There are many past examples where rehearing was considered by different justices that those who first heard the case. *See, e.g., Hopkins v. S.C. Dep't of Soc. Servs.*, 313 S.C. 322, 327, 437 S.E.2d 542, 545 (1993); *SCANA Corp v S.C. Dep't of Revenue*, 384 S.C. 388, 389, 683 S.E.2d 468, 468 (2009).



Charles J. Cooper
-Pro Hac Vice Motion Pending



William C. Marra
-Pro Hac Vice Motion Pending
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. Alan Runyan



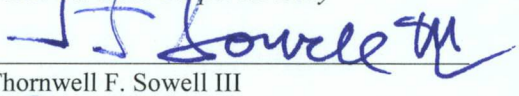
Andrew S. Platte
for *the Diocese and Parishes as Reflected of Record*



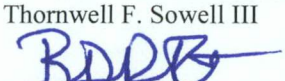
C. Mitchell Brown



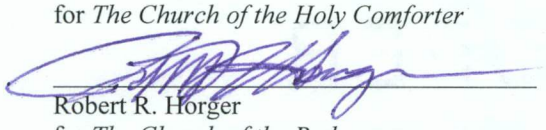
David S. Cox
for *The Protestant Episcopal Church in the Diocese of South Carolina and the Trustees of The Protestant Episcopal Church in South Carolina, a South Carolina Corporate Body*



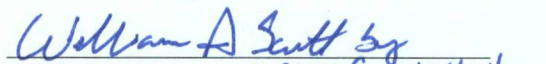
Thornwell F. Sowell III



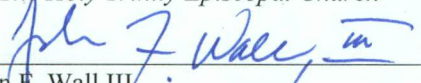
Bess J. Durant
for *The Church of the Holy Comforter*



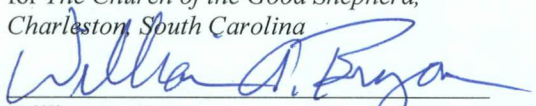
Robert R. Horger
for *The Church of the Redeemer*



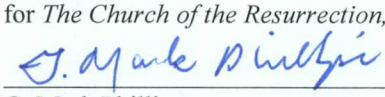
William A. Scott C.P. Brandt Campbell w/ permission
for *The Holy Trinity Episcopal Church*



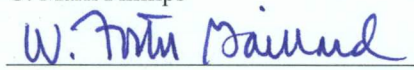
John F. Wall III
for *The Church of the Good Shepherd, Charleston, South Carolina*



William A. Bryan
for *The Church of the Resurrection, Surfside*



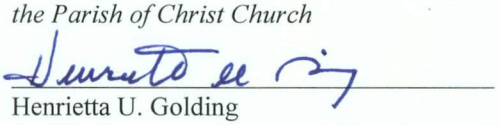
G. Mark Phillips



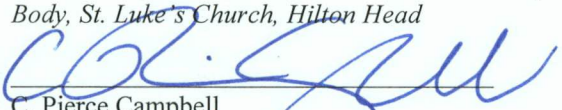
W. Foster Gaillard
for *The Protestant Episcopal Church of the Parish of Saint Philip, in Charleston, South Carolina*



Allan P. Sloan III
Joseph C. Wilson IV
for *Vestry and Church-Wardens of the Episcopal Church of the Parish of Christ Church*



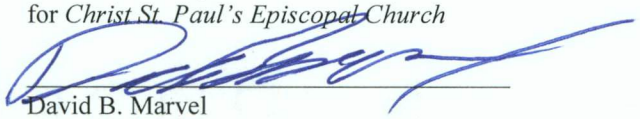
Henrietta U. Golding
for *The Protestant Episcopal Church in the Diocese of South Carolina and the Trustees of The Protestant Episcopal Church in South Carolina, a South Carolina Corporate Body, St. Luke's Church, Hilton Head*



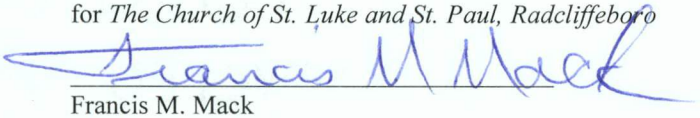
C. Pierce Campbell
for *All Saints Protestant Episcopal Church Inc., St. Bartholomews Episcopal Church and The Church of the Holy Cross*



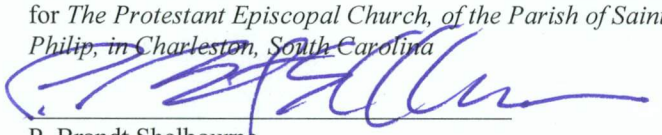
I. Keith McCarty
for *Christ St. Paul's Episcopal Church*



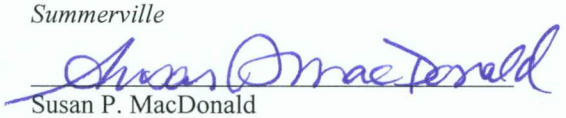
David B. Marvel
for *The Church of St. Luke and St. Paul, Radcliffeboro*



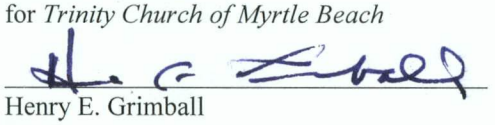
Francis M. Mack
for *The Protestant Episcopal Church, of the Parish of Saint Philip, in Charleston, South Carolina*



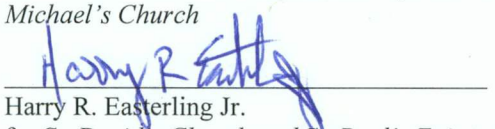
P. Brandt Shelbourne
for *The Vestry and Wardens of St. Paul's Church, Summerville*



Susan P. MacDonald
James K. Lehman
for *Trinity Church of Myrtle Beach*



Henry E. Grimball
for *The Protestant Episcopal Church, The Parish of Saint Michael in Charleston, in the State of South Carolina and St. Michael's Church*



Harry R. Easterling Jr.
for *St. David's Church and St. Paul's Episcopal Church of Bennettsville, Inc.*

Mark V. Evans
for *St. James Church, James Island, South Carolina*

Charles H. Williams

Thomas Davis
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*

John B. Williams, by J. Mark Phillips, with permission and direction
John B. Williams
for *Trinity Episcopal Church of Pinopolis*

EXHIBIT 1

(Affidavit of Julian "Tripp" Jeffords)

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
Appellate Case No. 2015-000622

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.

AFFIDAVIT OF JULIAN "TRIPP" JEFFORDS

Personally appeared before me, Julian "Tripp" Jeffords, who being duly sworn, deposes and says:

1. I am an ordained priest serving as the Rector of St. Paul's Summerville, South Carolina since August, 2015.
2. Before coming to St. Paul's, Summerville, I was the Rector for almost 18 years at St. Paul's, Conway.
3. Both St. Paul's Conway and St. Paul's Summerville are plaintiffs in this lawsuit.

4. I came to St. Paul's Conway in 1998 as the result of a call from its search committee one of whose members was Rebecca Lovelace
5. I have known George and Kaye Hearn since 1998. They lived in the house across the street from mine on Sweetbriar Lane in Conway, SC from 2006 until I was called to St. Paul's Summerville in August 2015.
6. George and Kaye Hearn were members of St. Paul's Conway when I became its rector and were part of its core lay leadership for many years.
7. In January 2010, at Kaye Hearn's request, I prayed at her investiture as an Associate Justice of the South Carolina Supreme Court.
8. Between 1998 and late 2012, I regularly saw Kaye and George Hearn at St. Paul's Conway. During the later years of my time at St. Paul's Conway, tensions increased between The Episcopal Church and St. Paul's, myself and the Diocese because of various issues. During these years, members of St. Paul's Conway became publically divided because of these differences. A group of approximately 30-40 people aligned themselves with The Episcopal Church's views and against those of the Diocese and St. Paul's majority. This group later came to be known as the "St. Anne's" group because the members of this group all left to form St. Anne's Episcopal Church when the Diocese voted to disaffiliate from The Episcopal Church. George and Kaye Hearn were members of this group. Those who spoke most often for the group included Richard and Rebecca Lovelace, who I have seen many times socially in the presence of George and Kaye Hearn. The Hearns often conversed with members of the St. Anne's group, including the Lovelaces, privately during public congregational meetings.

9. On several occasions during the latter part of my ministry at St. Paul's, as the tension grew because of the disagreements between The Episcopal Church and the Diocese, I had the opportunity to observe Kaye Hearn speak, both individually and as part of the St. Anne's group express her views: on issues of parish governance, employee decisions and the growing tension:

   - On one occasion, at an annual parish meeting, there was an effort made to elect a member proposed by the "St. Anne's group" to St. Paul's Vestry. Because the tensions between the St. Anne's group and the rest of the parish were high, I had decided that a member of the St. Anne's group should be on the nominating committee for the vestry election. Rebecca Lovelace was that member. George Hearn was first put forward by Rebecca Lovelace as a candidate but he did not meet the qualifications. Another person was proposed by Rebecca Lovelace who was eligible and he became a candidate. At the subsequently called congregational meeting to elect vestry members, there was a dispute over whether proxy voting would be allowed, which I opposed. Members of the St. Anne's group vigorously supported proxy voting. This group was seated separately, Kaye Hearn among them. Kaye Hearn stood up, and threw a book on the table that looked like a law book and stated, "We have the rule of law" in opposition to my understanding of whether proxy voting was allowed.
   - On another occasion, I terminated a youth minister. At a called public parish meeting, Kaye Hearn stood up and angrily asked "Why wasn't I consulted before the decision was made?"

- On many occasions, members of the St. Anne's group expressed dissatisfaction with Bishop Lawrence and with the direction which they believed Bishop Lawrence was leading the Diocese.
- On another occasion, before the Diocese had voted to disassociate from the Episcopal Church, but when tensions were high, Kaye Hearn asked a fellow lay person, who eventually became the associate rector for St. Paul's, in a public meeting and in my presence, "you grew up in The Episcopal Church, what do you think about all of this?".
- In late 2012, St. Paul's gave notice of a meeting for January, 2013 at which I announced that the Diocese of South Carolina had disassociated from The Episcopal Church and The Vestry had voted unanimously to affirm the Dioceses' withdrawal. George and Kaye Hearn were at this meeting and were seated with the St. Anne's group. After that meeting, the St. Anne's group, including Kaye and George Hearn, no longer attended St. Paul's, Conway.

FURTHER AFFIANT SAYETH NOT.

Julian J. Jeffords III

JULIAN "TRIPP" JEFFORDS

Sworn to before me this 17th
day of August, 2017

Notary Public for the State of SC
My Commission expires: 2-10-2019

EXHIBIT 2
(George Hearn Deposition)

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) FIRST JUDICIAL CIRCUIT
COUNTY OF DORCHESTER) CASE NO.: 2013-CP-18-00013

THE DEPOSITION OF GEORGE M. HEARN, JR.

Friday, April 11, 2014
10:06 a.m. -- 11:33 a.m.

COPY

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Of 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 St. Jude's Church Of Walterboro; The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of Prince George Winyah; The Vestry And Church Wardens Of The Episcopal Church Of The Parish Of St. Helena and The Parish Church Of St. Helena Trust; The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. Matthew; The Vestry and Wardens Of St. Paul's Church, Summerville; Trinity Church Of Myrtle Beach; Trinity Episcopal Church; Trinity Episcopal Church, Pinopolis; Vestry And Church-Wardens Of the Episcopal Church Of The Parish Of Christ Church; Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. John's, Charleston County; and The Vestries and Churchwardens of the Parish of St. Andrew,

Plaintiffs,

-versus-

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

Defendants.

STIPULATIONS

The deposition of GEORGE M. HEARN, JR., taken on behalf of the Plaintiff, Saint Luke's Church, Hilton Head, at the office of McNair Law Firm, P.A., located at 2411 N. Oak Street, Suite 301, Myrtle Beach, South Carolina, on Friday, April 11, 2014.

The deposition will be taken before Donna H. Martin, CVR, a Notary Public and Certified Court Reporter in and for the State of South Carolina.

It is stipulated and agreed that this deposition is being taken for the purpose of discovery, for possible use during the trial, and for all other purposes permitted under the South Carolina Rules of Civil Procedure.

It is stipulated and agreed that all objections, except as to the form of the question, will be reserved until the time of the trial.

It is stipulated and agreed between counsel and the above witness that the reading and signing of the above deposition be, and the same, are hereby reserved.

MS. GOLDING: FOR YOU FOLKS ON THE TELEPHONE, BY MY WATCH IT'S 10:07. AND IN ATTENDANCE AT THIS TIME, AND HERE BY 10:00, WAS THE WITNESS, GEORGE HEARN, SUSAN MACDONALD, ALAN RUNYAN AND MYSELF, AND ON THE TELEPHONE, ROBERT SHELTON, FRANK MACK AND ANDREW PLATTE. I HAVE NOT RECEIVED ANY WORD FROM ANY ATTORNEYS ON BEHALF OF THE DEFENDANTS AS TO WHETHER OR NOT THEY WOULD BE ATTENDING. SO I'M GOING TO PROCEED FORWARD AT THIS TIME.

JUST FOR THE RECORD, I WANT TO PUT IN PLAINTIFF'S EXHIBIT NUMBER 13 AND 14. GEORGE, THOSE ARE NOT IN YOUR PACKET. I JUST DECIDED TO INTRODUCE THOSE. THAT IS THE DEPOSITION

NOTICE AND THE SUBPOENA, WHICH WAS SERVED ON YOU.

MR. HEARN: OKAY.

MS GOLDING: BUT I'LL LET THE COURT REPORTER FIRST PUT YOU UNDER OATH.

GEORGE M. HEARN, JR., HAVING BEEN DULY SWORN, WAS DEPOSED AS FOLLOWS:

EXAMINATION

BY MS. GOLDING:

Q: For the record, please state your full name?

A: George M., or George Marshall Hearn, Jr.

Q: Mr. Hearn, even though I have known you for a long time, I'm going to treat this deposition as if I would a normal deposition and ask extensive questions, not extensive questions, excuse me, questions as to your background, simply because I anticipate that this case may possibly go to the United States Supreme Court. Whether or not it ever will, I don't know, but I do want to follow the formalities.

A: Certainly.

Q: You have in front of you, Mr. Hearn, Exhibits 13 and 14.

A: I do now.

Q: Exhibit Number 13 is the Notice of Deposition; is that correct?
A: That is correct.

PLAINTIFF'S EXHIBIT NUMBER 13
IDENTIFIED FOR THE RECORD

Q: And was the Notice of Deposition served upon you?
A: It was delivered to my office together with the appropriate check.
Q: And Exhibit Number 14 is the Subpoena for your attendance; is that correct?
A: It is.

PLAINTIFF'S EXHIBIT NUMBER 14
IDENTIFIED FOR THE RECORD

Q: Was that also served upon you with the Deposition Notice?
A: Yes.
Q: Very good. Please provide me your current address?
A: 1100 Oak Street, Conway, 29526.
Q: How long have you lived at that address?
A: 23 years.
Q: How old are you?
A: I am 62.
Q: Mr. Hearn, this is a deposition, as you're well aware, and you've just been put under oath, and

you were put under oath for the purpose of you to speak the truth, which I'm confident you will. But in order to speak the truth you must understand the questions I am asking you. During the course of this deposition if I ask you a question that you do not understand or does not make sense, I would ask that you please stop me and let me know. Will you do that?

A: Yes.

Q: Therefore, I assume that if you answer a question, that you, then, by answering the question, you have understood the question. Is that a fair statement?

A: I would think so.

Q: Very good. Also, I do not anticipate this deposition to last more than an hour and a half, if that; but if during the course of this deposition you want to take a break, certainly you have a right to take a break. All I ask is that if there is an open question, you complete answering the question and then we take a break. Will you agree to that?

A: Yes.

Q: Thank you. With respect to your current residence, how long have you lived in that area?

A: 23 years, in that home. I've lived in Conway since 1979.
Q: What year did you graduate from college?
A: 1974.
Q: Did you go to law school?
A: Yes.
Q: What law school?
A: University of South Carolina.
Q: What year did you graduate?
A: 1977, along with some distinguished colleagues.
Q: With respect to your current legal association, are you associated with a law firm?
A: Yes, Hearn and Hearn, it's a professional association.
Q: How long have you been practicing law in South Carolina?
A: I have been practicing since 1979 in private practice. I passed the bar in 1977 and did a two-year clerkship.
Q: Where did you do the clerkship?
A: I clerked for Chief Justice Woodrow Lewis from 1977 until 1979.
Q: And that's the South Carolina Supreme Court?
A: That is correct.
Q: Are you married?

A: Yes.
Q: What is your wife's full name?
A: Kaye Gorenflo, Kaye Frances Christine Gorenflo Hearn.
Q: Is she employed?
A: Yes.
Q: In what capacity?
A: Judicial department.
Q: Specifically what is her employment with the judicial department?
A: She is on the Supreme Court.
Q: Associate Justice of the South Carolina Supreme Court?
A: That is correct.
Q: With respect to St. Paul's Episcopal Church, were you ever a member of that church?
A: Yes.
Q: When did your membership start?
A: I believe I was confirmed in 1982 or thereabouts. Keith Burns was the Rector at the time, and he was the one that asked me to consider confirmation classes.
Q: How long did you remain a member of St. Paul's?
A: I was a member of St. Paul's until 2014, or my letter was there.

Q: When you say "my letter was there," what does that mean?
A: I don't know.
Q: While you were a member of St. Paul's, did you hold any leadership positions?
A: Yes. I served as Junior Warden, Senior Warden, on the Vestry two or three times.
Q: Any other positions other than on the Vestry?
A: I was on finance committee. There were a number of ad hoc committees that I was on or participated in. I participated in the Brotherhood of St. Andrews, I believe is what it was called. I briefly participated in the choir, albeit with a lack of talent, and was on various stewardship campaigns and led one stewardship campaign for capital improvements and two or three for the regular stewardship operating expenses in a given year.
Q: Were you ever involved in a search committee for the Rector?
A: Yes. I was involved in the search committee wherein we selected Roy Hills as our Priest.
Q: Any other search committee activities other than with respect to the selection of Roy Hills?
A: I don't believe so.

Q: When was the last time you participate as a member at St. Paul's?
A: It would have been in the fall of 2012. I have been back to St. Paul's since but not for a worship service.
Q: What is the criteria or do you call what the criteria for membership is at St. Paul's?
A: Not specifically.
Q: Can you generally, other than specifically, generally recall the criteria for membership at St. Paul's?
A: I think at various times when I was asked to serve on the Vestry the criteria was that you were actively involved in the church, that you regularly gave to the church, that you would devote the appropriate time and attention necessary to be actively engaged in the worship service. Whether or not that is different than the criteria for being a member of St. Paul's, I don't know, or any church.
Q: Currently, do you have a membership with any church?
A: Yes, St. Anne's.
Q: When did you become a member of St. Anne's?
A: St. Anne's was, I believe, afforded mission

status earlier this year. I began worshiping with the group that is referenced as St. Anne's in the fall of 2012. I'm not sure when we first began. Our first worship service was actually conducted at the chapel at St. Paul's.

Q: Where is St. Anne's located?

A: Right now we are utilizing the Lackey Chapel on the campus of Coastal Carolina.

Q: When you say "utilizing the Lackey Chapel at Coastal Carolina," is that in Conway, South Carolina?

A: It is on the University campus, which I assume may be in -- I don't know logistically whether or not it is annexed as part of Conway or not, but it is between Carolina Forest and Conway on the campus of Coastal.

Q: Do you occupy any position of leadership at St. Anne's?

A: Yes. I was elected and now serve on the mission committee.

Q: When were you elected to serve on the mission committee?

A: I believe in February or March. I've only had one meeting.

Q: What is the mission committee?

A: It is the governing body of the church. We are a mission church.
Q: What is the difference between a mission church and St. Paul's?
A: When I began at St. Paul's, St. Paul's was a mission church. I don't know the criteria. Anecdotally, it was my understanding that when the Diocese has to fund or subsidize the operation of a church, it is in mission status. When it is self-supporting, it no longer is in mission status. But I don't know the exact protocol, but we are, when I was at St. Paul's we were mission, and then we were very pleased when we were no longer a mission church.
Q: Today is St. Paul's a parish?
A: I do not know. It was, I think, when I left.
Q: Being on the mission committee for St. Anne's, is that similar to being a Vestry member for a parish?
A: Yes.
Q: Who else or what other persons are on the mission committee for St. Anne's?
A: Rebecca Lovelace, Kevin Shea, Dan Ennis, Cathy Jones, Cathy Battle, and I apologize having just served my first meeting. It is listed on our

bulletin so there are, I think, nine members.
Q: This mission committee, I understand then that was just informed; is that correct or recently formed?
A: No, we just became, we just achieved mission status so there was no mission committee because there was no mission church, at least as I understand it.
Q: With respect to St. Anne's, is it associated with any other church entity?
A: The Episcopal Church.
Q: When you say "The Episcopal Church," you're referring to the national Episcopal Church?
A: Yes.
Q: What is its association, what is St. Anne's Association with the Episcopal Church?
A: I assume it was the same association that St. Paul's had with the Episcopal Church when I was a member of St. Paul's prior to its departure.
Q: What is that association?
A: I do not know.
Q: Let me ask you to look at Plaintiff's Exhibit Number 1.
A: Uh-huh (affirmative response).
Q: Plaintiff's Exhibit Number 1 is a letter dated

October 22, 2012 to Most Reverend Dr. Katharine Jefferts Schori.

A: Uh-huh (affirmative response).

PLAINTIFF'S EXHIBIT NUMBER 1
IDENTIFIED FOR THE RECORD

Q: Do you have that in front of you?

A: I do.

Q: This letter does not bear any signature; is that correct?

A: It does not appear to.

Q: Are you familiar with this letter?

A: You showed it to me this morning.

Q: Have you seen this letter before this morning?

A: I don't recall that I have or have not.

Q: Have you heard any discussions with this letter directed to Bishop Schori?

A: Not that I'm -- I may or may not have. I don't recall the letter so I don't recall any discussions about it.

Q: With respect to the St. Anne's group before it became a mission, do you recall any discussions amongst the St. Anne's group with respect to communicating with the national Episcopal Church as to no desire to be associated with St. Paul's?

A: I'm sorry; you have to repeat the question.

Q: That was a terrible question.
A: I did not understand it.
Q: Let me ask you now to look at Plaintiff's Exhibit Number 2.
A: Certainly.
Q: Plaintiffs Exhibit Number 2 is a letter from the Episcopal Church to Daniel J. Ennis dated January 14, 2013.
A: Right.

PLAINTIFF'S EXHIBIT NUMBER 2
IDENTIFIED FOR THE RECORD

Q: Who is Mr. Ennis?
A: It's Ennis.
Q: Ennis.
A: He is a professor at Coastal Carolina, and I believe he is an English professor, and he has been actively involved in St. Anne's.
Q: Is he on the mission committee?
A: Yes. As a matter of fact, he may be -- well, I don't know if we have Senior Wardens, but if we do, he is the Senior Warden.
Q: With respect to Exhibit Number 1, have you heard anything as to Mr. Ennis preparing a letter to Bishop Schori in the latter part of 2012?
A: Again, your question is have I heard, has Mr.

Ennis talked to me about it or ---
Q: Right, correct.
A: I don't -- He may have; I don't recall.
Q: Do you have any knowledge with respect to anyone associated with the St. Anne's group that communicated with the presiding Bishop Schori in the latter part of October 2012 with the communication being on behalf of the St. Anne's group?
A: I don't know one way or the other.
Q: You have no independent recollection of any such type of communication?
A: I have met Ms. Schori in the last year. I don't think I had any communication with her; and what communication, if any, someone else had, I simply am not aware of it personally.
Q: I'm going to ask you now to look at Plaintiff's Exhibit Number 3.
A: Certainly. No, I have not reviewed it. You gave it to me, but I have not taken the time to review this.
Q: Plaintiff's Exhibit 3 is a four-page email or trail of emails in November of 2012; is that correct?
A: It would appear to be, yes.

PLAINTIFF'S EXHIBIT NUMBER 3
IDENTIFIED FOR THE RECORD

Q: The first email on the first page is dated November 16, 2012, and it is written by Dan Ennis.

A: Ennis.

Q: Ennis. Were you part -- in this email he refers to a Conway Worship Group.

A: Yes.

Q: Were you part of a Conway Worship Group in the latter part of 2012?

A: Yes.

Q: What was the purpose of this group, the Conway Worship Group?

A: To worship.

Q: Was this Conway Worship Group aligned with any religion or denomination?

A: We were all Episcopalians, or are all Episcopalians.

Q: Was it aligned with any specific church or parish?

A: We were all members of St. Paul's as far as I know. Certainly I was a member of St. Paul's when I began worshiping with this group of individuals that is now St. Anne's.

Q: On the second page of Exhibit 3, in the middle of the page, it refers to a paragraph stating "We on the steering committee."
A: Yes.
Q: And it lists your name; is that correct?
A: That's correct.
Q: What is the steering committee that's referenced in Exhibit 3?
A: The steering committee was a group of three people, among those that were worshiping together. We were trying to figure out how we would continue to have our worship service.
Q: Why was this steering committee formed?
A: It was formed in order to facilitate a place that those that wanted to worship with us could do so, finding a place to worship, and finding a mechanism for disseminating information that wanted, for people who wanted to worship with us.
Q: How many members were in this Conway Worship Group?
A: The first service that we had was held on the campus of St. Paul's in the chapel, I believe that we had approximately 30 plus people that worshiped with us on that initial, in that initial service.

Q: Why did the group stop worshiping at St. Paul's?
A: I don't know that all the group did stop worshiping at St. Paul's. I stopped worshiping at St. Paul's.
Q: Why did you stop worshiping at St. Paul's?
A: I stopped worshiping at St. Paul's because in the fall of 2012 our Priest, Father Tripp Jeffords, had a meeting called for the entire congregation. In the course of the meeting he proceeded to provide us with an outline as to something to the effect "Where we are, or where we are and how we got there." It was a multipage document in which in the course of a church meeting he explained either his, or those that he was working with, concerns about where the Episcopal Church was.

As I listened to his explanation and reviewed the talking points, I perceived that his concerns on behalf of the church did not comport with my concerns on behalf of the church.

Q: Therefore, I assume that because of the differences in the direction of the church, you then made a determination to leave the church?
A: I didn't make a decision to leave the church. I made a decision to worship with members of St. Paul's that shared the same or many, I assume,

the same views that I did and that also were not particularly enamored with or in agreement with the talking points put forth in that document. As I recall, this is from memory, the document attempted to trace the manner in which our, the Episcopal Church had changed starting, I think they started in the 1930s. I'm not particularly knowledgeable about all of the background. I do remember, as I was reading through it, when it got to the second page it referenced the fact that one of the, what I perceived from the talking points to be violations, was the ordination of women by the Episcopal Church in 1974, which I think Tripp indicated was illegal, which was subsequently ratified in '76. Another point that was made was in dealing with the church allowing, this is the Episcopal Church that I was a part of, allowing the prospect for people to be remarried after divorce and there seemed to be some consternation about that. Being a domestic practitioner it's not something that I perceived as being a problem that somebody had. There was reference to, in a negative connotation as I recall and I stand to be corrected, about the prospect of artificial

insemination for creation, which is something that I have no problem with, and that caused me some concern. There was, then obviously discussions about sexual orientation, and I disagreed with some of the statements made with respect to that issue.

So when we had that meeting I wasn't sure if -- the suggestion from Tripp or the statement from Tripp was "I don't know where we are going to be worshiping or where we are going to be going, but I want everyone to know how the church has gotten to this point." And I listen to what he had to say, and there were some questions asked, and after those questions were asked, it was at that point that I determined that if there was an alternative place to worship, that I would probably be pursuing that alternative.

Q: When did you cease your membership at St. Paul's?

A: I assume when I requested that my letter be transferred, which has been in the last month and a half, whenever we were, whenever St. Anne's was designated mission status. Up until then, my letter remained at St. Paul's.

Q: When you refer to the word "letter," what do you mean by that?

A: I don't know, again.
Q: How did you ---
A: Apparently, my letter was at St. Paul's to begin with, and to the degree -- growing up a Baptist we didn't have letters so whatever it is, it has now been transferred.
Q: How did you request your letter to be transferred?
A: There was a form that apparently was prepared or -- I think actually there was an announcement made at St. Anne's "If you want to change your letter or transfer your letter, please advise," and I responded to an email and assumed that that's how it happened.
Q: Who sent you an email?
A: We have a staff person, Laura Barr, who is the individual that, I think, sent the email.
Q: Let me ask you to look at Exhibit Number 4. Exhibit 4 is a copy of a website from a, maybe not a website but a Facebook entry, for St. Anne's Episcopal Church.

PLAINTIFF'S EXHIBIT NUMBER 4
IDENTIFIED FOR THE RECORD

Q: Are you familiar with the fact that St. Anne's has a Facebook appearance or ---

A: No. I don't have Facebook myself. I have studiously avoided it. I think my daughter might have set one up for me at one point when I briefly engaged in the political process. I do not know how to access it, and I have refused to Facebook, LinkedIn, and/or Twitter, so I'm not familiar with anything on Facebook.

Q: Let me ask you next to look at Exhibit Number 5. Exhibit Number 5 is from the Secretary of State's Office, which establishes that St. Anne's Episcopal Church was formed on April 1, 2013; is that correct?

A: That's what it appears to say. I don't do any work with the Secretary of State so I have no insight as to how things of that type are done.

PLAINTIFF'S EXHIBIT NUMBER 5
IDENTIFIED FOR THE RECORD

Q: To your knowledge is St. Anne's Episcopal Church the church that you now attend?

A: Yes.

Q: Is St. Anne's Episcopal Church a nonprofit South Carolina corporation?

A: I assume that it is.

Q: To your knowledge was St. Anne's Episcopal Church formed in April of 2013?

A: If this is what it takes to form a church, then I assume that it was. I have no knowledge beyond that.
Q: With respect to Exhibit Number 5 it sets forth the registered agent as Rebecca S. Lovelace. Is she, in fact, a member of St. Anne's Episcopal Church?
A: She is.
Q: With respect to your role as being on the steering committee for the St. Anne's group or church group, what was your role or what were your activities as being on that steering committee?
A: Our initial quest was to find a place that we could worship. As I testified earlier, our first worship occurred at St. Paul's at the chapel. We then were able to rent space from Coastal, and started worshiping at the Lackey Chapel, so that's what we primarily did on the steering committee.
Q: Do you recall any other role you handled as the steering committee other than locating a place of worship?
A: Oh, I'm sure, yes. I don't know the specifics. I was on the steering committee and if somebody

asked me where we were going to church, I told them. I don't know that the steering committee had a particular mandate other than to help us get established as a worshiping entity.

Q: When was the steering committee first formed?

A: Shortly after the meeting at the, at St. Paul's, when Father Jeffords provided us with his perception and insight as to the status of the church and where St. Paul's was likely to go.

Q: And I think you testified earlier that meeting occurred in the fall of 2012?

A: Yes.

Q: How long did the steering committee exist?

A: I guess the steering -- I, I don't know, candidly. It was a very loose committee.

Q: With respect to the steering committee, did it exist until the formation of the mission committee?

A: I don't know that it did or it didn't. There was no start -- there was a start date, obviously, because I agreed to serve on it. At some point when there was a mission committee when there were representatives, then I was no longer on the steering committee, so.

Q: Was there any governing body that existed other

than first the steering committee and then the mission committee for the St. Anne's group?

A: There were individuals that were serving as, in some capacity to address issues that now are being performed by the mission committee. I'm not sure what that entity was.

Q: Those individuals, who were they?

A: I think -- I wasn't on the group so, I think it was Rebecca Lovelace -- candidly, I don't remember the names of the individuals.

Q: How was the membership of the mission committee selected?

A: By the members that worshiped with us.

Q: So there was a vote?

A: Yes.

Q: Do you recall when that vote occurred?

A: No.

Q: Let me ask you next to look at Exhibit Number 6.

A: Uh-huh (affirmative response).

Q: Exhibit Number 6 is identified as the Bylaws of St. Anne's Episcopal Church, Conway, South Carolina; is that correct?

A: Yes.

PLAINTIFF'S EXHIBIT NUMBER 6
IDENTIFIED FOR THE RECORD

Q: Did you participate in the preparation of these Bylaws?
A: No.
Q: Do you know who prepared these Bylaws?
A: I think that Bill Warner, a member of our church, was involved, but I don't know that for certain. Anecdotally, I believe that he was involved in the process.
Q: Did St. Anne's Episcopal Church vote on these Bylaws?
A: Yes.
Q: Do you recall when the vote was?
A: No, I do not.
Q: Was the vote successful in approving Exhibit Number 6 as the Bylaws for St. Anne's Episcopal Church?
A: I know we approved the Bylaws. I don't -- since I did not review them in any detail, if they were presented, I'm sure I reviewed them. I don't know whether or not this is what we approved or not.
Q: On the second page of Exhibit Number 6, under "Section 1, Authority."
A: (Pauses to refer to document.)
Q: The second page of the exhibit.

A: The second page of the exhibit, okay.
Q: The second page of the exhibit, under "Section 1, Authority," do you see that?
A: Yes.
Q: It has "St. Anne's Parish, Conway, South Carolina [the "Parish"] has been organized and admitted into union with the Episcopal Diocese in South Carolina [the "Diocese." When was St. Anne's Parish admitted into union with the Episcopal Diocese?
A: I do not know.
Q: What is the Episcopal Diocese?
A: I don't know. I assume it is the same entity that St. Paul's was part of when I was a member of St. Paul's, but I don't know that for sure.
Q: Why do you make that assumption?
A: Because we were part of the Diocese.
Q: What Diocese was St. Paul's associated with?
A: I think we always called it "The Lower Diocese," but again I don't know the hierarchy of the church. I know there was an Upper Diocese and a Lower Diocese. My understanding is we were part of the Lower Diocese.
Q: Are you saying in your testimony today that the phrase in Exhibit Number 6, "The Episcopal

Diocese in South Carolina," is the same entity in which St. Paul's is associated with?

A: No. I'm saying I don't know.

Q: I'm going to ask you if you could look at Exhibit Number 7. Exhibit Number 7 at the bottom is dated December 13, 2012, and it's identified as a "Notice of Special Meeting of the Convention"; is that correct?

A: Let me read through it. I have not ---

Q: Yes, please do.

A: All right, I'm sorry; what was your question?

Q: I'm just trying to identify Exhibit Number 7. Exhibit Number 7 is a" Notice of Special Meeting of the Convention," and at the bottom of it, it's "This notice is given this 13th day of December 2012." Is that correct?

A: That's what it says.

PLAINTIFF'S EXHIBIT NUMBER 7
IDENTIFIED FOR THE RECORD

Q: Did you receive this notice?

A: No. I don't believe I did.

Q: Do you recall ever seeing Exhibit Number 7 before today?

A: I may have. If I did, I didn't pay any attention to it.

Q: With respect to St. Anne's, does St. Anne's, as a South Carolina nonprofit corporation, does it claim any ownership rights into any properties under the name of St. Paul's?
A: I do not know.
Q: Do you claim any type of ownership interest in any of the properties that are currently owned by St. Paul's?
A: Personally?
Q: Yes, sir.
A: I have never. I have made multiple contributions to St. Paul's when I was a member there. My contributions to that church were given when I was a member. I'm certainly not expecting anybody to refund me anything for the contributions I made.
Q: My question is do you claim any type of ownership interest in any properties currently under the name of St. Paul's or controlled by St. Paul's?
A: As an individual I have no claim to make against any church.
Q: Are you familiar with real properties owned by St. Paul's?
A: Yes. I was when I was on the finance committee, when I was on the Vestry, when I was Senior and

Junior Warden.
Q: Can you identify, just generally, what real properties are owned or were owned by St. Paul's when you were a member at St. Paul's?
A: The campus.
Q: When you say "The campus," what are you referring to?
A: It's located on the corner of Main and 9th. It consists of a chapel, a building behind the chapel. I was on the committee, I believe, when we built the parish hall, and then I think I was chairman when we built the new sanctuary for the capital campaign for that entity. So it consists of four separate buildings, a parking lot, a playground, and then obviously all the property within the building.
Q: When you were a member at St. Paul's, this campus property you're referring to, who held or what entity ---
TELEPHONE: JOINING THE MEETING.
Q: What entity had legal title to the campus property?
A: I do not know.
Q: Do you recall if the national Episcopal Church, who I will refer to as The Episcopal Church, ever

made any monetary contributions for the acquisition of any real property currently owned or was owned by St. Paul's while you were a member?

A: I have no knowledge as to any -- the Diocese made a variety of contributions to the church when we were in mission status. I think we got a favorable loan from the Diocese in connection with the construction of one or both of the buildings that were constructed during my tenure there. It was my working assumption that the church property was owned by the Church.

Q: When you say "the Church," are you referring to St. Paul's?

A: No.

Q: What are you referring to?

A: The Episcopal Church.

Q: And how did you -- On what basis was that assumption?

A: It was just an assumption.

Q: Can you repeat that assumption?

A: Can I repeat it?

Q: Yes, sir.

A: My assumption was that The Episcopal Church, that St. Paul's was part of The Episcopal Church, and

The Episcopal Church has, I don't know the mechanics of legal title, all I know is that we were members of The Episcopal Church. So that's about all I can tell you on that.

Q: What does that assumption have to do with ownership of the property in the name of St. Paul's?

A: I don't know that it has anything to do with it. Ownership of the property is an issue I don't know the answer to.

Q: Going back to my question, while you were a member at St. Paul's, do you have any knowledge of The Episcopal Church ever making a monetary contribution to St. Paul's for the acquisition of any properties?

A: When you say "The Episcopal Church," are you talking about the Diocese?

Q: No, I'm talking about the national entity, The Episcopal Church.

A: I do not know the interaction between the national Church and the Diocese.

Q: My question was not interaction between the national Church and the Diocese. My question was specifically directed between the national Church and St. Paul's.

A: And my answer is the same. I don't know of the particular mechanism whereby the national Church interacts with the Diocese which interacts with -- interacted with St. Paul's.
Q: And I'm not very skillful at asking questions, but what interactions to your knowledge occurred between the national Church and the Parish, St. Paul's, directly between those two while you were a member?
A: I don't know if there were or there weren't.
Q: To your knowledge is St. Anne's Episcopal Church a completely separate entity from St. Paul's?
A: I assume that it is, and that it is now a mission church.
Q: What, if any, is the relationship between St. Anne's Episcopal Church and St. Paul's?
A: A legal relationship?
Q: Any type of relationship.
A: Well, we still have, I mean, there's a common -- When we were at St. Paul's there were 400 plus members of the congregation. I'm still very close with many of my friends. St. Paul's was my home for 30 plus years as a church, and I value the friendships that I made there and maintain friendships with them even though we worship in

different places. I don't know -- I certainly feel comfortable in going to St. Paul's. If there was some service that I wanted to attend, I assume that I would be welcome.

Q: I'm not referring to you individually in my question and I'm sorry. What, to your knowledge, is the current relationship between St. Anne's Episcopal Church and St. Paul's?

A: I don't know that there is any official relationship between the two churches. When I was on the board, or when I was serving as a Vestry at St. Paul's, I don't recall that we had any official relationship with the Church of the Resurrection or any of the other Episcopal churches. We were St. Paul's.

Q: Would it be fair to state that St. Anne's Episcopal Church and St. Paul's are two separate and distinct entities?

A: Well, I assume that St. Paul's is a separate entity because it is a mission church, so I assume that they are separate entities. They are two different churches.

Q: Let me ask you to look at Exhibit Number 8.

A: Yes.

Q: Exhibit Number 8 consists of four pages ---

MS. GOLDING: AND I FORGOT, THERE SEEMED TO BE -- DID SOMEONE JOIN THE DEPOSITION JUST A FEW MINUTES AGO?

MR. EARHEART: YES, THIS IS RYAN EARHEART FOR ST. PHILIP'S.

***** OFF THE RECORD *****

(ON THE RECORD.)

MS. GOLDING CONTINUES:

Q: I've asked you to take a look at Plaintiff's Exhibit Number 8, a four-page document. Can you identify this document?

A: Yes, it's a letter I wrote to the Episcopal Diocese of South Carolina on January 11th sending in my registration form for a meeting to be held at Grace Episcopal Church in Charleston.

PLAINTIFF'S EXHIBIT NUMBER 8
IDENTIFIED FOR THE RECORD

Q: Prior to sending this letter, had you ever been a delegate at a convention of The Protestant Episcopal Church and the Diocese of South Carolina?

A: No, I believe at one point I was an alternate delegate, but I've never attended a convention, and I may be wrong on that.

Q: How did you become selected to attend this Special Meeting at Grace Episcopal Church that's identified in your letter, Exhibit 8?
A: I believe I agreed to serve as a delegate.
Q: Who asked you to serve as a delegate?
A: We had, in the course of our worship services, we were advised that there was going to be apparently a meeting, and I either volunteered or was elected by the people we worship with to participate.
Q: When you say "we," can you identify the "we"?
A: People in the church.
Q: Can you identify "the church"?
A: Yeah, the church right now, the first time we met as I mentioned before at the chapel at St. Paul's we had 30 members to participate. We now have approximately 85 on a typical Sunday. I can give you the names of some of the members. I can't give you the names of all of them.
Q: I'm referring to with respect to Exhibit Number 8.
A: Uh-huh (affirmative response).
Q: I may be wrong in what you stated, but you said that "we" were asked to send delegates, and I wanted to identify who the "we" were?

A: There was an announcement at our meeting or one of the worship services, that there was going to be a convention and that our worship group was entitled to send or was permitted to send delegates, and I was one of the individuals that agreed to go.

Q: What was the name of your worship group that was used at that time?

A: We call ourselves St. Anne's, although we weren't, I don't know that we were -- don't know what the legal status was.

Q: When did you first call this worship group St. Anne's?

A: I don't know.

Q: How was the name St. Anne's selected for your worship group?

A: During one of our worship services we addressed the fact that we needed to be called something, and there were discussions as to various names, and a very eloquent discussion as to St. Anne's and why we use that name, and I don't recall what that eloquent discussion was, but it sounded good at the time.

Q: Do you know how your group, known as St. Anne's, were informed of this "Special Meeting of the

Convention" that is identified in Exhibit 8?
A: How we were formed?
Q: How you were informed.
A: No.
Q: From whom did you receive the Registration Form which is the second page of Exhibit 8?
A: Probably either, it was probably just at the church service or perhaps from Dan Ennis. I don't recall specifically.
Q: Prior to January of 2013, did you have any contact with any individuals relating to this Special Meeting of the Convention that was to occur on January 26, 2013 other than the Anne's group?
A: I don't, I had, I had an opportunity to meet Bishop vonRosenberg, is that his right name, on one occasion. I don't know that there was any discussion about a convention, but I did meet him.
Q: When did you first meet him?
A: I don't recall. We, I had lunch with him and his wife somewhere near Awendaw.
Q: Was this sometime in the latter part of 2012 when you had this lunch?
A: It would have either been then or the early part

of 2013. I'm -- All, all that occurred approximately the same time.

Q: What was the purpose of this lunch?

A: For me to meet the Bishop.

Q: Was this meeting before the Special Meeting of the Convention on January 26, 2013?

A: I think it was, but I could be mistaken.

Q: Who participated or who was present at this meeting?

A: Dan Ennis, Rebecca Lovelace, the Bishop, his wife, and there may have been another one or more individuals. I don't recall specifically.

Q: Do you recall what was discussed at this lunch meeting?

A: Yes. We discussed the fact that we were enjoying our worship in our new group and that we looked forward to doing whatever was necessary so that we could be a recognized church.

Q: Do you recall any of the specifics of the discussions at this lunch meeting?

A: No, it was really more or less a meet and greet.

Q: On the second page of Exhibit 8 you had it typed in, but you had under "Please check the appropriate box," you checked "Lay Delegate"?

A: Uh-huh (affirmative response).

Q: And it has, "Parish represented: St. Paul's Episcopal, Conway, South Carolina"; is that correct?
A: Uh-huh (affirmative response).
Q: Why did you state that you were a Lay Delegate for St. Paul's Episcopal, Conway, South Carolina?
A: Because I was a member of St. Paul's Episcopal Church.
Q: Were you selected by St. Paul's Episcopal Church to be a delegate at the Special Meeting of the Convention held January 26, 2013?
A: If I was, no one at St. Paul's told me.
Q: Can you go to the third page of Plaintiff's Exhibit Number 8?
A: Uh-huh (affirmative response).
Q: This Declaration of Conformity as a Lay Delegate to the Special Convention of the Diocese of South Carolina, January 26, 2013, did you sign this document?
A: Uh-huh (affirmative response).
Q: Is that a yes, Mr. Hearn?
A: Yes.
Q: When did you receive this document, this Declaration of Conformity?
A: I assume on or about the 9th of January.

Q: And from whom did you receive this document?
A: I do not recall.
Q: Do you know who prepared this form that you signed?
A: I do not.
Q: The first paragraph you state, "I, George M. Hearn, a communicant in good standing of St. Paul's Episcopal Church" and then it's "(continuing) Conway." Do you know why the word "continuing" was put in this Declaration?
A: I do not.
Q: What is the significance of the word "continuing" in your Declaration?
A: I do not know, other than what it says. I was a member of St. Paul's church at the time I signed this document.
Q: When you signed this document on January 9, 2013, was St. Paul's Parish in union with the Diocese of South Carolina?
A: I do not know.
Q: Then why, Mr. Hearn, did you sign this Declaration?
A: Because I was asked to sign the Declaration in order to participate as a Lay Delegate.
Q: And who asked you to sign the Declaration?

A: I think it was presented to me as the document that I needed to execute in order to participate. I don't know who presented it to me.
Q: The last page of Exhibit Number 8 is a check that is payable to the Episcopal Diocese of South Carolina?
A: That is correct.
Q: And when you made out this check on January 10, 2013, ---
A: Uh-huh (affirmative response).
Q: --- what parishes consisted of or were part of the Episcopal Diocese of South Carolina?
A: I do not know.
Q: Where was the office of the Episcopal Diocese of South Carolina when you made this check out in January 2013?
A: I don't know where it was then or at any other time. I don't know where the Episcopal Diocese office or offices are, were, or ever have been.
Q: In January 2013, who was the leader of the Episcopal Diocese of South Carolina?
A: I do not know.
Q: In January 2013, who was the Bishop for the Episcopal Diocese of South Carolina?
A: I assume that that is what you are attempting to

develop in the course of this litigation. I will look forward to the answer.

Q: What is your answer?

A: I do not know.

Q: Next I would ask you to look at Exhibit Number 9.

A: Uh-huh (affirmative response).

Q: Exhibit Number 9 is a Declaration of Conformity as a Lay Delegate to the Convention of the Episcopal Church in South Carolina, March 8 and 9, 2013; is that correct?

A: It is.

PLAINTIFF'S EXHIBIT NUMBER 9
IDENTIFIED FOR THE RECORD

Q: And did you sign this Declaration?

A: Yes.

Q: What date did you sign this Declaration?

A: It would appear I signed it on 2/14/13.

Q: And that is a month after you signed the Declaration in Exhibit Number 8; is that correct?

A: Yes.

Q: Or approximately? From whom did you get this Declaration, which is Exhibit 9?

A: I don't know.

Q: Do you know how you received Exhibit 9?

A: I assumed I received it at a church meeting.

Q: Do you know who prepared Exhibit 9 as a form?
A: I do not.
Q: What was the purpose of Exhibit 9?
A: I assume it was executed to allow me the opportunity to serve as a Lay Delegate to the Convention of The Episcopal Church to be held on March 8th and 9th of 2013.
Q: There's a blank on Exhibit 9. There is no parish identified. Do you know why there is a blank on Exhibit 9?
A: Apparently because I didn't fill anything in.
Q: And why?
A: I do not know.
Q: As of February 14, 2013, were you a communicant in good standing of any parish?
A: Well, I was still a member of St. Paul's.
Q: Do you know if you were a communicant in good standing with St. Paul's?
A: I guess you would have to direct that question to St. Paul's.
Q: My question is do you know if you were still a communicant in good standing with St. Paul's?
A: I do not know.
Q: As of February 14, 2013, were you attending worship services in the group known as St.

Anne's?

A: Yes.

Q: Did you attend the Convention of The Episcopal Church in South Carolina on March 8th and 9th of 2013?

A: I did. Well, I attended the Convention on the 9th, if that was a Saturday. If there was a, I think there was a reception the night before.

Q: How were you selected as a delegate to attend this Convention in March of 2013?

A: I believe as was the case before, I volunteered to participate in the conference or perhaps we voted on it and I agreed to serve. I'm not sure which it was.

Q: When you attended the Convention on March 9th, 2013, on whose behalf did you attend as a Lay Delegate?

A: I attended on behalf of St. Anne's.

Q: Would you please look at Exhibit Number 10?

A: Yes.

Q: Exhibit 10 is a Credentials Committee Report for the Meeting of the Special Convention on January 26, 2013.

PLAINTIFF'S EXHIBIT NUMBER 10
IDENTIFIED FOR THE RECORD

Q: Do you recognize this document?
A: No.
Q: Did you attend the Meeting of the Special Convention on January 26, 2013?
A: Candidly, Ms. Golding, I attended one. If this was the committee, if this was the Convention, I attended, I've attended one meeting as best as I recall.
Q: Do you recall attending the Meeting of the Special Convention on January 26, 2013 held at Grace Episcopal Church?
A: Yes, I think that's when it was.
Q: Were there any other delegates that went with you ---
A: Yes.
Q: --- to that Special Meeting? Who else?
A: I believe it was Cathy Battle, Amy Shea and there was one other, Jeri Dubbs, I believe.
Q: Can you spell Jeri's last name?
A: D-U-B-B-S.
Q: How about Rebecca Lovelace, do you recall her attending?
A: She was in attendance. She was not, she was not a delegate.
Q: And what was Rebecca Lovelace's role at this

Special Convention?
A: I don't know.
Q: With respect to Cathy Battle, Amy Shea, Jeri Dubbs, and yourself, you were Lay Delegates; is that correct?
A: That's my understanding, yes.
Q: What entity were you attending as Lay Delegates; who were you representing?
A: I was there on behalf of St. Anne's.
Q: In looking at Plaintiff's Exhibit Number 10, it has "Lay" and it's "9 Parishes having, 36 Delegates." And then it has, "8 Continuing Parishes, having 27 Delegates." Then it has, "10 Missions, having 15 Delegates," and then it goes on. In what category were you as a Delegate?
A: I do not know.
Q: If I understand you correctly this January 26, 2013 Meeting of the Special Convention, that was the first Convention that you had attended on behalf of a church; is that correct?
A: On behalf of an Episcopal Church.
Q: Yes.
A: I had attended conventions in my former life as a Baptist.
Q: Do you recall the Special Convention that you

attended on January 26, 2013?
A: Yes.
Q: Approximately what time did the Special Convention commence?
A: I think that they, it was between probably nine and ten. I came from Conway to Grace. They had registration, some pastries laid out, and then at some point we entered the sanctuary and had the Convention.
Q: How long did it last that day?
A: I know we broke for lunch and then came back after lunch, so I think it ended in the middle of the afternoon, middle to late afternoon.
Q: When you first arrived for the Convention, did you receive materials?
A: Yes, I'm sure, yes, we did.
Q: I would ask if you can look at Plaintiff's Exhibit Number 11.
A: Uh-huh (affirmative response).
Q: Do you recall if the Resolutions in Plaintiff's Exhibit Number 11 were handed out to you when you first arrived or at some point in time during the Convention?
A: I received a packet that I assume included, I know it included Resolutions. I assume that

these were the Resolutions, but I don't have any independent recollection.

PLAINTIFF'S EXHIBIT NUMBER 11
IDENTIFIED FOR THE RECORD

Q: Do you have any independent recollection of any of the materials that you received at the Convention?

A: Well, as I said, I assume that this was passed out to me. I think that there was a, I don't know what was in the package.

Q: I just want to know if you have any independent recollection of any particular material that you received at the Convention.

A: No.

Q: Do you recall taking votes during your attendance at the Special Convention?

A: I do.

Q: Do you recall voting on Resolutions during the Special Convention?

A: I believe we did.

Q: Do you recall the particulars of any of the Resolutions that you voted upon?

A: I assume that they are the Resolutions that are before me on Plaintiff's Exhibit 11, and if there were any modifications offered during the course

of the meeting, we would have voted on those, as well. I don't know that there were or there weren't.

Q: When you took your votes on the Resolutions, on whose behalf did you cast your votes?

A: I cast my vote as a Lay Delegate from St. Anne's.

Q: With respect to the Resolutions that you voted on during the Special Convention, did you understand the Resolutions?

A: I had not reviewed them prior to the time that they were brought to the attention of the body, and so unlike a legal document that I would typically review at some length, I do not pretend to have great insight as to the particulars, but I did look at them. I listened as there were, if there were questions that were offered and voted.

Q: What was your understanding as to the Resolution that you voted upon which is on the page where it has the Bates stamp number on the right-hand corner D00266? And I'll give you a few minutes to take a look at that.

A: (Pauses to look at document.) All right, what was your question?

Q: What was your understanding of this Resolution that is identified as "R-6 A Resolution Declaring

Certain Resolutions, Constitutional and Canonical Changes Null and Void"?

A: My understanding was what was put forth in the "Whereas" clauses and the "Therefore, be it resolved" clause.

Q: Can you please tell me what your understanding is?

A: What it says here.

Q: What was the purpose of this Resolution, R-6?

A: I don't know the purpose.

Q: Did you vote in favor of this Resolution?

A: I did.

Q: Do you recall any Resolution that was presented at the Special Convention on January 26, 2013, in which you did not vote in favor of?

A: No. I believe I voted in favor of all of the Resolutions that were submitted.

Q: Who was essentially in charge of this Special Convention that you attended on January 26, 2013?

A: I don't know who was in charge. I know that the Bishop was, vonRosenberg was present. I know that Attorney Tom Tisdale was present. I believe that Katharine Schori, I am not sure whether she was there or not. I do remember the Bishop, and I do remember Tom Tisdale, and there were others

in attendance seated at the front of the church.
Q: I may have been mistaken, but you said there was a reception?
A: The night before there was a reception at, I think, Bishop Gadsden, and I may be wrong, I'd never been to the facility before, and I went to that.
Q: What was the purpose of that reception?
A: Candidly, I don't know. Having attended a lot of receptions I just went because they said we're supposed to go to the reception, and I dutifully went.
Q: Who is "they"?
A: Whoever was organizing the Convention.
Q: Was Katharine Schori present at that reception; do you know?
A: I believe that she was, and I might need to correct, and I apologize, it shows you my lack of full knowledge of all of the players, but I believe Katharine Schori, I believe that was the first and only time I ever met Katharine Schori.
Q: With respect to the Reverend Charles vonRosenberg, ---
A: Yes.
Q: --- what was his role with this Convention, this

Special Convention?
A: I do not know. He was there. He spoke.
Q: When did he become a Provisional Bishop?
A: I do not know.
Q: Do you recall voting on nominees for the standing, for a standing committee at the Special Convention?
A: If there was, if that was offered, then I assume we voted on it.
Q: So I take it from that response you don't recall voting on nominees for the standing committee?
A: There were a number of votes taken during the course of what was a six or seven-hour meeting, so I don't have a specific recollection of any of the matters that were directly before me. If there was an agenda, I can certainly look at that and see, but I don't recall.
Q: Are you familiar with a group known as The Episcopal Forum of South Carolina?
A: I have heard the name.

PLAINTIFF'S EXHIBIT NUMBER 12
IDENTIFIED FOR THE RECORD

Q: Can you look at Exhibit Number 12?
A: Yes.
Q: I want you to go to -- on the right-hand corner

it has "6/15." And on that page it has a "George Hearne," with an "E" on it.

A: Uh-huh (affirmative response).

Q: And it has "Hanahan, Grace - Charleston."

A: Right.

Q: I don't know. Is this is a typo; are you a member of The Episcopal Forum, The Episcopal Forum of South Carolina?

A: No.

Q: What is the purpose of The Episcopal Forum of South Carolina?

A: I don't know.

Q: Have you ever been a member of The Episcopal Forum of South Carolina?

A: No, not that I'm aware of.

Q: Since your attendance at the January 26, 2013 Special Convention, have you attended subsequent conventions?

A: No.

Q: So with respect to Exhibit Number 9, this Declaration that you signed for a Convention on March 8-9?

A: Perhaps I have. Candidly, Ms. Golding, I don't remember whether I went to two, one or two. I think actually we did go to two. Whatever I

volunteered for or agreed to accept as a Lay, if it had two meetings, then I went to two meetings.

Q: Okay.

A: I did not go to the last one that was this year.

Q: So you have not attended a Convention in 2014?

A: That is correct.

Q: Currently how many members does St. Anne's have?

A: I do not know precisely, only anecdotally how many people show up.

Q: Generally then or anecdotally?

A: Well, last Sunday we had 84 communicants.

Q: I have no further questions. Thank you.

EXAMINATION

BY MR. RUNYAN:

Q: Mr. Hearn, I've got a very few questions that I'm going to ask on behalf of the Trustees of the Diocese and the Parishes that are on that list, the Trustees of the Diocese.

A: Which Diocese?

Q: Protestant Episcopal Church and the Diocese of South Carolina. Taking you back to that October, as I recall, you said, meeting with the Rector of St. Paul's that you attended; do you remember Mr. Ennis being in attendance, as well?

A: I don't remember particularly who -- It was a

called meeting of the entire congregation. Whether or not Mr. Ennis was present or not, I do not know.

Q: Do you ever remember attending a meeting like that where Mr. Ennis stood up and made some remarks to Rector Tripp Jeffords?

A: During the course of that meeting there were a number of remarks made. Who made them, I don't know. I did not articulate any.

Q: Did you remember anybody, whether it was Mr. Jeffords or somebody else, indicating that they understood the position of the Rector and that they intended to leave and seek a new church? Do you remember anything being said like that?

A: The Rector was Tripp Jeffords.

Q: Yes.

A: Do I remember him saying that he was going to leave?

Q: No, do you remember someone else who was present standing up and saying in effect they understood where the Rector was, understood his comments, and that because of his comments that they intended to leave and seek a new church. Do you remember anything like that being said?

A: I don't recall that specifically, but I had

several conversations with Tripp Jeffords personally and had a meeting with Tripp Jeffords and the Vestry.

Q: My questions are not directed to any of those other meetings, just the public meeting where the whole Parish was present.

A: No.

Q: One more on that subject and I'll move on. Do you remember someone standing up and saying that they intended to write the presiding Bishop and to tell the presiding Bishop that they were not interested in the property of St. Paul's Conway and asking her not to be involved in attempts to take St. Paul's property; do you remember that being said?

A: I don't have any specific recollection of most of that meeting, other than what Tripp said in the handout that was given to us.

Q: That was my next question. Did he pass out the talking points?

A: Yes, or I say he didn't physically.

Q: Somebody ---

A: He may have handed them to me, but I think they were generally disseminated among all the people in attendance.

Q: I understand. During the period of time that you were part of the steering committee as opposed to the mission committee, did you have any personal interaction, or did the steering committee have any personal interaction with either Tom Tisdale or David Beers, either one of those?
A: No.
Q: Did you have any interaction with a steering committee for a larger group representing multiple Parishes that were involved from the same position that you were in?
A: Did I, as a member of the steering committee, have a meeting with any other steering committee?
Q: Yes.
A: No.
Q: Any communications by email or otherwise with Mr. Tisdale or Mr. Beers or any other representatives such as that that you recall?
A: The only communication I've ever had by email from Mr. Tisdale was from his office in connection with the fact that there was a motion being made in connection with depositions being taken, and he provided me with a copy of a motion. I responded back to him and said, not to him because it was Skipper, thanking him for the

motion and indicating that I planned to be at this deposition unless I was told not to be. Ms. Golding was kind enough to send me a check with my mileage, and I was looking forward to retiring on the proceeds.

Q: A couple of questions and that's all about the two conventions that you did attend, and these are going to be serial so the only difference is going to be the Parish name. I want to ask you if you recall any Lay or Clergy Delegates being present and voting at those conventions and who indicated either by their presence or by the labels that they wore that they represented or they were on behalf of Church of the Cross; do you recall that?

A: I don't know any of the members from any other church or parish or mission other than the people that I was with.

Q: That's all I have.

MS. MACDONALD: I DON'T HAVE ANY.

MR. EARHEART: NO QUESTIONS.

MR. SHELTON: NO QUESTIONS.

MR. MACK: I HAVE NO QUESTIONS.

MS. JOHNSON: I HAVE NO QUESTIONS.

MS. GOLDING: WELL, I THINK THAT

CONCLUDES THE DEPOSITION.

MR. HEARN: THANK YOU.

MS. GOLDING: THANK YOU.

(The deposition concluded at 11:34 a.m.)

EXHIBIT 3
(Forum Newsletter)

EFSC

The mission of the Episcopal Forum in the Diocese of South Carolina is to preserve unity with diversity in the Diocese and within The Episcopal Church through the inclusion of a broad range of Scriptural understandings and by upholding the Constitution and Canons of the Episcopal Church and the democratic actions of its Conventions and elected leaders.

- Through its web site, public media, direct mailings, regional and diocesan gatherings, the Episcopal Forum in the Diocese of South Carolina seeks to serve as an information source for our Diocese on the actions and activities of The Episcopal Church and the Anglican Communion.
- The Episcopal Forum supports and encourages all efforts on the part of the Diocese of South Carolina to engage in full participation in The Episcopal Church.
- The Episcopal Forum sponsors meetings and conferences in the Diocese of South Carolina through which Episcopalians find common ground in their shared mission and ministry.
- Membership is free and open to all Episcopalians in the Diocese of South Carolina. Members and their church affiliations are listed on the Episcopal Forum web site at their option. All funding is from donations.

www.episcopalforumofsc.org

The Episcopal Forum of South Carolina

Who are we?

- Episcopalians, who are united in our desire to remain members in good standing in The Episcopal Church (TEC) and the Anglican Communion.
- Episcopalians, who accept that the governing authority of TEC, as given by its Constitution and Canons, is the General Convention of the Episcopal Church.
- Episcopalians, who believe that the Holy Spirit is working in the deliberations of The Episcopal Church, General Convention, TEC Executive Council and its conferences and committees.
- Episcopalians, who embrace and uphold the faith as revealed in scripture, tradition and reason and who recognize that these are subject to a wide range of theological interpretation.

THE EPISCOPAL FORUM
OF SOUTH CAROLINA
EPISCOPALIANS FOR A UNITED CHURCH

- Episcopalians, with widespread opinions about social controversies currently facing many denominations and how the Episcopal Church might respond.
- Episcopalians, who believe that these differences of opinion should not separate us from the love of God in Christ or from each other as members of Christ's body, the Church.
- Faithful Christians, bound in love for one another, committed to worshipping together and serving Christ through the Episcopal Church.

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The Episcopal Church Welcomes You!

The Episcopal Church strives to live by the message of Christ, in which there are no outcasts and all are welcome. Walking a middle way between Roman Catholicism and Protestant traditions, we are a sacramental and worship-oriented church that promotes thoughtful debate about what God is calling us to do and be, as followers of Christ.

For the Mission of the Church

O God, you have made of one blood all the peoples of the earth, and sent your blessed Son to preach peace to those who are far off and to those who are near: Grant that people everywhere may seek after you and find you, bring the nations into your fold, pour out your Spirit upon all flesh, and hasten the coming of your kingdom; through Jesus Christ our Lord, who lives and reigns with you and the Holy Spirit, one God, now and for ever. Amen.

Book of Common Prayer, 1979, p.257

http://www.episcopalchurch.org

The Episcopal Forum of South Carolina

THE EPISCOPAL FORUM

OF SOUTH CAROLINA

EPISCOPALIANS FOR A UNITED CHURCH

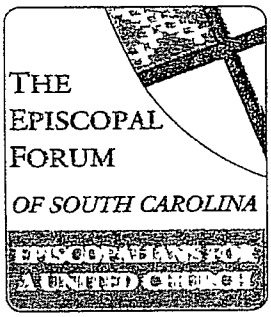
Episcopalians
united in a desire to remain members of
The Episcopal Church
and
The Anglican Communion

Episcopal Forum of SC
P.O. Box 1772 • Mt. Pleasant, SC 29465

Web Site: www.episcopalforumofsc.org

EXHIBIT 4

(Forum letter dated 9/14/2007)



The Episcopal Forum of South Carolina

P.O. Box 1772 - Mt. Pleasant, SC 29465
Phone: 843-209-8247
E-Mail: episcopalforum @bellsouth.net
Website: www.episcopalforumofsc.org

September 14, 2007

To: The Diocesan Bishop of:
Diocese of South Carolina

From: The Episcopal Forum of South Carolina
L. A. Pagliaro, Board President

We are writing as an assembly of Episcopalians in the Diocese of South Carolina, working to retain and strengthen ties with The Episcopal Church. We ask you to take seriously our concerns regarding the future of our diocese and the strength of our Church. We sense that there exists a broad perception of overriding support within our diocese for the direction it is taking, which is reflected in the election of Mark Lawrence. We believe that you, leaders of our national Church, should be informed about issues of critical concern, and we believe that this certainly is one of those moments.

It is important that you know, as you consider our concern, that the Diocese of South Carolina is not unified in its support of the Anglican Communion Network and its positions, nor is it unified in a desire to disassociate from The Episcopal Church. There are congregations in this diocese that remain committed to The Episcopal Church, and there are segments within "dissenting" congregations that remain equally committed. The Episcopal Forum of South Carolina is supported by parishioners from most parishes in the diocese, and provides a voice for those loyal to The Episcopal Church.

We are concerned about the process for the election of Father Lawrence. There was neither a search nor a nominating committee, and no opportunity was provided for newly elected delegates to meet Father Lawrence or hear him speak. There was an opportunity to petition for alternate candidates, but the process was overly restrictive. Further, observers who earlier were registered and attended the 2006 Diocesan Convention were not admitted to the "reconvened convention" 7 months later.

The 2006 convention was reconvened for the purpose of suspending the canons dealing with bishop election. We are also concerned that the process used to suspend the bishop election rules may have violated diocesan canons. We want to emphasize the fact that the above objections to the approval process were clearly expressed to leaders of the Standing Committee.

Our concern is heightened by recent statements made by Father Lawrence. Following the ruling that his first election was null and void, Father Lawrence stated, "It's time to call for those in the middle to wake up and decide which side you are on." (3/17/07, Charleston, SC, *Post and Courier*). Further, in a letter by Father Lawrence to his parish, posted August 22, 2007 on his parish's website, he wrote; "I also hold strong convictions on remaining in covenanted fellowship with the worldwide Anglican Communion, rather than following, as some have suggested, the pathway of an overly autonomous provincial or national church."

His perspective deeply concerns us, as we believe that it would further isolate a substantial number of Episcopalians in the Diocese of South Carolina. A climate of intolerance exists in this diocese, virtually isolating Episcopalians who do not agree with the expressed position of the majority of clergy and lay leaders who are members of the Anglican Communion Network. We fear that climate would be exacerbated by the administration of a bishop with Mark Lawrence's perspective.

We want the new bishop of South Carolina to be committed without reservation to the ordination oath signed by every new bishop "to conform to the doctrine, discipline and worship of The Episcopal Church." (BCP, p513) We understand that commitment to include respecting the democratic actions of General Convention and the elected leadership of The Episcopal Church as it is now constituted.

We question whether a person who has repudiated the polity of our national Church should be considered qualified to be a bishop in The Episcopal Church. Please give our concerns your prayerful attention as you consider your consent to this election.

You can view the names of officers, directors, and members of The Episcopal Forum of South Carolina responsible for this message at our website www.episcopalforumofsc.org.

EXHIBIT 5

(Forum newsletter dated 9/17/2007)

eNewsletter Episcopal Forum of SC

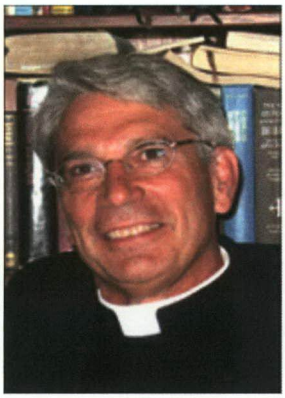
Episcopal Forum of SC Writes to TEC Bishops & Standing Committees

September 17. 2007

11/3/07 Conference - Connecting with TEC - Middleton Place

In This Issue:

Episcopal Forum of SC Writes to TEC Bishops & Standing Committees
Text of EFSC letters to Diocesan Bishops and Members of Diocesan Standing Committees
Conference Program - Saturday 11/3/07
REGISTER TO ATTEND THIS CONFERENCE
Join The Episcopal Forum of SC
Contact Info



Episcopal Forum of SC Writes to TEC Bishops & Standing Committees

The Diocese of SC reelected Fr. Mark Lawrence to become Bishop of South Carolina. The Diocese sent letters to all diocesan bishops and standing committees to request "Consents" as required by the canons of TEC. A majority of Consents is required from the bishops and separately from the standing committees. The Episcopal Forum of SC also sent letters to the bishops and standing committees expressing concerns which should be considered in the discernment process. (SEE TEXT OF LETTER IN BELOW)

The Episcopal Church (TEC) is a hierarchical church with an elected episcopate. Once elected, consented to and consecrated the diocesan bishop of a defined geographic area

exercises broad authority in that diocesan area under the Canons and Constitution of TEC.

TEC is limited in its ability to enter into diocesan affairs which are under the authority of the bishop. A major hierarchical obligation and authority TEC has in diocesan leadership and affairs is to either withhold Consents for a bishop-elect or to remove a bishop from a diocese by a process known as "Presentment". The grounds for these actions include violation of the canons and constitution of TEC.

During the past year several diocesan bishops, who are members of the ACN "Network", have taken 1st steps to withdraw their entire diocese from TEC and join a new Anglican Province in formation. TEC through the Presiding Bishop advised the Bishop of San Joaquin by letter not to move forward on this separation process. The Presiding Bishop wrote:

....."I have seen reports of your letter to parishes in the Diocese of San Joaquin, which apparently urges delegates to your upcoming Diocesan Convention to take action to leave the Episcopal Church. I would ask you to confirm the accuracy of those reports. If true, you must be aware that such action would likely be seen as a violation of your ordination vows to "uphold the doctrine, discipline, and worship of Christ as this Church has received them." I must strongly urge you to consider the consequences of such action, not only for yourself but especially for all of the Episcopalians under your pastoral charge and care."..... (see text of letter in eNewsletter # 17 at link below)

Father Lawrence is currently in the Diocese of San Joaquin and he has in his public discourse generally supported his Bishop and the ACN on the issues of "disassociation from TEC". Concern and caution should be exercised in granting consents to a bishop-elect who by public discourse does not express full commitment to the ordination oath signed by every new bishop ﷺto conform to the doctrine, discipline and worship of The Episcopal Church.ﷺ (BCP, p513). This commitment is understood to include respecting the democratic actions of General Convention and the elected leadership of The Episcopal Church as it is now constituted.

Issue 17 EFSC eNewsletter ﷺ 11/21/06 ﷺ The Presiding Bishop of ECUSA responds to schismatic Bishop of San Joaquin

---

Text of EFSC letters to Diocesan Bishops and Members of Diocesan Standing Committees

September 14, 2007

TO: Diocesan Bishops and Members of Diocesan Standing Committees (Addressed by diocese, signed and mailed (9/15/07)

FROM: The Episcopal Forum of South Carolina
L. A. Pagliaro, Board President

We are writing as an assembly of Episcopalians in the Diocese of South Carolina, working

to retain and strengthen ties with The Episcopal Church. We ask you to take seriously our concerns regarding the future of our diocese and the strength of our Church. We sense that there exists a broad perception of overriding support within our diocese for the direction it is taking, which is reflected in the election of Mark Lawrence. We believe that you, leaders of our national Church, should be informed about issues of critical concern, and we believe that this certainly is one of those moments.

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We are concerned about the process for the election of Father Lawrence. There was neither a search nor a nominating committee, and no opportunity was provided for newly elected delegates to meet Father Lawrence or hear him speak. There was an opportunity to petition for alternate candidates, but the process was overly restrictive. Further, observers who earlier were registered and attended the 2006 Diocesan Convention were not admitted to the "reconvened convention" 7 months later.

The 2006 convention was reconvened for the purpose of suspending the canons dealing with bishop election. We are also concerned that the process used to suspend the bishop election rules may have violated diocesan canons. We want to emphasize the fact that the above objections to the approval process were clearly expressed to leaders of the Standing Committee.

Our concern is heightened by recent statements made by Father Lawrence. Following the ruling that his first election was null and void, Father Lawrence stated, "It's time to call for those in the middle to wake up and decide which side you are on." (3/17/07, Charleston, SC, Post and Courier). Further, in a letter by Father Lawrence to his parish, posted August 22, 2007 on his parish's website, he wrote; "I also hold strong convictions on remaining in covenanted fellowship with the worldwide Anglican Communion, rather than following, as some have suggested, the pathway of an overly autonomous provincial or national church." (see link below)

His perspective deeply concerns us, as we believe that it would further isolate a substantial number of Episcopalians in the Diocese of South Carolina. A climate of intolerance exists in this diocese, virtually isolating Episcopalians who do not agree with the expressed position of the majority of clergy and lay leaders who are members of the Anglican Communion Network. We fear that climate would be exacerbated by the administration of a bishop with Mark Lawrence's perspective.

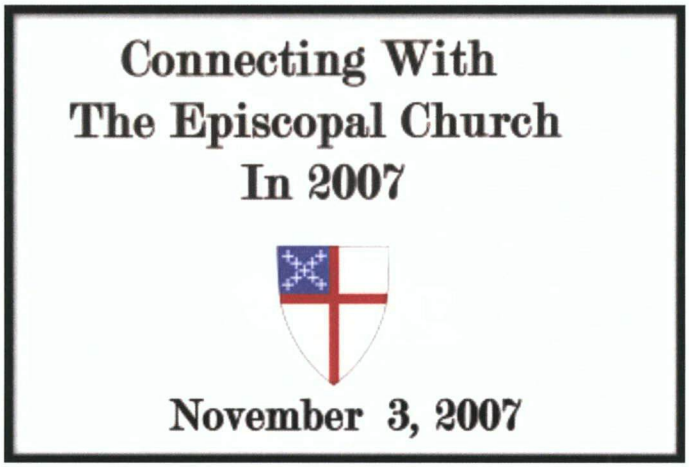
We want the new bishop of South Carolina to be committed without reservation to the ordination oath signed by every new bishop "to conform to the doctrine, discipline and worship of The Episcopal Church." (BCP, p513) We understand that commitment to include respecting the democratic actions of General Convention and the elected leadership of The Episcopal Church as it is now constituted.

We question whether a person who has repudiated the polity of our national Church should be considered qualified to be a bishop in The Episcopal Church. Please give our concerns your prayerful attention as you consider your consent to this election.

You can view the names of officers, directors, and members of The Episcopal Forum of South Carolina responsible for this message at our website www.episcopalforumofsc.org.

Saint Paul&#65533;s Parish Website - South Carolina Episcopacy Revisited

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Conference Program - Saturday 11/3/07

The Episcopal Forum of South Carolina will sponsor a conference November 3rd at Middleton Place Conference Center in Charleston, SC. Speakers will include: Bonnie Anderson, Sally Johnson and The Rev. Frank Wade (SEE DETAILS BELOW)

The goal of this conference is to connect Episcopalians in the Diocese of SC with The Episcopal Church nationally. Join us to be more informed about and connected to The Episcopal Church during these challenging times.

8:30 AM - Coffee and Registration

9:30 AM - Holy Eucharist

10:30 AM - Break

10:45 AM - Presentation - Bonnie Anderson

12:00 Noon - Box Lunch - Informal small groups.

1:00 PM - Presentation - Frank Wade

2:00 PM - Presentation - Sally Johnson

2:30 PM - Break

2:45 PM - Speakers Panel Discussion Q & A

4:00 PM - Closing prayer

BONNIE ANDERSON was elected Vice President of the House of Deputies in 2003 and was elected President of House of Deputies in 2006. She holds the highest ranking lay office in The Episcopal Church.

As President of the House of Deputies, Anderson's canonical responsibilities include among many others presiding over the House of Deputies, serving as Vice Chair of Executive Council, serving as Vice President of the Domestic and Foreign Missionary Society (DFMS) (the corporate entity under which TEC operates). Anderson maintains a presence at TEC Center in New York City, and serves as ex-officio member of all TEC Standing Commissions.

FRANK WADE - The Rev. Frank Wade is a prominent speaker and consultant who served 22 years as rector of St. Alban's on the grounds of the National Cathedral in Washington, D.C. He is a trustee of the Alliance for Christian Media.

Wade is a well-known preacher and conference leader. He has served as a deputy to many General Conventions, has been chaplain to the House of Deputies, chaired the education committee and served on the Council of Advice for President of the House of Deputies.

SALLY JOHNSON - Chancellor to the President of the House of Deputies. Her responsibilities include employment, ecclesiastical discipline, legal and other risk management situations arising in the Episcopal Church.

Website for Inn at Middleton Place

REGISTER TO ATTEND THIS CONFERENCE



The conference will be held at the Inn at Middleton Place on Rt 61 at the Middleton Plantation. See the link above for directions to the Conference Center or to reserve a room for the evening before the conference.

The Conference fee is $25 per person including lunch. Send your name and address and the number of seats you wish to reserve using the link below.

Link: REGISTER FOR THIS CONFERENCE

Join The Episcopal Forum of SC

Add your name to the growing list of fellow Episcopalians in the Diocese of SC who wish to continue to support the Episcopal Church.

Join The Episcopal Forum of South Carolina and affirm your support for The Episcopal Church of the United States of America, its Constitution and Canons, the authority of its General Convention, and the leadership of its Presiding Bishop.

This is the sole mission of The Episcopal Forum of SC.

Forward This eNewsletter !!!

LINK TO JOIN THE EPISCOPAL FORUM

JOIN THE EPISCOPAL FORUM OF SC AND SUPPORT THE EPISCOPAL CHURCH IN SOUTH CAROLINA

Subscribe to this eNewsletter below

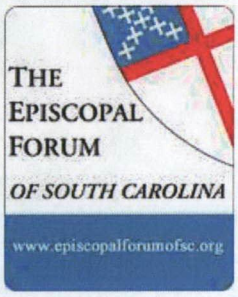
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EXHIBIT 6

(Mission Statement on website 6/25/2017)

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The Episcopal Forum Of South Carolina

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Updated 06/03/2016

Our Mission Statement

The mission of the Episcopal Forum is to support The Episcopal Church in South Carolina, The Episcopal Church and the worldwide Anglican Communion by providing support and educational offerings, including an annual educational conference that:

Preserves the heritage and inclusivity of The Episcopal Church.

Promotes unity within diversity.

Explores a broad range of Scriptural understandings.

Encourages Episcopalians with different perspectives to find common ground in their ministry.

The Episcopal Forum will accomplish its mission through:

Consultation with the Bishop and the Diocesan Council of The Episcopal Church in South Carolina.

Regular communications (e.g. web site, public media, direct mailings, etc.)

Growing the membership, which is free and open to all interested persons.

Donations and conference fees.

Other support as needed or which is requested by the Bishop or Diocesan Council.

Membership is free and open to all Episcopalians. Members and their church affiliations are listed on the Episcopal Forum web site at their option. There are no required meetings and no dues. Members endorse its mission statement and voluntarily support its communication

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Join The Episcopal Forum of SC

Enthusiastically Episcopalian in South Carolina

EXHIBIT 7
(Affidavit of Karen Kusko)

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; All Saints Protestant Episcopal Church, Inc.; Christ St. Paul's Episcopal Church; Christ The King, Waccamaw; Church Of The Cross, Inc. and Church Of The Cross Declaration Of Trust; Church Of The Holy Comforter; Church of the Redeemer, Holy Trinity Episcopal Church; Saint Luke's Church, Hilton Head; Saint Matthews Church; St. Andrews Church-Mt. Pleasant and The St. Andrews Church-Mt. Pleasant Land Trust; St. Bartholomews Episcopal Church; St. Davids Church; St. James' Church, James Island, S.C.; St. John's Episcopal Church of Florence, S.C.; St. Matthias Episcopal Church, Inc.; St. Paul's Episcopal Church of Bennettsville, Inc.; St. Paul's Episcopal Church of Conway; The Church Of St. Luke and St. Paul, Radcliffeboro; The Church Of Our Saviour Of The Diocese of South Carolina; The Church Of The Epiphany (Episcopal); The Church Of The Good Shepherd, Charleston, SC; The Church Of The Holy Cross; The Church Of The Resurrection, Surfside; The Protestant Episcopal Church, Of The Parish Of Saint Philip, In Charleston, In The State Of 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 St. Jude's Church Of Walterboro; The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of Prince George Winyah; The Vestry And Church Wardens Of The Episcopal Church Of The Parish Of St. Helena and The Parish Church of St. Helena

IN THE COURT OF COMMON PLEAS
FOR THE FIRST JUDICIAL CIRCUIT

Case No. 2013-CP-18-00013

2013 MAR 19 PM 5:14
CLERK OF COURT
DORCHESTER COUNTY

AFFIDAVIT OF KAREN KUSKO

Trust; The Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. Matthew; The Vestry and Wardens Of St. Paul's Church, Summerville; Trinity Church of Myrtle Beach; Trinity Episcopal Church; Trinity Episcopal Church, Pinopolis; Vestry and Church-Wardens Of The Episcopal Church Of The Parish Of Christ Church; Vestry and Church Wardens Of The Episcopal Church Of The Parish Of St. John's, Charleston County	)
PLAINTIFFS,	)
v.	)
The Episcopal Church (a/k/a, The Protestant Episcopal Church in the United States of America); The Episcopal Church in South Carolina	)
DEFENDANT.	)

Personally appeared before me, Karen Kusko, who being duly sworn, deposes and says:

1. I reside at 78 Brays Island drive, Sheldon, South Carolina 29941.

2. On March 8-9, 2013 I attended a gathering called "The Episcopal Church in South Carolina." I was present on March 8, 2013 from 7 PM to approximately 8:30 PM and then on March 9, 2013 from 9:30AM until its adjournment at approximately 11:15AM.

3. I registered as a guest, paying the registration fee through Paypal.

4. When I entered the convention on Saturday morning, I was given a copy of the "The Episcopal Church in South Carolina, The 222nd Diocesan Convention – Second Business Session" agenda. A true and accurate copy of this is attached as Exhibit 1.

5. I picked up additional documents in the reception area that included the resolutions for consideration. I have attached as Exhibit 2 a true and accurate copy of the Resolutions of "The Episcopal Church in South Carolina, Annual Meeting of the Convention,

March 8-9, 2013" to be considered.

6. The papers also included a copy of the Constitution and Canons of The Episcopal Church in South Carolina. I have attached as Exhibit 3 a true and accurate copy of The Constitution and Canons of The Episcopal Church in South Carolina.

7. Finally, the papers included the Convention seating arrangement. I have attached as Exhibit 4 a true and accurate copy of "The Episcopal Church in South Carolina Seating Arrangements for Saturday's Business Session."

8. During the course of the meeting, I observed nine resolutions were offered. Of those nine, four directly or indirectly used a registered name of the Diocese of South Carolina:

a. I have attached as Exhibit 5 the Constitution and Canons of the Diocese of South Carolina;

b. R-1 references Article II, Section 2 of the Constitution of the Diocese of South Carolina as the authority for calling the convention of March 8-9, 2013;

c. R-3 references "Canon XXXI, 1-25 of the Canons and Rules of Order of this Diocese" as the basis of the resolution. This is a reference to the Canons of the Diocese of South Carolina, Exhibit 3 and 5;

d. R-5 references Canon XIII as the requirements "that a Board of Trustees be elected by ballot at the Annual Convention." This is a direct reference to provisions in the Constitution and Canons of the Diocese of South Carolina, Exhibit 5;

e. R-6 specifically references certain actions and resolutions of the Diocese of South Carolina taken between 2009 and November 2012 and they "were declared in a Special Convention January 26, 2013 to be null and void ..." The Resolution

makes certain additions and deletions from the Constitution and Canons of the Diocese. The Resolution purported that "Due to a judicial restriction placed the Diocese, these amendments are being adopted under the working name of the Diocese, The Episcopal Church in South Carolina. In the event that the Diocese is instructed or otherwise authorized to change its name, the documents may be revised administratively to substitute the name." The exhibit to this resolution was the modifications to the Constitution and the Canons.

FURTHER, THE AFFIANT SAYETH NOT.

March 19, 2013

Karen Kusko

Karen Kusko

Sworn to before me this 19 day of March, 2013

Janice Proffitt

Notary Public for the State of South Carolina

My Commission expires: 12/15/21

JANICE PROFFITT
Notary Public, South Carolina
My Commission Expires
December 15, 2021

Exhibit 4

The Episcopal Church in South Carolina
Seating Arrangements for Saturday's Business Session

Clergy not with a delegation may sit in pews 87 & 85

All Saints, Hampton	83
All Saints, Hilton Head	62 (2 seats) & 60 (4 seats)
Calvary	75
Christ Church, Denmark	84
Christ Church, Florence	80
Epiphany	86
Grace	63 (2 seats) & 61 (four seats)
Heavenly Rest	84
Holy Communion, Allendale	74
Holy Communion, Charleston	70 (3 seats) & 68 (3 seats)
Holy Cross, Faith Memorial	64 (4 seats) & 62 (2 seats)
Old St. Andrews	80
St. Alban's	79
St. Augustine	81
St. Bartholomew's	83
St. George, Summerville	74 (2 seats) & 72 (4 seats)
St. James--Santee	86
St. John's, Florence	80
St. Mark's, Charleston	67
St. Mark's, Port Royal	88
St. Paul's Summerville	76
St. Paul's, Conway	81
St. Philip's, Voorhees	78
St. Stephens, Charleston	65 (4 seats) & 63 (2 seats)
St. Stephens, NMB	71 (2 seats) & 69 (3 seats)
St. Stephens, St. Stephens	79
St. Thomas, N. Charleston	66
Trinity Continuing, MB	77
Trinity, Edisto	73 (4 seats) & 71 (2 seats)
Trinity, Pinopolis	78

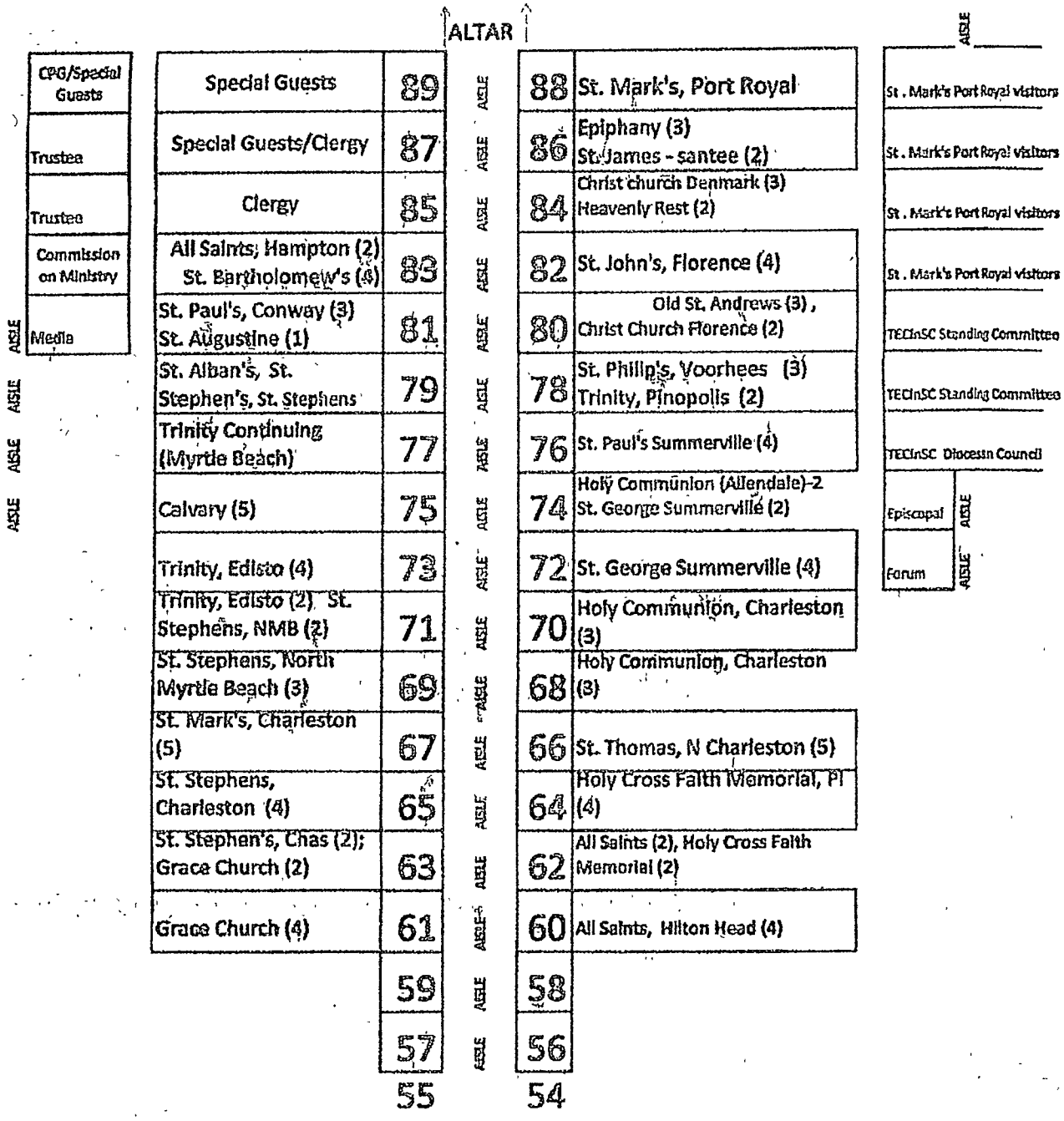

ALTAR
AISLE
CPG/Special Guests
Trustee
Trustee
Commission on Ministry
Media
Special Guests
Special Guests/Clergy
Clergy
All Saints; Hampton (2) St. Bartholomew's (4)
St. Paul's, Conway (3) St. Augustine (1)
St. Alban's, St. Stephen's, St. Stephens
Trinity Continuing (Myrtle Beach)
Calvary (5)
Trinity, Edisto (4)
Trinity, Edisto (2) St. Stephens, NMB (2)
St. Stephens, North Myrtle Beach (3)
St. Mark's, Charleston (5)
St. Stephens, Charleston (4)
St. Stephen's, Chas (2); Grace Church (2)
Grace Church (4)
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88 St. Mark's, Port Royal
86 Epiphany (3) St. James - santee (2)
84 Christ church Denmark (3) Heavenly Rest (2)
82 St. John's, Florence (4)
80 Old St. Andrews (3), Christ Church Florence (2)
78 St. Philip's, Voorhees (3) Trinity, Pinopolis (2)
76 St. Paul's Summerville (4)
74 Holy Communion (Allendale)-2 St. George Summerville (2)
72 St. George Summerville (4)
70 Holy Communion, Charleston (3)
68 Holy Communion, Charleston (3)
66 St. Thomas, N Charleston (5)
64 Holy Cross Faith Memorial, Pl (4)
62 All Saints (2), Holy Cross Faith Memorial (2)
60 All Saints, Hilton Head (4)
58
56
54
St . Mark's Port Royal visitors
St . Mark's Port Royal visitors
St . Mark's Port Royal visitors
St . Mark's Port Royal visitors
TECInSC Standing Committee
TECInSC Standing Committee
TECInSC Diocesin Council
Episcopal
Forum

EXHIBIT 8

(Membership List dated 3/15/2007)

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THE EPISCOPAL FORUM OF SOUTH CAROLINA
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EFSC Published - Open Letter - 9/06

EPISCOPAL FORUM MEMBERS MARCH 15, 2007

NAME	CITY	PARISH
Rosamond J Affleck	Christ Church - Mt. Pleasant	Mount Pleasant
Dick Arlington	St. Michaels - Charleston	Mount Pleasant
George Asnip	Prince George - Georgetown	Paleys Island
Elizabeth B. Asnip	Prince George - Georgetown	Pawleys Island
Cheryl Astern	St. Georges -Summerville	Summerville
Glenn Ayers	Holy Comforter - Sumpter	Sumter
Karen Aytes	Old St. Andrews - Charleston	Charleston
Joe Aytes	Old St. Andrews - Charleston	Charleston
Nancy Bagnulo	St. Stephens- Charleston	Mount Pleasant
Nancy Bailey	All Saints' - Florence	Florence
Jeff Bannister	St. Peter's & St. John's - Charleston	Greer
Margaret Barron	Holy Cross - Faith Mem.- PI	Pawleys Island
C. Alex Barron	Holy Cross - Faith Mem.- PI	Pawleys Island
Cathy Battle	St. Pauls - Conway	Conway
Harriette S. Bayse	Grace - Charleston	Mt Pleasant
Thelma Beaubeir	Prince George - Georgetown	
Charles Bender	Grace - Charleston	Charleston
Jean Bender	Grace - Charleston	Charleston
Dean Berry	Holy Cross - Faith Mem.- PI	Pawleys Island
Sara Binkley	St. Stevens - N Myrtle Beach	North Myrtle Beach
Robert R. Black	Grace - Charleston	Mt. Pleasant
John C. Blackburn	Grace - Charleston	Charleston
Cindy Blackburn	Grace - Charleston	Charleston
Sarah Wade Boatwright	Grace - Charleston	Charleston
Broughton Boatwright	Grace - Charleston	Charleston
Carolyn Bourne	Holy Cross - Faith Mem.- PI	Georgetown
John Boyle	Between	Mt. Pleasant
Nancy R. Boyle	Holy Cross - Faith Mem.- PI	Pauleys Island
McGregor Boyle	Holy Cross - Faith Mem.- PI	Pauleys Island
Philip L. Bradley	Grace - Charleston	Johns Island
Francine Bray	Grace - Charleston	Charleston
S.G. Brehmer	St Stephens Charleston	Goose Creek
Sassene Bridges	Christ Church - Mt. Pleasant	Mt. Pleasant
Nancy Brown		Bluffton
Frank Brown	Old St. Andrews - Charleston	chas
Richard Brown		Bluffton
Christen Brown	Old St. Andrews - Charleston	Charleston

Edward Bryan, III	St. Stephen's - Charleston	Charleston
Mary H Burkett	St Stephen's - Charleston	Mt Pleasant
Elizabeth Caldwell		
Theresa Hannıford Camlın		
Joye Cantrell		
C. Cantwell		
Marie Carter	Grace - Charleston	Mt. Pleasant
Hope Causby	St Thomas - N. Charleston	Charleston
Joanna Cawley	Grace - Charleston	Charleston
Charlie Chitty	St. Stephen's - Charleston	Mt. Pleasant
Kay Chitty	St. Stephen's - Charleston	Mt. Pleasant
Mary Clark	Holy Cross - Faith Mem.- PI	Surfside Beach
Albert L. Clark	Holy Cross - Faıth Mem.- PI	Surfside Beach
Bill Cobb	St. Helena's - Beaufort	
Fran Cobb	St. Helena's - Beaufort	
Sarah Coker		Charleston
James Coker		Charleston
Mıchael G. Cole	Holy Cross - Faith Mem.- PI	Pawleys Island
Jım Collıns	Church of The Cross - Bluffton	Seabrook
Lynn Collins	Church of The Cross - Bluffton	Seabrook
David Comer	St Paul's Summerville	Summervılle
Mary Comer	St. Paul's Summerville	Summervılle
Harry Cotesworth	Church of The Cross - Bluffton	Bluffton
Nola Cotesworth	Church of The Cross - Bluffton	Bluffton
Ann Cotton	Grace - Charleston	Charleston
J Crosby	Prınce George - Georgetown	Metlakatla
Kathy Crosby	Prince George - Georgetown	Metlakatla
Kevın Crothers	Chrıst Church - Mt. Pleasant	Mt Pleasant
Barbie Culbertson	Prince George - Georgetown	Georgetown
William Cunnıngham	All Saınts - Hılton Head	Hılton Head Island
Carmen Cunnıngham	All Saints - Hılton Head	Hılton Head Island
Matt Currın	Holy Cross - Faith Mem.- PI	Pawleys Island
Dottie D'Ambrosio	Holy Cross - Faıth Mem.- PI	Pawleys Island
Chıp D'Ambrosıo	Holy Cross - Faith Mem.- PI	Pawleys Island
Alison J. Davidow		Beaufort
Geoff Davis	St. Paul's Conway	Myrtle Beach
Sue Davis	St. Paul's Episcopal Church, Conway	Myrtle Beach
Charles N Davis	RC and St. Marks Chapel [Epıscopal]	Frıpp Island
Barbara Z. Dıck	Cath. of St Luke & St. Paul - Charleston	Mt Pleasant
Steve Donaldson	Grace - Charleston	Johns Island
Sallie Duell	St Stephens - Charleston	Charleston
Lindsay M. Dukes	St Stephens - Charleston	Charleston
Chıp Dukes		Norcross
Paul Dunkle	St Stephens - Charleston	Charleston
Ann Trively Duvall	St. Stevens - N Myrtle Beach	North Myrtle Beach

Jack Egan	Holy Cross - Faith Mem.- PI	
Dr Frances Elmore	St Johns - Florence	Florence
Daniel J. Ennis	St. Pauls - Conway	Conway
Roger Errington		Beaufort
Anne Errington	St. Helena's - Beaufort	Beaufort
Dwight Fee	Holy Cross - Faith Mem.- PI	Murrells Inlet, SC 29576
Eulalie Fenhagen	Holy Cross - Faith Mem.- PI	Georgetown
Jim Fenhagen	Holy Cross - Faith Mem.- PI	Georgetown
Mary Joe Ferguson	Prince George - Georgetown	Pawley's island
Jaquelin P. Fleet	Grace - Charleston	Charleston
Jo Fortuna	Holy Cross - Faith Mem.- PI	Pawleys Island
Kaye Stockton Fox		Summerville
Roberta B. Fraher	Between	Charleston
Gerald France	Holy Cross - Faith Mem - PI	
Georgianne France	Holy Cross - Faith Mem - PI	Murrells Inlet
Cecelia Franko	Holy Cross - Sullivans Island	Mt. Pleasant
Michael Frederick	St. Helena's - Beaufort	Beaufort
Jane Fredrick	St. Helena's - Beaufort	Beaufort
Debra Freeman	Episcopal - Hartsville	Hartsville
John Fritschner	Holy Trinity Episcopal-Auburn, AL	Auburn
Patty Fulcher	St James McClellanville	McClellanville
Richard Futch	Grace - Charleston	Mount Pleasant
Barbara Gallop	St. Helena's - Beaufort	Beaufort
Doug Gallow	St. Helena's - Beaufort	Dataw Island
Harriet Gallow	St. Helena's - Beaufort	Dataw Island
Paul L. Geiger	Christ Church - Denmark	Bamberg
Emily T Gibbons	St. Georges -Summerville	Summerville
Charley Gibbs	Grace - Charleston	Johns Island
Barbara Gilchrist	Old St. Andrews - Charleston	Charleston
Gary Good	All Saints - Hilton Head	Hilton Head
Pat Good	All Saints - Hilton Head	Hilton Head
Sandra Goodwin	Grace - Charleston	Mt Pleasant
Mel Goodwin	Grace - Charleston	Mt Pleasant
Gene Gould	Grace - Charleston	Charleston
Patricia Gould	Grace - Charleston	Charleston
Kerry Grant		Hilton Head Island
Rebecca Gray	St. Stephens - Charleston	New Orleans
Sands M Gresham	Prince George - Georgetown	Georgetown
Kelley Grobmyer	St Stephen's - Charleston	Charleson
Bonnie Gruetzmacher	All Saints' - Hilton Head	Okatie
William D. Gudger	Cath of St. Luke & St Paul - Charleston	Charleston
Emily Guerry	Grace - Charleston	Mt Pleasant
Emily Guess	Christ Church - Denmark	Denmark
Joe Guess	Christ Church - Denmark	Denmark

Melinda Hamilton	Grace-Charleston	Charleston
Jane Hanahan	Grace - Charleston	Charleston
Ann Hanchey	Old St. Andrews - Charleston	Charleston
Carol Hanckel	Grace-Charleston	Charleston
Marion Hanckel	Grace-Charleston	Charleston
Margaret Hane	Cath of St. Luke & St. Paul - Charleston	Columbia
Ellen Hardin	Old St Andrews - Charleston	Charleston
Flint Harding	St Johns - Florence	Florence
Cynthia Harding	St Johns - Florence	Florence
John Hartman, Jr.	Grace - Charleston	Mount Pleasant
John C. Hartman	Grace - Charleston	Mount Pleasant
Susan Hartman	Grace - Charleston	Mount Pleasant
John Hartman	Grace - Charleston	Mount Pleasant
Justin T. Hartman	Grace - Charleston	Mount Pleasant
J D HASTIE	St. Stephen's - Charleston	Charleston
Bert Hatch		Edisto Island
Kaye Hearn	St. Pauls - Conway	Conway
David Heckman	Holy Cross - Faith Mem.- PI	Surfside Beach
Clara H. Heinsohn	Grace - Charleston	Charleston
Rufus Hill		Washington
Elizabeth Hills	Between	Mt. Pleasant
Roy Hills	Between	Mt. Pleasant
Robert Hirst	Cath. of St Luke & St. Paul - Charleston	Charleston
William Hodsdon	St Marks Chapel - Beaufort	Beaufort
Sue Holloman	Church of Our Saviour - JI	Seabrook Island
Hugh Hostetler	Holy Cross - Faith Mem.- PI	Surfside Beach
Harriet Hostetler	Holy Cross - Faith Mem.- PI	Surfside Beach
Alan Houghton	Holy Cross - Faith Mem.- PI	Pawley's Island
Bille Houghton	Holy Cross - Faith Mem.- PI	Pawleys Island
Wallis C. Houseman	Prince George - Georgetown	Georgetown
Elizabeth Howell	Holy Cross - Faith Mem.- PI	Columbia
Susan Hudgins	All Saints - Hilton Head	Hilton Head Island
Elizabeth G Hunter	Old St. Andrews - Charleston	Charleson
Andrea Hurley	Old St. Andrews - Charleston	Charleston
Julie Hussey	Grace - Charleston	Charleston
Peter Hyndman	Grace - Charleston	Charleston
Nancy Jones	Prince George - Georgetown	Georgetown
Alice DuPre Jordan	Between	Awendaw
Michael L.M Jordan	St Lukes - Hilton Head	Hilton Head Island
Joyce Kauffman		Hilton Head
William G Kee	Cath. of St. Luke & St. Paul - Charleston	Charleston
Minnie Kennedy	Prince George - Georgetown	Georgetown
Mary Gwynne Kill	St. Pauls - Summerville	Summerville
Anne Osborne Kilpatrick	St Stephens - Charleston	Sullivans Island

Judy M. King	Calvary - Charleston	North Charleston
Gilbert G. King	Calvary - Charleston	North Charleston
Don Koets	St Pauls - Summerville	Summerville
Eleanor Koets	St. Pauls - Summerville	Summerville
John Kowal	Trinity - Pinopolis	Moncks Corner
Jan Kowal	Trinity - Pinopolis	Moncks Corner
Pixie Kubick	Holy Cross - Faith Mem - PI	Pawleys Island
John Kwist	St Pauls - Summerville	Summerville
Margaret S. Kwist	St. Pauls - Summerville	Summerville
JOHN P LaBRUCE	Prince George - Georgetown	GEORGETOWN
Catherine LaFond	St. Stephen's-Charleston	Charleston
Richard Lamb	St Andrew's-Mt. Pleasant	Florence
Jim Lancaster	Grace - Charleston	Johns Island
Jane LaRock	St. Helena's - Beaufort	Beaufort
Katrina P. Lawrimore	Prince George - Georgetown	Georgetown
Linda Lear	St. Stephens - Charleston	Charleston
Frank Lee	Cath. of St Luke & St. Paul - Charleston	Charleston
Linda Lee	St. Stephen's - Charleston	CHARLESTON
Susan Legare	Grace - Charleston	Charleston
Lee Leland	St James - Santee	McClellanville
T Ballard Lesemann	St James Santee - McClellanville	McClellanville
Marilyn A. Lewis	Prince George - Georgetown	Pawleys Island
Adam Limehouse	St. Marks - Charleston	Charleston
F. Ward Logan	Grace - Charleston	Charleston
Karen Long		Florence
Richard Lovelace	St. Paul's - Conway	Conway
Melinda Lucka	Grace - Charleston	Mt Pleasant
Betsy Luke	St. Paul's - Summerville	Summerville
Lindsay Luke	St Pauls - Summerville	Summerville
Helen Madden	Holy Cross/Faith Memorial - Pawleys Island	Columbia
Brandon V. Madden	Holy Cross - Faith Mem.- PI	Columbia
Barbara Mann	Grace - Charleston	Charleston
Dave Mann	Grace - Charleston	Mt Pleasant
Fran Marscher		Hilton Head Island
Bill Marscher		Hilton Head Island
Mary Markley Marshall	All Saints - Hilton Head	Hilton Head Island
Allerton D Marshall	All Saints - Hilton Head	Hilton Head Island
Maureen C. McDonnell	All Saints' - Hilton Head	Hilton Head Island
Christie McDonnell	All Saints' - Hilton Head	Hilton Head Island
Richard P. McDonnell	All Saints' - Hilton Head	Hilton Head Island
Richard McDonnell		Hilton Head Island
Jean McGraw	Old St Andrews - Charleston	North Charleston
Kenneth McIlraith	St Lukes - Hilton Head	Hilton Head Island
Dorothy McIlraith	St Lukes - Hilton Head	Hilton Head Island
Lillis McWhorter	Holy Cross - Faith Mem - PI	Murrells Inlet

Doyle McWhorter	Holy Cross - Faith Mem.- PI	Murrells Inlet
Dorothy Meacham	St. Michaels - Charleston	Charleston
Susan Meehan	All Saints' - Hampton	Varnville
Terrance L Meehan	All Saints' - Hampton	Varnville
Daniel Messier	St. Marks - Charleston	Charleston
Dolores Miller	St Johns - Florence	Florence
Rodly J. Millet	St. Stephen's - Charleston	Mt Pleasant
Amelia Montjoy	Between	Hollywood
Jane Morris	Grace - Charleston	Santee
Jim Morris	Epiphany - Eutawville	Santee
Nan Morrison	St. Phillips - Charleston	
Jack Murray	Grace-Charleston	Charleston
Sara Ann Murray	Grace-Charleston	Charleston
Tom Myers	St. Stephens - Charleston	Mt Pleasant
John Nash	Trinity - Edisto	Edisto Island
Susanne Nash	Trinity - Edisto	Edisto Island
F Truett Nettles	Grace - Charleston	Charleston
Chris Nietert	All Saints' - Hampton	Beaufort
Jack Nietert	All Saints' - Hampton	Beaufort
Anne Nietert	Christ Church - Mt. Pleasant	Mt Pleasant
Michael O'Connell	Grace - Charleston	Charleston
Bobby O'Dell	St. Michaels - Charleston	Charleston
Jean Oliver	St. Stevens - N Myrtle Beach	Little River
Ronald Oliver	St Stevens - N Myrtle Beach	Little River
Donna Orvin	Grace - Charleston	Charleston
Kenny Oubre	St. Stephen's - Charleston	Mt Pleasant
Michael Oyer	St. Paul's - Conway	Myrtle Beach
Laura-Chapman Page	Grace - Charleston	Charleston
Lynn Pagliaro	Grace - Charleston	Charleston
Dottie Pagliaro	Grace - Charleston	Charleston
Dusty Parker	St Stephens - Charleston	Mt Pleasant
Sally Peace	Church of The Advent-Marion	Nichols
J. Paul Peavy	Old St. Andrews - Charleston	Summerville
Jordan Peeler	Grace - Charleston	Charleston
Cornelia Pelzer	St. Michaels - Charleston	Charleston
Randy Pelzer	St. Michaels - Charleston	Charleston
Julie Petroff	St. Helena's - Beaufort	St. Helena Island
Cliff Phillips	Holy Cross - Faith Mem.- PI	Pawleys Island
Celeste Phillips	Grace - Charleston	Charleston
Maxine Phillips	Holy Cross - Faith Mem.- PI	Pawleys Island
Bob Pinkerton	St. Marks-Beaufort	Beaufort
GeorgiaAnn Porcher	Grace - Charleston	Mt Pleasant
Philip Porcher	Grace - Charleston	Mt Pleasant
David Porter	Grace - Charleston	Charleston

Jonathan Poston	Grace - Charleston	Charleston
Phillip Powell	Grace - Charleston	Charleston
Marilyn Powell	St. Stephens - Charleston	Charleston
David Price	Grace - Charleston	Summerville
Jane Pulling	Trinity - Pinopolis	Pinopolis
Verne Pulling	Trinity - Pinopolis	Pinopolis
Patricia S Quattlebaum	Calvary - Charleston	Darlington
Jo Ray	St. Stephens - Charleston	Mt Pleasant
Mike Ray	St. Stephens - Charleston	Mt Pleasant
Mayo Read	St Philips - Charleston	Wadmalaw Island
Anne Read	Grace - Charleston	Charleston
Tom Read	Grace - Charleston	Charleston
Warren Redman-Gress	St. Stephens - Charleston	Charleston
Manney Reid	Holy Cross - Faith Mem.- PI	Pawleys Island
Fran Reid	Holy Cross - Faith Mem.- PI	Pawleys Island
James Remillard	St. Stephen's - Charleston	Charleston
Sherry Remillard	St Stephen's - Charleston	Charleston
Tom B. Ritchie	Holy Cross - Faith Mem - PI	Pauleys Island
Madeleine C. Ritchie	Holy Cross - Faith Mem - PI	Pawleys Island
Jason Roberson	Grace - Charleston	Charleston
John David Rose		Black Mountain
Penny Rose	St Lukes - Hilton Head	Hilton Head Island
Dwight Runge	Old St. Andrews - Charleston	Charleston
Virginia N. Runge	Old St. Andrews - Charleston	Charleston
Elaine Rutherford	Holy Cross - Faith Mem - PI	Pawleys Island
Louisa Salvo	St. Paul's - Summerville	Summerville
John Sands	Holy Cross - Faith Mem.- PI	Murrells Inlet
Geales Sands	Holy Cross - Faith Mem.- PI	Pawleys Island
Philis Sarto	Holy Cross - Faith Mem.- PI	Pawleys Island
David Saunders	All Saints - Hilton Head	Hilton Head
Henry Saunders	St. Pauls - Conway	Conway
Loni Saunders	All Saints - Hilton Head	Hilton Head
John Schroeder	Grace - Charleston	Charleston
Roy Scoggins	St. Georges -Summerville	Ladson
Patricia H Scoggins	St. George's - Summerville	Ladson
Scott Shaffer	St. Marks-Beaufort	Beaufort
Lee Shaffer	St Marks-Beaufort	Beaufort
Anne Carmichael Sherman	Trinity - Edisto	Edisto Island
John Shilling	Grace - Charleston	Mt Pleasant
Angela Shilling	Grace - Charleston	Mt. Pleasant
Jill Sinclair	St. Stephens - Charleston	Charleston
Carolyn Sires	St. Pauls - Summerville	Summerville
John W Skardon	Grace - Charleston	Mauldin
Steve Skardon	Grace - Charleston	Mount PLeasant

Harriet Smartt	Grace - Charleston	Charleston
Dick Smartt	Grace - Charleston	Charleston
Audrey Smith	Grace - Charleston	Charleston
Colton Smith	St. Stephens - Charleston	Charleston
Benjamin Smith	St. Stephens - Charleston	Mt Pleasant
Barbara Smith	St Stephens - Charleston	Charleston
Roger Smith	St. Marks-Beaufort	Beaufort
Angela Smith	St. Stephens - Charleston	Charleston
Andrew Smith	Grace - Charleston	Charleston
Martha Smith	St. Pauls - Conway	Conway
Truman Smith	Grace - Charleston	Charleston
Clyde Smith	St. Stephens - Charleston	Charleston
Gretchen Smith	Trinity - Edisto	Edisto Island
John Spann	St Augustines - Wedgefield	Sumter
Sparkie Sparks	Old St Andrews - Charleston	Charleston
Margaret Stallings	Holy Cross - Faith Mem.- PI	Pauleys Island
H McKim Steele	Searching	Charleston
Judith Steele	Searching	Charleston
Gail T. Steinfield	Holy Cross - Faith Mem.- PI	Myrtle Beach
John Stewart	Grace - Charleston	Charleston
Ann Stirling	Grace - Charleston	Charleston
Robert P. Stockton	St Stephen's - Charleston	Charleston
Dudleigh C Stone	St Helenas - Bluffton	Beaufort
Sallie Stone	St. Helena's - Beaufort	Beaufort
David Stoney		McClellanville
Daisy Stoudenmire	Grace - Charleston	Mt Pleasant
Brenda Stroup	Holy Cross - Faith Mem.- PI	Georgetown
Hal Stubbs	Grace - Charleston	Charleston
Barbara Stubbs	Grace - Charleston	Charleston
Charles Sturm	St. Pauls - Summerville	Summerville
Francis Thomas	Grace - Charleston	Charleston
Ann Hurd Thomas	Grace - Charleston	Charleston
Bryan Thompson	St. Stephens - Charleston	Charleston
Lucy Thrower	St Johns - Florence	Florence
Byron Tindall	Christ Episcopal Church-Denmark	Denmark
Anne Tindall	Christ Episcopal Church-Denmark	Denmark
Timothy Tipton	Grace - Charleston	Charleston
Sarah Tipton	Grace - Charleston	Charleston
Carolyn Titus	Grace - Charleston	Mt. Pleasant
Pat Tobin	Holy Cross - Sullivans Island	Mt. Pleasant
George Tompkins	Old St. Andrews - Charleston	Charleston
Bill Trawick	Grace - Charleston	Charleston
Mary Ellen Troia	Grace - Charleston	Hollywood
Ginny Trolley	All Saints - Hilton Head	Hilton Head Island

George Tupper	St. Pauls - Summerville	Summerville
Jane Tupper	St. Pauls - Summerville	Summerville
Pat Updegraff	All Saints' - Hilton Head	Okatie
Kathy Urban	Trinity - Myrtle Beach	Myrtle Beach
Sam Van Norte	St. Stephens - Charleston	Edisto Island
Jan Van Norte	St. Stephens - Charleston	Edisto Island
Agnes G Wade	Grace - Charleston	Charleston
Marcy Walsh	Between	Summerville
Stephen Ward	Grace - Charleston	Seabrook Island
Nancy Ward	Grace - Charleston	Seabrook Island
C. Douglas Warner	Grace - Charleston	Charleston
Ann Weatherby	Old St Andrews - Charleston	Charleston
Priscilla Wendt	Grace - Charleston	Charleston
Robertson Wendt	Grace - Charleston	Charleston
William Werrell	Grace - Charleston	Charleston
Judy Werrell	Grace - Charleston	Charleston
Bonnie Werther	All Saints - Hilton Head	Bluffton
Pattie White	St Matthew-Darlington	Darlington
James W. White,III	Not Affiliated	
Letty Wilder	Trinity-Myrtle Beach	Myrtle Beach
John Wilder	St. Georges -Summerville	Summerville
Virginia Wilder	St Georges -Summerville	Summerville
Jim Wilkerson	Grace - Charleston	Folly Beach
Christine Wilkerson	Grace - Charleston	Folly Beach
John Willson		Charleston
Harriet Wilmeth	St. Bartholomews - Hartsville	Hartsville
John N Wilson	Grace - Charleston	Charleston
John Womack	Holy Cross-Faith Memorial	Pawleys Island
Norris Wootton	St Albans - Kingstree	Kingstree

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EXHIBIT 9

(Membership List dated 3/16/2010)

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EPISCOPAL FORUM MEMBERS

March 16, 2010

(List excludes Members who wish not to be listed)

Name	City	Parish
Carol A. Adams		Episcopalian
Rosamond J Affleck	Mt Pleasant	Christ Church - Mt. Pleasant
Dianne Agapour	Charleston	St. Stephens - Charleston
Terry Allen	Charleston	
Dorothy P. Amis	Charleston	Grace - Charleston
Lewis R. Amis	Charleston	Grace - Charleston
Dick Arlington	Mt Pleasant	St. Michaels - Charleston
Elizabeth B. Asnip	Pawleys Island	Prince George - Georgetown
George Asnip	Pawleys Island	Prince George - Georgetown
Cheryl Astern	Summerville	St. George's - Summerville
Glenn Ayers	Sumter	Holy Comforter - Sumpter
Joe Aytes	Charleston	Old St. Andrews - Charleston
Nancy Bagnulo	Mt Pleasant	St. Stephens - Charleston
Nancy Bailey	Florence	All Saints - Florence
Thomas Waring Bailey, Jr.	Summerville	Epiphaney - Summerville
Carolyn Baker	Charleston	Grace - Charleston
Lillian Baldwin	McClellanville	St James - Santee
Mikell H. Baldwin		St. Helena's - Beaufort
William Baldwin	McClellanville	St James - Santee
Robert Ball		St. Stephens - Charleston
Debbie Bandy	Charleston	Grace - Charleston
Jeff Bannister	Greer	St. Peter's & St. John's - Charleston
Dr. Lisa K. Barcla	Charleston	Cath. of St. Luke & St. Paul - Charleston
Sherman Barker	Hilton Head Island	All Saints - Hilton Head
C. Alex Barron, Jr.	Pawleys Island	Holy Cross - Faith Memorial
Margaret Barron	Pawleys Island	Holy Cross - Faith Memorial
Gabriel John Batarseh	Florence	Christ Episcopal - Florence

Lillian Batarseh	Florence	Christ Episcopal - Florence
Suzi Bateman	Georgetown	Holy Cross - Faith Memorial
Cathy Battle	Conway	St Pauls - Conway
Ellen L. Baxter	McClellanville	St James - Santee
E T Baysden	Beaufort	St Marks Chapel - Port Royal
Harriette S. Bayse	Mt Pleasant	Grace - Charleston
Thelma Beaubeir		Prince George - Georgetown
Charles Bender	Charleston	Grace - Charleston
Jean Bender	Charleston	Grace - Charleston
Mary Neale Berkaw	Charleston	Holy Communion - Charleston
Dean Berry	Pawleys Island	Holy Cross - Faith Memorial
Elaine R Bestler		St James - Santee
Annette L. Billings	Murrells Inlet	Holy Cross - Faith Memorial
Douglas G Billings	Murrells Inlet	Holy Cross - Faith Memorial
Sara Binkley	Myrtle Beach	St Stevens - N Myrtle Beach
Robert R. Black	Mt Pleasant	Grace - Charleston
Cindy Blackburn	Charleston	Grace - Charleston
John C Blackburn	Charleston	Grace - Charleston
Catherine Blumberg		Holy Comforter - Sumpter
Linda Blume	Orangeburg	Redeemer - Orangeburg
Broughton Boatwright	Charleston	Grace - Charleston
Sarah-Wade Boatwright	Charleston	Grace - Charleston
Joan Bonaparte		Calvary - Charleston
David Bossman	Charleston	
Carolyn Bourne	Georgetown	Holy Cross - Faith Memorial
Catherine Boykin	Charleston	Grace - Charleston
Milton Boykin	Charleston	Grace - Charleston
John Boyle	Mt Pleasant	Episcopalian
McGregor Boyle	Murrells Inlet	Holy Cross - Faith Memorial
Nancy R. Boyle	Murrells Inlet	Holy Cross - Faith Memorial
Philip L. Bradley	Johns Island	Grace - Charleston
Francine Bray	Mt Pleasant	Grace - Charleston
S G. Brehmer	Goose Creek	St Stephens Charleston
Sassene Bridges	Mt Pleasant	Christ Church - Mt. Pleasant
Christen Brown	Charleston	Old St. Andrews - Charleston
Frank Brown	Charleston	Old St Andrews - Charleston
Michael K. Brown	Charleston	St Stephens - Charleston
Sara Browner	Okatie	All Saints - Hilton Head
Edward Bryan, III	Charleston	St. Stephens - Charleston
Mary H. Burkett	Mt Pleasant	St Stephens - Charleston
Jan Buvinger		Grace - Charleston
Westley Byrne	Beaufort	St Helena's - Beaufort
Elizabeth Caldwell	Florence	St John's - Florence
Theresa Hanniford Camlin	Moncks Corner	Trinity - Pinopolis
Ann Campbell	Conway	St Paul's, Conway
Harry Campbell	Conway	St Pauls - Conway
Joye Cantrell		
C Cantwell		
Chuck Carpenter	Florence	St John's - Florence
Margaret (Peg) Carpenter	Florence	St John's - Florence

Marie Carter	Mt Pleasant	Grace - Charleston
Hope Causby		St Thomas - N. Charleston
Lila S Cauthen		St. Pauls - Summerville
Joanna S Cawley	Charleston	Grace - Charleston
Charlie Chitty	Mt Pleasant	St Stephens - Charleston
Kay Chitty	Mt Pleasant	St Stephens - Charleston
Barbara Christie	Charleston	Grace - Charleston
Jim Clark	Georgetown	
Mary Clark	Surfside Beach	Holy Cross - Faith Memorial
Bill Cobb	Beaufort	St. Helena's - Beaufort
Fran Cobb	Beaufort	St Helena's - Beaufort
James Coker	Charleston	
Sarah Coker	Charleston	
Michael G Cole	Pawleys Island	Holy Cross - Faith Memorial
Lynn Collins	Seabrook	Church of The Cross - Bluffton
David Comer	Summerville	St. Pauls - Summerville
Mary Comer	Summerville	St Pauls - Summerville
Patricia Cook	Mt Pleasant	Christ Church - Mt. Pleasant
Roberta C Cook		St. David's
Taylor Cook	Mt Pleasant	Christ Church - Mt Pleasant
William J Cook	Charleston	St. Stephens - Charleston
Mollie Corrie	Florence	
Harry Cotesworth	Bluffton	Church of The Cross - Bluffton
Nola Cotesworth	Bluffton	Church of The Cross - Bluffton
Ann Cotton	Charleston	Grace - Charleston
Julia Cripps	Murrells Inlet	All Saints Parish Waccamaw
N Clark Cromwell	Folly Beach	Grace - Charleston
J Crosby	Metlakatla	Prince George - Georgetown
Kathy Crosby	Metlakatla	Prince George - Georgetown
Kevin Crothers	Mt Pleasant	Currently Unaffiliated
Barbie Culbertson	Georgetown	Prince George - Georgetown
Carmen Cunningham	Hilton Head Island	All Saints - Hilton Head
William Cunningham	Hilton Head Island	All Saints - Hilton Head
Michael M Cureton	Myrtle Beach	Holy Cross - Faith Memorial
John F Daley	Pawleys Island	Holy Cross - Faith Memorial
Mason Daley	Pawleys Island	Holy Cross - Faith Memorial
Dottie D'Ambrosio	Pawleys Island	Holy Cross - Faith Memorial
Alison J Davidow	Beaufort	St Marks Chapel - Port Royal
Geoff Davis	Myrtle Beach	St. Pauls - Conway
Sue Davis	Myrtle Beach	St. Pauls - Conway
Jane deButts	Marshall, VA	Grace - Charleston
Robert Dennis	Edisto Island	Trinity - Edisto
Ann W Dibble	Charleston	Grace - Charleston
Barbara Z Dick	Mt Pleasant	Cath of St Luke & St Paul - Charleston
Steve Donaldson	Johns Island	Grace - Charleston
Patricia Doyle		Christ Church of Our Savior
Thomas A. Doyle		Christ Church of Our Savior
Mary Ginny DuBose	Pawleys Island	Holy Cross - Faith Memorial
Sallie Duell	Charleston	St. Stephens - Charleston
Chip Dukes	Norcross	

Lindsay M Dukes	New York City	St Stephens - Charleston
Paul Dunkle		St Stephens - Charleston
Ann Trively Duvall	North Myrtle Beach	St Stevens - N Myrtle Beach
Jayne Eastman	Mt Pleasant	Christ Church - Mt Pleasant
Charlotte Edwards	Summerville	St. George's - Summerville
Jack Egan	Pawleys Island	Holy Cross - Faith Memorial
Dr Frances Elmore	Florence	St Johns - Florence
Daniel J Ennis	Conway	St Pauls - Conway
Anne Errington	Beaufort	St Marks Chapel - Port Royal
Roger Errington	Beaufort	St Marks Chapel - Port Royal
Mollie Fair	Mt Pleasant	St. Andrews Mt Pleasant
Dwight Fee	Murrells Inlet	Holy Cross - Faith Memorial
Eulelie Fenhagen	Pawleys Island	Holy Cross - Faith Memorial
The Rev James Fenhagen	Pawleys Island	Holy Cross - Faith Memorial
Mary Joe Ferguson	Pawleys Island	Prince George - Georgetown
Nan Fetters		Holy Cross - Faith Memorial
Helen Fischer	Mt Pleasant	Christ Church - Mt Pleasant
Jaquelin P. Fleet	Charleston	Grace - Charleston
Jo Fortuna	Pawleys Island	Holy Cross - Faith Memorial
Forrest W Foshee		St Andrews Mt Pleasant
Clarice Foster		Grace - Charleston
Kaye Stockton Fox	Summerville	St George's - Summerville
Harry Foy		Trinity - Edisto
Mary Ann Foy		Trinity - Edisto
Roberta B Fraher		Episcopalian
Georgianne France	Murrells Inlet	Holy Cross - Faith Memorial
Gerald France	Murrells Inlet	Holy Cross - Faith Memorial
Cecelia Franko	Mt Pleasant	
Michael Frederick	Beaufort	St. Helena's - Beaufort
Jane Fredrick	Beaufort	St Helena's - Beaufort
Debra Freeman	Hartsville	St. Bartholomews - Hartsville
Kathlyn Ann Fritz		Trinity - Edisto
James E Fulcher	McClellanville	St James Santee - McClellanville
Patty Fulcher	McClellanville	St James Santee - McClellanville
Richard Futch	Mt Pleasant	Grace - Charleston
Barbara Gallop	Seabrook	St Marks Chapel - Port Royal
Doug Gallow	Dataw Island	St Helena's - Beaufort
Harriet Gallow	Dataw Island	St. Helena's - Beaufort
Fred Gebler	Okatie	All Saints - Hilton Head
Mary Anne Gebler	Bluffton	All Saints - Hilton Head
Charles C. Geer	Charleston	Holy Communion - Charleston
Jane H Geiger	Bamberg	Christ Church - Denmark
Paul L. Geiger	Bamberg	Christ Church - Denmark
Harriet W. Gettys	Edisto Iskland	Trinity - Edisto
Jim Gettys	Edisto Island	Trinity - Edisto
Emily T Gibbons	Summerville	St. George's - Summerville
Charley Gibbs	Johns Island	Grace - Charleston
Barbara Gilchrist	Charleston	Old St Andrews - Charleston
Carroll L Gilliam	Mt Pleasant	Holy Cross - Sullivans Island
Peggy Gilliam	Mt Pleasant	Holy Cross - Sullivans Island

Mel Goodwin	Mt Pleasant	Grace - Charleston
Sandra Goodwin	Mt Pleasant	Grace - Charleston
Betty Gore	Charleston	St Stephens - Charleston
Elizabeth H. Grady	St. Helena Island	St Marks Chapel - Port Royal
Linda A. Grady	Bluffton	All Saints - Hilton Head
C Wesley Grady	Bluffton	All Saints - Hilton Head
Carla Graham		St. John's - Florence
Kerry Grant	Hilton Head Island	All Saints - Hilton Head
Rebecca Gray	New Orleans	St Stephens - Charleston
Bill Greeley	Mount Pleasant	St Stephens - Charleston
Sands M Gresham	Georgetown	Prince George - Georgetown
Ann Gridley	Kiawah Island	Episcopalian
Kelley Grobmyer	Charleston	St Stephens - Charleston
Bonnie Gruetzmacher	Okatie	All Saints - Hilton Head
William D Gudger	Charleston	Cath of St Luke & St Paul - Charleston
Emily Guerry	Mt Pleasant	Grace - Charleston
C B Guess	Summerville	St Pauls - Summerville
Emily Guess	Denmark	Christ Church - Denmark
Joe Guess	Denmark	Christ Church - Denmark
Keith Guess	Summerville	St Pauls - Summerville
Melinda Hamilton	Charleston	Grace - Charleston
Ann Hanchey	Charleston	Old St Andrews - Charleston
Carol Hanckel	Charleston	Grace - Charleston
Marion Hanckel	Charleston	Grace - Charleston
Margaret Hane	Columbia	Cath. of St. Luke & St. Paul - Charleston
Dale Hansel	Okatie	All Saints - Hilton Head
Robert R Hansel	Okatie	All Saints - Hilton Head
David Hardin		Trinity Church
Ellen Hardin	Charleston	Old St Andrews - Charleston
Cynthia Harding	Florence	St Johns - Florence
Flint Harding	Florence	St Johns - Florence
Dill Harper	Florence	All Saints - Florence
John C Hartman	Mt Pleasant	Grace - Charleston
John Hartman	Mt Pleasant	Grace - Charleston
John Hartman, Jr	Mt Pleasant	Grace - Charleston
Justin T Hartman	Mt Pleasant	Grace - Charleston
Susan Hartman	Mt Pleasant	Grace - Charleston
J D HASTIE	Charleston	St Stephens - Charleston
Bert Hatch	Edisto Island	
Clint Hazzard		Grace - Charleston
Kaye Hearn	Conway	St Pauls - Conway
George Hearne	Hanahan	Grace - Charleston
Clara H. Heinsohn	Charleston	Grace - Charleston
John R Hester	Marion	Advent
Rufus Hill	Washington	
Elizabeth Hills	Mt Pleasant	St Stephens - Charleston
Roy Hills	Mt Pleasant	St Stephens - Charleston
Robert Hirst	Charleston	Cath of St Luke & St. Paul - Charleston
Gail Hodsdon	Beaufort	St Marks Chapel - Port Royal
William Hodsdon	Beaufort	St Marks Chapel - Port Royal

Linda Hoke		St. Philips - Charleston
Sue Holloman	Seabrook Island	Christ Church of Our Savior
Harriet Hostetler	Surfside Beach	Holy Cross - Faith Memorial
Hugh Hostetler	Surfside Beach	Holy Cross - Faith Memorial
Alan Houghton	Pawleys Island	Holy Cross - Faith Memorial
Billie Houghton	Pawleys Island	Holy Cross - Faith Memorial
Wallis C Houseman	Pawleys Island	Prince George - Georgetown
Elizabeth Howell	Columbia	Holy Cross - Faith Memorial
David Hoyle	Charleston	St Stephens - Charleston
Erin Hoyle	Charleston	St Stephens - Charleston
Susan Hudgins	Hilton Head Island	All Saints - Hilton Head
Tommie Hughes	Edisto Island	Trinity - Edisto
Elizabeth G Hunter	Charleston	Old St. Andrews - Charleston
Lee Hurd		Christ Church of Our Savior
Andrea Hurley	Charleston	Old St Andrews - Charleston
Julie Hussey	Charleston	Grace - Charleston
Peter Hyndman	Charleston	Grace - Charleston
Beth Inman	Mt Pleasant	Grace - Charleston
Heyward Jablomee	Charleston	St Stephens - Charleston
Mac James	Florence	
Jane Jett	Summerville	St Stephens Charleston
Charles Jett	Summerville	St Stephens Charleston
John Romig Johnson	Charleston	St Stephens - Charleston
Nicole Johnson	Charleston	Old St Andrews - Charleston
Kenneth L. Jones	Mt Pleasant	Grace - Charleston
Lucille Jones	Murrell's Inlet	All Saints Parish Waccamaw
Nancy Jones	Georgetown	Prince George - Georgetown
Alice DuPre Jordan	Awendaw	Episcopalian
Michael L M Jordan	Hilton Head Island	All Saints - Hilton Head
Nancy Y Jordan		Grace - Charleston
Nathan Kaminski	Georgetown	Prince George Winyah Episcopal
Marcia Kaminski	Georgetown	Prince George Winyah Episcopal
Joyce K Kauffman	Hilton Head Island	All Saints - Hilton Head
Susan Kearney	Beaufort	St Marks Chapel - Port Royal
William G Kee	Charleston	Cath. of St. Luke & St Paul - Charleston
Minnie Kennedy	Georgetown	Prince George - Georgetown
Mary Gwynne Kill	Summerville	St. Pauls - Summerville
Anne Osborne Kilpatrick	Charleston	Grace - Charleston
Anne Osborne Kilpatrick	Sullivan's Island	St Stephens - Charleston
Suzanne Kindler	Okatie	All Saints - Hilton Head
Judy M King	North Charleston	Calvary - Charleston
Don Koets	Summerville	St Pauls - Summerville
Eleanor Koets	Summerville	St. Pauls - Summerville
Jan Kowal	Moncks Corner	Trinity - Pinopolis
John Kowal	Moncks Corner	Trinity - Pinopolis
Pixie Kubick	Pawleys Island	Holy Cross - Faith Memorial
John Kwist	Summerville	St. Pauls - Summerville
Margaret S Kwist	Summerville	St Pauls - Summerville
JOHN P LaBRUCE	Georgetown	Prince George - Georgetown
Catherine LaFond	Charleston	St. Stephens - Charleston

Richard Lamb	Florence	St Andrew's-Mt Pleasant
Jim Lancaster	Johns Island	Grace - Charleston
Jane LaRock	Beaufort	St. Helena's - Beaufort
Mary Vereen Lauer	Myrtle Beach	Trinity - Myrtle Beach
Robert J Lauer	Myrtle Beach	Trinity - Myrtle Beach
Katrina P Lawrimore	Georgetown	Prince George - Georgetown
Linda Lear	Charleston	St. Stephens - Charleston
Bonnie Leazer	Charleston	Old St Andrews - Charleston
Perry R. Leazer	Charleston	Old St. Andrews - Charleston
Frank Lee	Charleston	Cath of St Luke & St. Paul - Charleston
Linda Lee	Charleston	St. Stephens - Charleston
Susan Legare	Charleston	Grace - Charleston
Caroline T Leland	Charleston	St Michaels - Charleston
Cynthia C. Leland		St. James - Santee
Lee Leland	McClellanville	St James - Santee
T. Ballard Lesemann	McClellanville	St. James - Santee
Jane Hart Lewis	Florence	St. John's - Florence
Marilyn A Lewis	Pawleys Island	Prince George Winyah Episcopal
Cecily Lilly		St. John's - Florence
Adam Limehouse	Charleston	St. Marks - Charleston
F. Ward Logan	Charleston	Grace - Charleston
Karen Long	Florence	All Saints - Florence
Rebecca Lovelace	Conway	St Pauls - Conway
Richard Lovelace	Conway	St Pauls - Conway
Melinda Lucka	Mt Pleasant	Grace - Charleston
Betsy Luke	Summerville	St Pauls - Summerville
Lindsay Luke	Summerville	St Pauls - Summerville
Brandon V Madden	Columbia	Holy Cross - Faith Memorial
Helen Madden	Columbia	Holy Cross - Faith Memorial
Kathy Magruder	Charleston	St. Stephens - Charleston
Barbara Mann	Charleston	Grace - Charleston
Dave Mann	Mt Pleasant	Grace - Charleston
Fran Marscher	Hilton Head Island	
Elizabeth R Marlow	Pawleys Island	Holy Cross - Faith Memorial
Allerton D. Marshall	Hilton Head Island	All Saints - Hilton Head
Mary Markley Marshall	Hilton Head Island	All Saints - Hilton Head
Sue Mason	Bluffton	Church of The Cross - Bluffton
Peggy Mauldin	Mt Pleasant	Grace - Charleston
Fred W. Mauterer	Georgetown	Episcopalian
Karen E. McCormick		Christ Episcopal Church
Mary Sue McDaniel	Summerville	St Pauls - Summerville
Christie McDonnell	Hilton Head Island	All Saints - Hilton Head
Maureen C. McDonnell	Hilton Head Island	All Saints - Hilton Head
The Rev. Dr. Richard P. McDonnell	Hilton Head Island	All Saints - Hilton Head
G Simms McDowell, III	Charleston	Grace - Charleston
Amy McEachin		St. John's - Florence
Laura McGeorge	Charleston	Grace - Charleston
Dorothy McIlraith	Hilton Head Island	All Saints - Hilton Head
Lillis McWhorter	Murrells Inlet	Holy Cross - Faith Memorial
Dorothy Meacham	Charleston	St Michaels - Charleston

Susan Meehan	Varnville	All Saints' - Hampton
Terrance L Meehan	Varnville	All Saints' - Hampton
Warren Mersereau	Kiawah Island	Christ Church of Our Savior
Daniel Messier	Charleston	St Marks - Charleston
Dolores Miller	Florence	St Johns - Florence
Rodly J. Millet	Mt Pleasant	St Stephens - Charleston
Carl b Millford, Jr	Charleston	Grace - Charleston
Brian Monroe		Holy Cross - Faith Memorial
Amelia Montjoy	Hollywood	Episcopalian
Jane Morris	Santee	Grace - Charleston
Jim Morris	Santee	Epiphany - Eutawville
Nan Morrison	Charleston	St. Philips - Charleston
Alisa Mosley		St Mary's Irmo
Jack Murray	Charleston	Grace - Charleston
Mary Murray	Charleston	Grace - Charleston
Mike Murray	Charleston	Grace - Charleston
Sara Ann Murray	Charleston	Grace - Charleston
Tom Myers	Mt Pleasant	St. Stephens - Charleston
Ann E. Nagel	Edisto Island	Episcopalian
John Nash	Edisto Island	Trinity - Edisto
Susanne Nash	Edisto Island	Trinity - Edisto
Tim Nauss	Pawleys Island	Holy Cross - Faith Memorial
F. Truett Nettles	Charleston	Grace - Charleston
Marshall Newton		St. Andrews Mt Pleasant
Anne Nietert	Mt Pleasant	Christ Church - Mt. Pleasant
Chris Nietert	Beaufort	All Saints' - Hampton
Jack Nietert	Beaufort	All Saints - Hilton Head
Michael O'Connell	Charleston	Grace - Charleston
Bobby O'Dell	Charleston	St Michaels - Charleston
Helen Brenchley Oates	Pawleys Island	All Saints Parish Waccamaw
Jean Oliver	Little River	St Stevens - N Myrtle Beach
Ronald Oliver	Little River	St Stevens - N Myrtle Beach
Virginia Orban	Kiawah Island	Christ Church of Our Savior
Jane Orenstein	Summerville	St George's - Summerville
Donna Orvin	Moncks Corner	Grace - Charleston
Doug Osborne		Holy Cross - Faith Memorial
Sue Osborne		Holy Cross - Faith Memorial
Kenny Oubre	Mt Pleasant	St Stephens - Charleston
Michael Oyer	Myrtle Beach	St. Pauls - Conway
Laura-Chapman Page	Charleston	Grace - Charleston
Dottie Pagliaro	Charleston	Grace - Charleston
Lynn Pagliaro	Charleston	Grace - Charleston
Dusty Parker	Mt Pleasant	St. Stephens - Charleston
Milton Parker	Beaufort	St. Helena's - Beaufort
Sally Peace	Nichols	Church of The Advent-Marion
J Paul Peavy	Summerville	Old St Andrews - Charleston
Jordan Peeler	Boston	Grace - Charleston
Cornelia Pelzer	Charleston	St. Michaels - Charleston
Randy Pelzer	Charleston	St. Michaels - Charleston
Julie Petroff	Dataw Island	St Helena's - Beaufort

Harold Petzolt		
Celeste Phillips	Charleston	Grace - Charleston
Cliff Phillips	Pawleys Island	Holy Cross - Faith Memorial
Maxine Phillips	Pawleys Island	Holy Cross - Faith Memorial
Barbara Pinkerton	Beaufort	St Marks Chapel - Port Royal
Bob Pinkerton	Beaufort	St Marks Chapel - Port Royal
George Pinkerton	Okatie	All Saints - Hilton Head
Joan C Pittman	Sullivan's Island	St. Stephens - Charleston
Geoff Place	Charleston	Grace - Charleston
Jan Place	Charleston	Grace - Charleston
Eugene Platt		St. James-Charleston
Jerry Poer	Folly Beach	Grace - Charleston
Georgia Ann Porcher	Mt Pleasant	Grace - Charleston
Philip Porcher	Mt Pleasant	Grace - Charleston
David Porter	Charleston	Grace - Charleston
Jonathan Poston	Charleston	Grace - Charleston
Marilyn Powell	Charleston	St. Stephens - Charleston
Phillip Powell	Charleston	Grace - Charleston
David Price	Summerville	Grace - Charleston
Martha Propps	Pawleys Island	Holy Cross - Faith Memorial
Jane Pulling	Pinopolis	Trinity - Pinopolis
Verne Pulling	Pinopolis	Trinity - Pinopolis
Patty Quattlebaum	Charleston	Calvary - Charleston
Jo Ray	Mt Pleasant	St. Stephens - Charleston
Mike Ray	Mt Pleasant	St Stephens - Charleston
Anne Read	Charleston	Grace - Charleston
Mayo Read	Wadmalaw Island	St Philips - Charleston
Tom Read	Charleston	Grace - Charleston
Warren Redman-Gress	Charleston	St Stephens - Charleston
Marguerite Sinkler Reeves	Charleston	St Michaels - Charleston
Fran Reid	Sumter	Holy Cross - Faith Memorial
Manney Reid	Pawleys Island	Holy Cross - Faith Memorial
James Remillard	Charleston	St. Stephens - Charleston
Sherry Remillard	Charleston	St. Stephens - Charleston
Mary Flowerre Rhett	Charleston	St. Michaels - Charleston
Shannon Richards-Slaughter		Calvary - Charleston
Tom Riley	Summerville	St Pauls - Summerville
Tricia Riley	Summerville	St Pauls - Summerville
F Edward Ritchen	Charleston	Grace - Charleston
Madeleine C Ritchie	Pawleys Island	Holy Cross - Faith Memorial
Tom B Ritchie	Pawleys Island	Holy Cross - Faith Memorial
Jason Roberson	Charleston	Grace - Charleston
Jennifer Roberts	Summerville	
Andrea Robinson-Lawrence		Calvary - Charleston
Tom G. Robinson	North Charleston	St Stephens - Charleston
Steve Roehrich	Mt Pleasant	St. Stephens - Charleston
Susan Roehrich	Mt Pleasant	St. Stephens - Charleston
Marilyn Roper	Hilton Head Island	St Lukes & All Saints - Hilton Head
John David Rose	Black Mountain	
Penny Rose	Hilton Head Island	St Lukes - Hilton Head

Jim Rowe	Beaufort	St Marks Chapel - Port Royal
Peggy E. Rozelle	Mt Pleasant	Grace - Charleston
Dwight Runge	N. Charleston	Old St Andrews - Charleston
Virginia Runge	N Charleston	Old St. Andrews - Charleston
Elaine Rutherford	Pawleys Island	Holy Cross - Faith Memorial
J. Wood Rutter	Dataw Island	St. Helena's - Beaufort
Janet Somerville Sachs	Summerville	Episcopalian
Louisa Salvo	Summerville	St Pauls - Summerville
Geales Sands	Murrells Inlet	Holy Cross - Faith Memorial
John Sands	Murrells Inlet	Holy Cross - Faith Memorial
Philis Sarto	Pawleys Island	Holy Cross - Faith Memorial
David Saunders	Hilton Head Island	All Saints - Hilton Head
Henry Saunders	Myrtle Beach	St Pauls - Conway
Loni Saunders	Hilton Head Island	All Saints - Hilton Head
Dorothy Schafer	Kiawah Island	Grace - Charleston
John Schroeder	Charleston	Grace - Charleston
Patricia H. Scoggins	Ladson	Grace - Charleston
Roy Scoggins	Ladson	Grace - Charleston
Lee Shaffer	Beaufort	St Marks Chapel - Port Royal
Scott Shaffer	Beaufort	St Marks Chapel - Port Royal
Anne Carmichael Sherman	Edisto Island	St Stephens - Charleston
Jill Sinclair	John's Island	St Stephens - Charleston
H David Singleton	Charleston	St. Stephens - Charleston
Carolyn Sires	Summerville	St Pauls - Summerville
John W Skardon	Mauldin	Grace - Charleston
Steve Skardon	Mt Pleasant	Grace - Charleston
Mary Slaby		Trinity Episcopal Church
Dick Smartt	Isle of Palms	Grace - Charleston
Harriet Smartt	Isle of Palms	Grace - Charleston
Andrew Smith	Charleston	Grace - Charleston
Angela Smith	Charleston	St. Stephens - Charleston
Ann H Smith	Pawleys Island	Holy Cross - Faith Memorial
Audrey Smith	Charleston	Grace - Charleston
Barbara Smith	Mt Pleasant	St. Stephens - Charleston
Benjamin Smith	Mt Pleasant	St Stephens - Charleston
Clyde Smith		St. Stephens - Charleston
Colton Smith	Charleston	St Stephens - Charleston
Rev Dennis L Smith, PhD	John's Island	Episcopalian
Gretchen Smith	Edisto Island	Trinity - Edisto
Martha Smith	Conway	St. Pauls - Conway
Roger Smith	Beaufort	St Marks Chapel - Port Royal
Truman Smith	Charleston	Grace - Charleston
Russell Southwick	Hilton Head Island	All Saints - Hilton Head
John Spann	Sumter	St Augustines - Wedgefield
Sparkie Sparks	Charleston	Old St. Andrews - Charleston
Becky Sparrow	Pawley's Island	Holy Cross - Faith Memorial
Margaret Stallings	Pawleys Island	Holy Cross - Faith Memorial
H McKim Steele	Charleston	Episcopalian
Judith Steele	Charleston	Episcopalian
Gail T Steinfield	Myrtle Beach	Holy Cross - Faith Memorial

Hazel M Stewart	Charleston	St Mark's - Charleston
John Stewart	Charleston	Grace - Charleston
Sara Stewart		
Tim L. Stinson	Darlington	St. Matthews-Darlington
Ann Stirling	Charleston	Grace - Charleston
Robert P Stockton	Charleston	St Stephens - Charleston
Dudleigh C Stone	Beaufort	St. Helena's - Beaufort
Sallie Stone	Beaufort	St Helena's - Beaufort
David Stoney	McClellanville	
Daisy Stoudenmire	Mt Pleasant	Grace - Charleston
Brenda Stroup	Georgetown	Holy Cross - Faith Memorial
Barbara Stubbs	Mt Pleasant	Grace - Charleston
Hal Stubbs	Mt Pleasant	Grace - Charleston
Charles Sturm	Summerville	St. George's - Summerville
Barbara Sylvester	Florence	St Johns - Florence
Dale Tasker	Charleston	Grace - Charleston
Gary Tasker	Charleston	Grace - Charleston
Ann Hurd Thomas	Charleston	Grace - Charleston
Francis Thomas	Charleston	Grace - Charleston
Bryan Thompson	Charleston	St. Stephens - Charleston
Lucy Thrower	Florence	St Johns - Florence
John Tindal	Sumter	Church of the Holy Comforter
Sarah F. Tindal	Sumter	Church of the Holy Comforter
Anne Tindall	Denmark	Christ Church - Denmark
Byron Tindall	Denmark	Christ Church - Denmark
Sarah Tipton	Charleston	Grace - Charleston
Timothy Tipton	Charleston	Grace - Charleston
Timothy Tipton	Charleston	Grace - Charleston
Carolyn Titus	Mt Pleasant	Grace - Charleston
Pat Tobin	Mt Pleasant	Holy Cross - Sullivans Island
Pat Tobin	Mt Pleasant	Holy Cross - Sullivans Island
George Tompkins	Charleston	St Stephens - Charleston
Bill Trawick	Charleston	Grace - Charleston
Mary Ellen Troia	Meggett	Grace - Charleston
Ginny Trolley	Hilton Head Island	All Saints - Hilton Head
John Trolley	Hilton Head Island	All Saints - Hilton Head
George Tupper	Summerville	St. Pauls - Summerville
Jane Tupper	Summerville	St Pauls - Summerville
Pat Updegraff	Okatie	All Saints - Hilton Head
Kathy Urban	Myrtle Beach	Trinity - Myrtle Beach
Jan Van Norte	Edisto Island	St Stephens - Charleston
Sam Van Norte	Edisto Island	St. Stephens - Charleston
Florine De Veer	Hanahan	Grace - Charleston
Agnes G. Wade	Charleston	Grace - Charleston
Betsy Walker	Charleston	St. Stephens - Charleston
Marcy Walsh	Summerville	Episcopalian
Nancy Ward	Seabrook Island	Grace - Charleston
Robert C. Ward		Grace - Charleston
Stephen Ward	Seabrook Island	Grace - Charleston
C Douglas Warner	Charleston	Grace - Charleston

Bob Waters	Hanahan	St Marks - Charleston
Gin Waters	Hanahan	St. Marks - Charleston
Karen W. Watson	Johns Island	Christ Church of Our Savior
Ann Weatherby	Charleston	Old St Andrews - Charleston
David Weatherby	Charleston	Old St. Andrews - Charleston
Amy D Webb	Pawleys Island	Holy Cross - Faith Memorial
Susan Webb	Murrells Inlet	Holy Cross - Faith Memorial
Rod Welch		St James Santee - McClellanville
Priscilla Wendt	Charleston	Grace - Charleston
Robertson Wendt	Charleston	Grace - Charleston
Judy Werrell	Charleston	Grace - Charleston
William Werrell	Charleston	Grace - Charleston
Pattie White	Darlington	St Matthew-Darlington
James W White,III	Anderson	Episcopalian
John Wilder	Summerville	Grace - Charleston
Letty Wilder	Myrtle Beach	Trinity - Myrtle Beach
Ginga Wilder	Summerville	Grace - Charleston
Christine Wilkerson	Folly Beach	Grace - Charleston
Jim Wilkerson	Folly Beach	Grace - Charleston
Donna Rae Williams	Summerville	St Pauls - Summerville
Harriet P Williams	Charleston	Episcopalian
Ellen T Willingham	Summerville	Saint Paul's - Summerville
John Willson	Charleston	
Harriet Wilmeth	Hartsville	St Bartholomews - Hartsville
John N Wilson	Charleston	Grace - Charleston
Mary B Wilson	Charleston	Grace - Charleston
Wendy Wilson	Beaufort	
William Wingfield, Jr	Mt Pleasant	Christ Church - Mt Pleasant
Paul B Wiske	Beaufort	St Marks Chapel - Port Royal
John Womack	Pawleys Island	Holy Cross - Faith Memorial
Norris Wootton	Kingstree	St Albans - Kingstree
Nancy Wylie	Camden	
Patrick Wylie	Camden	

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EXHIBIT 10

(Membership List dated 4/7/2014)

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EPISCOPAL FORUM MEMBERS

March 12, 2014

(List excludes Members who wish not to be listed)

Name	City	Parish
Carol A. Adams		Episcopalian
Huel Adams	Charleston	St. Stephens - Charleston
Rosamond J Affleck	Mt Pleasant	Christ Church - Mt. Pleasant
Dianne Agapour	Charleston	St. Stephens - Charleston
Paul Alford	Hartsville	St. Bartholomews - Hartsville
Rebecca Alford	Hartsville	St. Bartholomews - Hartsville
Forrest Allen	Sumter	Episcopalian
Terry Allen	Charleston	
Judith Alling	Beaufort	St Marks - Port Royal
Patrick J. Amer	Hilton Head Island	All Saints - Hilton Head
Dorothy P. Amis	Charleston	Grace - Charleston
Lewis R. Amis	Charleston	Grace - Charleston
Pam Jordan Anderson	Tallahassee, FL	St. Johns - Tallahassee
Dick Arlington	Goose Creek	Grace - Charleston
Sydney Arlington	Goose Creek	Grace - Charleston
Elizabeth B. Asnip	Pawleys Island	Prince George - Georgetown
George Asnip	Pawleys Island	Prince George - Georgetown
Elizabeth Ault	Myrtle Beach	Trinity - Myrtle Beach
Glenn Ayers	Sumter	Holy Comforter - Sumter
Joe Aytes	Charleston	Old St. Andrews - Charleston
Joseph Bagnulo	Mt Pleasant	St. Stephens - Charleston
Nancy Bagnulo	Mt Pleasant	St. Stephens - Charleston
Robert Bagwell+	Savannah, GA	St. Paul's - Savannah
Nancy Bailey	Florence	All Saints - Florence
Thomas Waring Bailey, Jr.	Summerville	Epiphaney - Summerville
Carolyn Baker	Charleston	Grace - Charleston
Frederick Baldwin	MMt Pleasant	St. Stephens - Charleston
Lillian Baldwin	McClellanville	St James - Santee
Mikell H. Baldwin	Beaufort	St. Helena's - Beaufort
William Baldwin	McClellanville	St James - Santee
Robert Ball		St. Stephens - Charleston

Debbie Bandy	Charleston	Grace - Charleston
Dr. Lisa K. Barclay	Charleston	Cath. of St. Luke & St. Paul - Charleston
Sherman Barker	Hilton Head Island	All Saints - Hilton Head
Patty Barnes	Cheraw	Episcopalian
Kaitlin Barrett	Summerville	Episcopalian
C. Alex Barron, Jr.	Pawleys Island	Holy Cross - Faith Memorial
Margaret Barron	Pawleys Island	Holy Cross - Faith Memorial
Cindy Bass	Hilton Head Island	All Saints - Hilton Head
Gabriel John Batarseh	Florence	Christ Episcopal - Florence
Lillian Batarseh	Florence	Christ Episcopal - Florence
Suzi Bateman	Georgetown	Holy Cross - Faith Memorial
Cathy Battle	Conway	St Pauls - Conway
Ellen L. Baxter	McClellanville	St James - Santee
E. T. Baysden	Beaufort	St Marks - Port Royal
Harriette S. Bayse	Mt Pleasant	Grace - Charleston
Tater Beak	Charleston	Grace - Charleston
William Beak	Charleston	Grace - Charleston
Thelma Beaubeir		Prince George - Georgetown
Charles Bender	Charleston	Grace - Charleston
Jean Bender	Charleston	Grace - Charleston
Mary Neale Berkaw	Charleston	Holy Communion - Charleston
Dean Berry	Pawleys Island	Holy Cross - Faith Memorial
Elaine R. Bestler		St James - Santee
Annette L Billings	Murrells Inlet	Holy Cross - Faith Memorial
Douglas G Billings	Murrells Inlet	Holy Cross - Faith Memorial
Sara Binkley	Myrtle Beach	St. Stevens - N Myrtle Beach
Robert R. Black	Mt Pleasant	Grace - Charleston
Cindy Blackburn	Charleston	Grace - Charleston
John C. Blackburn	Charleston	Grace - Charleston
Catherine Blumberg		Holy Comforter - Sumter
Linda Blume	Orangeburg	Redeemer - Orangeburg
Broughton Boatwright	Charleston	Grace - Charleston
Cindy Boatwright	Mt Pleasant	East Cooper Episcopalians
Sarah-Wade Boatwright	Charleston	Grace - Charleston
Joan Bonaparte		Calvary - Charleston
David Bossman	Charleston	
Carolyn Bourne	Georgetown	Holy Cross - Faith Memorial
Keith Bowling	Myrtle Beach	Episcopalian
Catherine Boykin	Charleston	Grace - Charleston
Milton Boykin	Charleston	Grace - Charleston
John Boyle	Mt Pleasant	Episcopalian
McGregor Boyle	Murrells Inlet	Holy Cross - Faith Memorial
Nancy R. Boyle	Murrells Inlet	Holy Cross - Faith Memorial
Philip L Bradley	Johns Island	Grace - Charleston
Brenda Branson	Cheraw	St. David's - Cheraw
Francine Bray	Mt Pleasant	Grace - Charleston
S.G. Brehmer	Goose Creek	St Stephens Charleston
Sassene Bridges	Mt Pleasant	Christ Church - Mt Pleasant
Jerry Broadwater	Summerville	St Stephens - Charleston
Lynn Brooke	Charleston	Episcopalian
Christen Brown	Charleston	Old St Andrews - Charleston
Frank Brown	Charleston	Old St. Andrews - Charleston
Jeanne Rose Brown	Little River	St. Stephens - North Myrtle Beach
Michael K. Brown	Charleston	St. Stephens - Charleston
Sara Browner	Callawassie Island	All Saints - Hilton Head

Edward Bryan, III	Charleston	St. Stephens - Charleston
Mary H. Burkett	Mt Pleasant	St. Stephens - Charleston
Jan Buvinger		Grace - Charleston
Westley Byrne	Beaufort	St. Helena's - Beaufort
Elizabeth Caldwell	Florence	St. John's - Florence
Theresa Hanniford Camlin	Moncks Corner	Trinity - Pinopolis
Ann Campbell	Conway	St Paul's, Conway
Catherine Campbell	Ulmer	Church of the Holy Apostles - Barnwell
Harry Campbell	Conway	St Pauls - Conway
Joye Cantrell		
C. Cantwell		
Chuck Carpenter	Florence	St John's - Florence
Margaret (Peg) Carpenter	Florence	St. John's - Florence
Iris L. Carson	Charleston	St. Stephens - Charleston
Marie Carter	Mt Pleasant	Grace - Charleston
Hope Causby		St Thomas - N. Charleston
Lila S. Cauthen		St. Pauls - Summerville
Joanna S. Cawley	Charleston	Grace - Charleston
Edward Champion	Cumberland, MD	Episcopalian
Debra Charlton	Beaufort	Episcopalian
Rita Chelton	Elkridge, MD	Episcopalian
Charlie Chitty	Mt Pleasant	St. Stephens - Charleston
Kay Chitty	Mt Pleasant	St. Stephens - Charleston
Tom Chorlton	Folly Beach	Episcopalian
Barbara Christie	Charleston	Grace - Charleston
Janet Clark	Cheraw	St. David's - Cheraw
Jim Clark	Georgetown	Episcopalian
Mary Clark	Surfside Beach	Holy Cross - Faith Memorial
Bill Cobb	Beaufort	St. Helena's - Beaufort
Fran Cobb	Beaufort	St. Helena's - Beaufort
James Coker	Charleston	St. Stephens - Charleston
Sarah Coker	Charleston	Episcopalian
Michael G. Cole	Pawleys Island	Holy Cross - Faith Memorial
Lynn Collins	Seabrook	Church of The Cross - Bluffton
David Comer	Summerville	Good Shepherd - Summerville
Mary Comer	Summerville	Good Shepherd - Summerville
Patricia Cook	Mt Pleasant	Christ Church - Mt. Pleasant
Roberta C. Cook		St. David's
Taylor Cook	Mt Pleasant	Christ Church - Mt. Pleasant
William J. Cook	Charleston	St. Stephens - Charleston
Mollie Corrie-	Florence	
Harry Cotesworth	Bluffton	Church of The Cross - Bluffton
Nola Cotesworth	Bluffton	Church of The Cross - Bluffton
Ann Cotton	Charleston	Grace - Charleston
Julia Cripps	Murrells Inlet	All Saints Parish Waccamaw
N. Clark Cromwell	Folly Beach	Grace - Charleston
Jerry Crosby	Georgetown	Holy Cross - Faith Memorial
Kathy Crosby	Georgetown	Holy Cross - Faith Memorial
Kevin Crothers	Mt Pleasant	East Cooper Episcopalians
Patty Crower	Port Royal	St Marks - Port Royal
Barbie Culbertson	Georgetown	Prince George - Georgetown
Carmen Cunningham	Hilton Head Island	All Saints - Hilton Head
William Cunningham	Hilton Head Island	All Saints - Hilton Head
Michael M Cureton	Myrtle Beach	Holy Cross - Faith Memorial

John F. Daley	Pawleys Island	Holy Cross - Faith Memorial
Mason Daley	Pawleys Island	Holy Cross - Faith Memorial
Dottie D'Ambrosio	Pawleys Island	Holy Cross - Faith Memorial
Patricia Daniel-Turk+	Beaufort	St Marks - Port Royal
Alison J. Davidow	Beaufort	St Marks - Port Royal
Geoff Davis	Myrtle Beach	St. Pauls - Conway
Sue Davis	Myrtle Beach	St. Pauls - Conway
Jane deButts	Marshall, VA	Grace - Charleston
Barry Dennis	Conway	Conway Worship Group
Robert Dennis	Edisto Island	Trinity - Edisto
Ann W Dibble	Charleston	Grace - Charleston
Barbara Z. Dick	Mt Pleasant	Cath. of St. Luke & St. Paul - Charleston
Sally Domby	Beaufort	St. Helena's - Beaufort
Steve Donaldson	Johns Island	Grace - Charleston
Patricia Doyle		Christ Church of Our Saviour
Thomas A Doyle		Christ Church of Our Saviour
Mary Ginny DuBose	Pawleys Island	Holy Cross - Faith Memorial
Sallie Duell	Charleston	St. Stephens - Charleston
Chip Dukes	Norcross	
Lindsay M. Dukes	New York City	St. Stephens - Charleston
Paul Dunkle		St. Stephens - Charleston
Ann Tietjen Durham-Culp	St Helena Island	St Mark's - Port Royal
Amaryllis Duvall	Cheraw	St. David's
Ann Trively Duvall	North Myrtle Beach	
Hal Duvall	Cheraw	St. David's
Jayne Eastman	Mt Pleasant	Christ Church - Mt Pleasant
Caroline Eddy	Mt Pleasant	St. Stephens - Charleston
Charlotte Edwards	Summerville	St George's - Summerville
Jack Egan	Pawleys Island	Holy Cross - Faith Memorial
David Elliott	Jackson, MS	Episcopalian
Martha Ellis	Florence	St Johns - Florence
Dr Frances Elmore	Florence	St Johns - Florence
Duncan Ely	Columbus	Episcopalian
Daniel J. Ennis	Conway	St. Pauls - Conway
Julie Erlandsen	Bluffton	All Saints - Hilton Head
Anne Errington	Beaufort	St Marks - Port Royal
Roger Errington	Beaufort	St Marks - Port Royal
Mollie Fair	Mt Pleasant	St. Andrews Mt Pleasant
Dwight Fee	Murrells Inlet	Holy Cross - Faith Memorial
Eulelie Fenhagen	Pawleys Island	Holy Cross - Faith Memorial
The Rev. James Fenhagen	Pawleys Island	Holy Cross - Faith Memorial
Mary Joe Ferguson	Pawleys Island	Prince George - Georgetown
Nan Fetters		Holy Cross - Faith Memorial
Dale Finn	Bluffton	All Saints - Hilton Head
Fred Finn	Bluffton	All Saints - Hilton Head
Peter Finne	Hollywood	St. Thomas - N. Charleston
Yvonne Finne	Hollywood	St. Thomas - N. Charleston
Helen Fischer	Mt Pleasant	Christ Church - Mt. Pleasant
Sarah Vann Fishburne	Chattanooga	Episcopalian
Bob Fisher	Johns Island	Christ Church of Our Saviour
Nancy Fisher	Johns Island	Christ Church of Our Saviour
Jaquelin P. Fleet	Charleston	Grace - Charleston
Audrey J. Foley	Mt Pleasant	Episcopalian

Sylvia Folk	Charleston	Grace - Charleston
Jo Fortuna	Pawleys Island	Holy Cross - Faith Memorial
Clarice Foster		Grace - Charleston
Kaye Fox	Summerville	Episcopalian
Harry Foy		Trinity - Edisto
Mary Ann Foy		Trinity - Edisto
Roberta B Fraher		Episcopalian
Georgianne France	Murrells Inlet	Holy Cross - Faith Memorial
Gerald France	Murrells Inlet	Holy Cross - Faith Memorial
Cecelia Franko	Mt Pleasant	
Julian G. Frasier, III	Sumter	Holy Comforter - Sumter
Michael Frederick	Beaufort	St. Helena's - Beaufort
Jane Fredrick	Beaufort	St. Helena's - Beaufort
Debra Freeman	Hartsville	St. Bartholomews - Hartsville
Kathlyn Ann Fritz		Trinity - Edisto
James E. Fulcher	McClellanville	St James Santee - McClellanville
Patty Fulcher	McClellanville	St James Santee - McClellanville
Richard Futch	Mt Pleasant	Grace - Charleston
Barbara Gallop	Seabrook	St Marks Chapel - Port Royal
Doug Gallow	Dataw Island	St Helena's - Beaufort
Harriet Gallow	Dataw Island	St. Helena's - Beaufort
Fred Gebler	Okatie	All Saints - Hilton Head
Mary Anne Gebler	Bluffton	All Saints - Hilton Head
Charles C Geer	Charleston	Holy Communion - Charleston
Jane H. Geiger	Bamberg	Christ Church - Denmark
Paul L. Geiger	Bamberg	Christ Church - Denmark
Gorman Getty	Cumberland, MD	Emanuel - Cumberland
Harriet W. Gettys	Edisto Iskland	Trinity - Edisto
Jim Gettys	Edisto Island	Trinity - Edisto
Emily T Gibbons	Summerville	St George's - Summerville
Mike Gibbons	Mt Pleasant	East Cooper Episcopalians
Charley Gibbs	Johns Island	Grace - Charleston
Helen Pringle Gibbs	Bennettsville	St. Paul's Bennettsville
James Gibbs	Bennettsville	St. Paul's Bennettsville
Barbara Gilchrist	Charleston	Old St Andrews - Charleston
Carroll L. Gilliam	Mt Pleasant	Holy Cross - Sullivans Island
Peggy Gilliam	Mt Pleasant	Holy Cross - Sullivans Island
Anne Marie Goad	Charleston	Grace - Charleston
William Goad	Charleston	Grace - Charleston
Mel Goodwin	Mt Pleasant	Grace - Charleston
Sandra Goodwin	Mt Pleasant	Grace - Charleston
Betty Gore	Charleston	St Stephens - Charleston
Elizabeth H. Grady	St. Helena Island	St Marks - Port Royal
Linda A. Grady	Bluffton	All Saints - Hilton Head
C. Wesley Grady	Bluffton	All Saints - Hilton Head
Carla Graham		St. John's - Florence
Kerry Grant	Hilton Head Island	All Saints - Hilton Head
Sandy Grant	Hilton Head Island	All Saints - Hilton Head
Rebecca Gray	New Orleans	St. Stephens - Charleston
Bill Greeley	Daniel Island	St. Stephens - Charleston
Kristy Greenwood	Summerville	Episcopalian
Sands M. Gresham	Georgetown	Prince George - Georgetown
Ann Gridley	Kiawah Island	Episcopalian
Kelley Grobmyer	Charleston	St. Stephens - Charleston

Bonnie Gruetzmacher	Okatie	All Saints - Hilton Head
William D Gudger	Charleston	Cath. of St. Luke & St Paul - Charleston
Emily Guerry	Mt Pleasant	Grace - Charleston
C. B. Guess	Summerville	Good Shepherd - Summerville
Emily Guess	Denmark	Christ Church - Denmark
Joe Guess	Denmark	Christ Church - Denmark
Keith Guess	Summerville	Good Shepherd - Summerville
Ted Halkyard	Charleston	Grace - Charleston
Melinda Hamilton	Charleston	Grace - Charleston
Melissa Hamilton	Charleston	St. Stephens - Charleston
Ann Hanchey	Charleston	Old St. Andrews - Charleston
Carol Hanckel	Charleston	Grace - Charleston
Marion Hanckel	Charleston	Grace - Charleston
Margaret Hane	Columbia	Cath. of St. Luke & St. Paul - Charleston
Dale Hansel	Okatie	All Saints - Hilton Head
Robert R. Hansel	Okatie	All Saints - Hilton Head
David Hardin		Trinity Church
Ellen Hardin	Charleston	Old St. Andrews - Charleston
Cynthia Harding	Edenton, NC	St Pauls - Edenton
Flint Harding	Florence	St Johns - Florence
Karen Harmon	Columbia	Good Shepherd - Columbia
Timothy Harmon	Branchville	Christ Church - Denmark
Dill Harper	Florence	Christ Church - Florence
Libby Harper	Florence	Christ Church - Florence
John C. Hartman	Mt Pleasant	Grace - Charleston
John Hartman	Mt Pleasant	Grace - Charleston
John Hartman, Jr.	Mt Pleasant	Grace - Charleston
Justin T. Hartman	Mt Pleasant	Grace - Charleston
Susan Hartman	Mt Pleasant	Grace - Charleston
J D Hastie	Charleston	St Stephens - Charleston
Bert Hatch	Edisto Island	
Clint Hazzard		Grace - Charleston
Kaye Hearn	Conway	St Pauls - Conway
George Hearne	Hanahan	Grace - Charleston
Clara H. Heinsohn	Charleston	Grace - Charleston
Margaret Held	Sumter	Episcopalian
Wayne Helmly	Goose Creek	St. Stephens - Charleston
Anne Henry	Okatie	All Saints - Hilton Head
Grace Heron		St Pauls - Summerville
Robert Heron		St. Pauls - Summerville
Paul Hessinger	Hilton Head Island	Grace - Charleston
John R. Hester	Marion	Advent
Rufus Hill	Washington	
Elizabeth Hills	Mt Pleasant	St. Stephens - Charleston
Roy Hills	Mt Pleasant	St. Stephens - Charleston
Robert Hirst	Charleston	Cath of St. Luke & St. Paul - Charleston
Gail Hodsdon	Beaufort	St Marks - Port Royal
William Hodsdon	Beaufort	St Marks - Port Royal
Linda Hoke		St. Philips - Charleston
Joni Holderman	Surfside Beach	Church of the Resurrection - Surfside
Harriet Holliday	Myrtle Beach	Episcopal Church in Myrtle Beach
Sue Holloman	Seabrook Island	Christ Church of Our Saviour
Eleanor Horres	Mt Pleasant	Grace - Charleston
Harriet Hostetler	Surfside Beach	Holy Cross - Faith Memorial
Hugh Hostetler	Surfside Beach	Holy Cross - Faith Memorial

Alan Houghton	Pawleys Island	Holy Cross - Faith Memorial
Billie Houghton	Pawleys Island	Holy Cross - Faith Memorial
Wallis C. Houseman	Pawleys Island	Prince George - Georgetown
Natalie Howard Martin	Charleston	Old St. Andrews - Charleston
Elizabeth Howell	Columbia	Holy Cross - Faith Memorial
David Hoyle	Charleston	St. Stephens - Charleston
Erin Hoyle	Charleston	St. Stephens - Charleston
Susan Hudgins	Hilton Head Island	All Saints - Hilton Head
Tommie Hughes	Edisto Island	Trinity - Edisto
Salker Humphrey	Dallas, TX	Church of the Incarnation
Elizabeth G. Hunter	Charleston	Old St. Andrews - Charleston
Andrea Hurley	Charleston	Old St. Andrews - Charleston
Julie Hussey	Charleston	Grace - Charleston
Peter Hyndman	Charleston	Grace - Charleston
Kenneth Inman	Mt Pleasant	Grace - Charleston
Heyward Jablomee	Charleston	St. Stephens - Charleston
Shawn Jacobs	Columbia	St. Timothy's - Columbia
Mac James	Florence	
John Jennings	Memphis, TN	Grace - St Luke's Episcopal
Jane Jett	Summerville	St Stephens Charleston
Charles Jett	Summerville	St Stephens Charleston
Charles Johnson	Conway	St Paul's - Conway
John Romig Johnson	Charleston	St. Stephens - Charleston
Nicole Johnson	Charleston	St. Stephens - Charleston
Kenneth L. Jones	Mt Pleasant	Grace - Charleston
Lucille Jones	Murrell's Inlet	All Saints Parish Waccamaw
Nancy Jones	Georgetown	Prince George - Georgetown
Alice DuPre Jordan	Awendaw	Episcopalian
Michael L M Jordan	Hilton Head Island	All Saints - Hilton Head
Nancy Y Jordan		Grace - Charleston
Nathan Kaminski	Georgetown	Prince George Winyah Episcopal
Marcia Kaminski	Georgetown	Prince George Winyah Episcopal
Joyce K. Kauffman	Hilton Head Island	All Saints - Hilton Head
Renee Keanu	Waipahu, HI	St. Timothy's - Hawaii
Susan Kearney	Beaufort	St Marks - Port Royal
William G. Kee	Charleston	Cath of St Luke & St. Paul - Charleston
Marion Kelly	Mt Pleasant	Grace - Charleston
Marsha Kendrick	Mt Pleasant	Grace - Charleston
William Kendrick	Mt Pleasant	Grace - Charleston
Minnie Kennedy	Georgetown	Prince George - Georgetown
Mary Gwynne Kill	Summerville	St. Pauls - Summerville
Anne Osborne Kilpatrick	Charleston	Grace - Charleston
Anne Osborne Kilpatrick	Sullivan's Island	St. Stephens - Charleston
Suzanne Kindler	Okatie	All Saints - Hilton Head
Judy M. King	North Charleston	Calvary - Charleston
Susan Klein	Los Angeles, CA	Episcopalian
Don Koets	Summerville	Good Shepherd - Summerville
Eleanor Koets	Summerville	Good Shepherd - Summerville
Jan Kowal	Moncks Corner	Trinity - Pinopolis
John Kowal	Moncks Corner	Trinity - Pinopolis
Leslie Krafft	Hilton Head Island	All Saints - Hilton Head
Kenneth Kraft	Beaufort	St Marks - Port Royal
Patricia Kraft	Beaufort	St Marks - Port Royal
Pixie Kubick	Pawleys Island	Holy Cross - Faith Memorial
John Kwist	Summerville	Good Shepherd - Summerville

John Kwist	Summerville	Good Shepherd - Summerville
Margaret S. Kwist	Summerville	Good Shepherd - Summerville
John P LaBruce	Georgetown	Prince George - Georgetown
LaClair W Laffitte	Hampton	All Saints - Hampton
Catherine LaFond	Charleston	St. Stephens - Charleston
Richard Lamb	Florence	St Andrew's-Mt. Pleasant
Jim Lancaster	Johns Island	Grace - Charleston
Tony Lantzy	Myrtle Beach	St Stephen's- North Myrtle Beach
Jane LaRock	Beaufort	St. Helena's - Beaufort
Ward Lassoe	Sullivan's Island	Grace - Charleston
Mary Vereen Lauer	Myrtle Beach	Trinity - Myrtle Beach
Robert J Lauer	Myrtle Beach	Trinity - Myrtle Beach
Casey Lavin	Summerville	St Phillips - Charleston
Andrea Lawrence	Charleston	Episcopalian
Katrina P. Lawrimore	Georgetown	Prince George - Georgetown
Linda Lear	Charleston	St. Stephens - Charleston
Bonnie Leazer	Charleston	Old St. Andrews - Charleston
Perry R Leazer	Charleston	Old St. Andrews - Charleston
Frank Lee	Charleston	Cath of St. Luke & St. Paul - Charleston
Linda Lee	Charleston	St. Stephens - Charleston
Susan Legare	Charleston	Grace - Charleston
Caroline T. Leland	Charleston	St. Michaels - Charleston
Cynthia C. Leland		St. James - Santee
Lee Leland	McClellanville	St. James - Santee
T. Ballard Lesemann	McClellanville	St. James - Santee
Jane Hart Lewis	Florence	St. John's - Florence
Marilyn A. Lewis	Pawleys Island	Prince George Winyah Episcopal
Irene Lichy	Myrtle Beach	The Episcopal Church of Myrtle Beach
Cecily Lilly		St. John's - Florence
Adam Limehouse	Charleston	St. Marks - Charleston
Capers Limehouse	Charleston	St Stephens - Charleston
F Ward Logan	Charleston	Grace - Charleston
Karen Long	Florence	All Saints - Florence
Lynn B. Long	Myrtle Beach	St. Stephens - North Myrtle Beach
Rebecca Lovelace	Conway	St. Pauls - Conway
Richard Lovelace	Conway	St Pauls - Conway
Melinda Lucka	Mt Pleasant	Grace - Charleston
Betsy Luke	Summerville	Good Shepherd - Summerville
Lindsay Luke	Summerville	Good Shepherd - Summerville
T. E. Lynberg	San Diego, CA	Episcopal Church
Ian MacDonald	Charleston	Grace - Charleston
Barbara Mackey	Murrells Inlet	Episcopalian TBD
Brandon V. Madden	Columbia	Holy Cross - Faith Memorial
Helen Madden	Columbia	Holy Cross - Faith Memorial
Kathy Magruder	Charleston	St. Stephens - Charleston
DeWitt Mallary	Hanover, NH	St Marks - Port Royal
Barbara Mann	Charleston	Grace - Charleston
Dave Mann	Mt Pleasant	Grace - Charleston
Fran Marscher	Hilton Head Island	
Elizabeth R. Marlow	Pawleys Island	Holy Cross - Faith Memorial
Allerton D Marshall	Hilton Head Island	All Saints - Hilton Head
Mary Markley Marshall	Hilton Head Island	All Saints - Hilton Head
Quitman Marshall	Beaufort	St Marks - Port Royal
Pepper Marts	Albuquerque, NM	St. Michael & All Angels
Robert Mason	Florence	St. Catherine's - Florence

Sue Mason	Bluffton	Church of The Cross - Bluffton
Peggy Mauldin	Mt Pleasant	Grace - Charleston
Fred W. Mauterer	Georgetown	Episcopalian
Sally Mayse	St. Helena Island	St Marks - Port Royal
Felicia McBratney	Florence	Episcopalian
Karen E. McCormick		Christ Episcopal Church
Mary Sue McDaniel	Summerville	Good Shepherd - Summerville
Christie McDonnell	Hilton Head Island	All Saints - Hilton Head
Maureen C. McDonnell	Hilton Head Island	All Saints - Hilton Head
The Rev. Dr. Richard P. McDonnell	Hilton Head Island	All Saints - Hilton Head
G Simms McDowell, III	Charleston	Grace - Charleston
Amy McEachin		St. John's - Florence
Gary McGee	Mt Pleasant	Christ Church - Mt. Pleasant
Susan McGee	Mt Pleasant	Episcopalian
Laura McGeorge	Charleston	Grace - Charleston
Dorothy McIlraith	Hilton Head Island	All Saints - Hilton Head
Cindy McKinney	Florence	St Catherine's - Florence
Paul (Mac) McTeer	Mt. Pleasant	Grace - Charleston
Lillis McWhorter	Murrells Inlet	Holy Cross - Faith Memorial
Dorothy Meacham	Charleston	St. Michaels - Charleston
Susan Meehan	Varnville	All Saints' - Hampton
Terrance L Meehan	Varnville	All Saints' - Hampton
Warren Mersereau	Kiawah Island	Christ Church of Our Saviour
Daniel Messier	Charleston	St Marks - Charleston
Florence Miles	Charleston	Grace - Charleston
Dolores Miller	Florence	St Johns - Florence
Rodly J. Millet	Mt Pleasant	St. Stephens - Charleston
Carl b. Millford, Jr.	Charleston	Grace - Charleston
Cecilia Mims	Myrtle Beach	Trinity - Myrtle Beach
Patricia Mizell	Columbia	Trinity Cathedral
Brian Monroe		Holy Cross - Faith Memorial
Amelia Montjoy	Hollywood	Episcopalian
James Moore	Hilton Head Island	All Saints - Hilton Head
Frances Moreland	Surfside Beach	Church of the Resurrection - Surfside
Arete Morgan	Johns Island	Christ Church of Our Saviour
Jane Morris	Santee	Grace - Charleston
Jim Morris	Santee	Epiphany - Eutawville
Nan Morrison	Charleston	St. Philips - Charleston
Alisa Mosley		St Mary's Irmo
George Moyser+	Bluffton	All Saints - Hilton Head
Ann Munger	Beaufort	Episcopalian
Jack Murray	Charleston	Grace - Charleston
Kate Murray	Columbia	St. John's - Columbia
Mary Murray	Charleston	Grace - Charleston
Mike Murray	Charleston	Grace - Charleston
Sara Ann Murray	Charleston	Grace - Charleston
Tom Myers	Mt Pleasant	St Stephens - Charleston
Ann E. Nagel	Edisto Island	Episcopalian
John Nash	Edisto Island	Trinity - Edisto
Susanne Nash	Edisto Island	Trinity - Edisto
Tim Nauss	Pawleys Island	Holy Cross - Faith Memorial
F Truett Nettles	Charleston	Grace - Charleston
Michael Newman	Charleston	Grace - Charleston
Marshall Newton		St. Andrews Mt. Pleasant
Chris Nietert	Beaufort	All Saints' - Hampton
Jack Nietert	Beaufort	All Saints - HH & St Marks - PR

Michael O'Connell	Charleston	Grace - Charleston
Bobby O'Dell	Charleston	St. Michaels - Charleston
Helen Brenchley Oates	Pawleys Island	All Saints Parish Waccamaw
Jean Oliver	Little River	St Stevens - N Myrtle Beach
Ronald Oliver	Little River	St. Stevens - N Myrtle Beach
Virginia Orban	Kiawah Island	Christ Church of Our Saviour
Jane Orenstein	Summerville	Good Shepherd - Summerville
Donna Orvin	Moncks Corner	Grace - Charleston
Doug Osborne		Holy Cross - Faith Memorial
Sue Osborne		Holy Cross - Faith Memorial
Kenny Oubre	Mt Pleasant	St. Stephens - Charleston
Michael Oyer	Myrtle Beach	St. Anne's - Conway
Kathleen L. Padgett	Walterboro	Episcopalian
Laura-Chapman Page	Charleston	Grace - Charleston
Dottie Pagliaro	Charleston	Grace - Charleston
Lynn Pagliaro	Charleston	Grace - Charleston
Porcher Palmer	Winter Haven, FL	St Paul's - Winter Haven
Dusty Parker	Mt Pleasant	St. Stephens - Charleston
Milton Parker	Beaufort	St. Helena's - Beaufort
Harold "Pat" Patrick	Charleston	St Stephens - Charleston
Sally Peace	Nichols	St Pauls - Conway
Jordan Peeler	Boston	Grace - Charleston
Cornelia Pelzer	Charleston	St Michaels - Charleston
Randy Pelzer	Charleston	St. Michaels - Charleston
Julie Petroff	St Helena Island	St Marks - Port Royal
Walker Petroff	St. Helena Island	St Marks - Port Royal
Harold Petzolt		
Celeste Phillips	Charleston	Grace - Charleston
Cliff Phillips	Pawleys Island	Holy Cross - Faith Memorial
Earle Phillips	Hartsville	St. Bartholomews - Hartsville
Maxine Phillips	Pawleys Island	Holy Cross - Faith Memorial
Eve Pickney	Okatie	Episcopal Church in Okatie
Martha Pike	Hilton Head Island	All Saints - Hilton Head
Barbara Pinkerton	Beaufort	St Marks - Port Royal
Bob Pinkerton	Beaufort	St Marks - Port Royal
George Pinkerton	Okatie	All Saints - Hilton Head
Joan C. Pittman	Sullivan's Island	St. Stephens - Charleston
Geoff Place	Charleston	Grace - Charleston
Jan Place	Charleston	Grace - Charleston
Eugene Platt		St. James-Charleston
Jerry Poer	Folly Beach	Grace - Charleston
Georgia Ann Porcher	Mt Pleasant	Grace - Charleston
Philip Porcher	Mt Pleasant	Grace - Charleston
Daniel Porter	Bluffton	Church of the Cross - Bluffton
David Porter	Charleston	Grace - Charleston
Marianne Porter	Bluffton	Church of the Cross - Bluffton
Jonathan Poston	Charleston	Grace - Charleston
Leslie Postell	Summerville	Episcopalian
Marilyn Powell	Charleston	St Stephens - Charleston
Phillip Powell	Charleston	Grace - Charleston
Ann Prentice	Augusta, GA	Order of St. Helena
David Price	Summerville	Grace - Charleston
Lineta Pritchard	Myrtle Beach	Trinity - Myrtle Beach

Martha Propps	Pawleys Island	Holy Cross - Faith Memorial
Jane Pulling	Pinopolis	Trinity - Pinopolis
Verne Pulling	Pinopolis	Trinity - Pinopolis
Patricia Quattlebaum	Charleston	Calvary - Charleston
Truitt Rabun	Hilton Head Island	All Saints - Hilton Head
Charlotte Raney	Little River	St. Stephens - North Mrytle Beach
Jo Ray	Mt Pleasant	St. Stephens - Charleston
Mike Ray	Mt Pleasant	St. Stephens - Charleston
Anne Read	Charleston	Grace - Charleston
Mayo Read	Wadmalaw Island	St. Philips - Charleston
Tom Read	Charleston	Grace - Charleston
Warren Redman-Gress	Charleston	St. Stephens - Charleston
Isabella Stuart Reeves	Okatie	Christ Church Episcopal - Savannah
Jerry H. Reeves, IV	Okatie	Christ Church Episcopal - Savannah
Fran Reid	Sumter	Holy Cross - Faith Memorial
Manney Reid	Sumter	Holy Cross - Faith Memorial
Charles C. Reimers	Moncks Corner	St. George's - Summerville
James Remillard	Charleston	St Stephens - Charleston
Sherry Remillard	Charleston	St. Stephens - Charleston
Camille Reynolds	Charleston	Grace - Charleston
Mary Flowerre Rhett	Charleston	St. Michaels - Charleston
Nelljean Rice	Conway	Conway Worship Group
Irvin Richards	Charleston	St. Stephens - Charleston
Suzanne M. Richardson	Mt. Pleasant	Grace - Charleston
Shannon Richards-Slaughter		Calvary - Charleston
Tom Riley	Summerville	Good Shepherd - Summerville
Tricia Riley	Summerville	Good Shepherd - Summerville
F Edward Ritchen	Charleston	Grace - Charleston
Madeleine C. Ritchie	Pawleys Island	Holy Cross - Faith Memorial
Tom B. Ritchie	Pawleys Island	Holy Cross - Faith Memorial
Jason Roberson	Charleston	Grace - Charleston
Christopher Rivers	Granby, MA	Episcopalian
Andrea Robinson-Lawrence		Calvary - Charleston
Tommy Robinson	North Charleston	St Stephens - Charleston
Steve Roehrich	Mt Pleasant	St Stephens - Charleston
Susan Roehrich	Mt Pleasant	St Stephens - Charleston
Marilyn Roper	Hilton Head Island	All Saints - Hilton Head
John David Rose	Black Mountain	
Penny Rose	Hilton Head Island	St Lukes - Hilton Head
Jim Rowe	Beaufort	St Marks Chapel - Port Royal
Peggy E. Rozelle	Mt Pleasant	Grace - Charleston
Martha Rudisill	Daniel Island	Grace - Charleston
Dwight Runge	N. Charleston	St. Stephens - Charleston
Virginia Runge	N Charleston	St. Stephens - Charleston
Elaine Rutherford	Pawleys Island	Holy Cross - Faith Memorial
J. Wood Rutter	Dataw Island	St Marks Chapel - Port Royal
Ray Sabalis	Orangeburg	Christ Church - Alexandria, VA
Robert Sabalis	Orangeburg	Christ Church - Alexandria, VA
Janet Somerville Sachs	Summerville	Episcopalian
Louisa Salvo	Summerville	St. Pauls - Summerville
Geales Sands	Murrells Inlet	Holy Cross - Faith Memorial
John Sands	Murrells Inlet	Holy Cross - Faith Memorial
Dave Sartin	Knoxville, TN	St Thomas - Knoxville
Philis Sarto	Pawleys Island	Holy Cross - Faith Memorial

David Saunders	Hilton Head Island	All Saints - Hilton Head
Henry Saunders	Myrtle Beach	St. Pauls - Conway
Loni Saunders	Hilton Head Island	All Saints - Hilton Head
Sandra Saunders	Conway	St. Pauls - Conway
Dorothy Schafer	Kiawah Island	Grace - Charleston
Robert Schafer	Kiawah Island	Grace - Charleston
John Schroeder	Charleston	Grace - Charleston
Patricia H Scoggins	Ladson	Grace - Charleston
Roy Scoggins	Ladson	Grace - Charleston
Kent Scott	Charleston	St. Stephens - Charleston
Maggie Seymour	Beaufort	St Marks - Port Royal
Mike Seymour	Beaufort	St Marks - Port Royal
Lee Shaffer	Beaufort	St Marks - Port Royal
Scott Shaffer	Beaufort	St Marks - Port Royal
Amy Shea	Conway	St. Anne's - Conway
Anne Carmichael Sherman	Edisto Island	St. Stephens - Charleston
Charles Shine	Charleston	St. Stephens - Charleston
Thelma Shine	Charleston	St. Stephens - Charleston
Jaquelin Simons	Summerville	Good Shepherd - Summerville
Marie Simpson	Orangeburg	St. Paul's - Orangeburg
Jill Sinclair	John's Island	St Stephens - Charleston
H. David Singleton	Charleston	St Stephens - Charleston
Carolyn Sires	Summerville	St. Pauls - Summerville
John W. Skardon	Mauldin	Grace - Charleston
Steve Skardon	Mt Pleasant	Grace - Charleston
Mary Slaby	Myrtle Beach	Trinity - Myrtle Beach
Dick Smartt	Isle of Palms	Grace - Charleston
Harriet Smartt	Isle of Palms	Grace - Charleston
Andrew Smith	Charleston	Grace - Charleston
Angela Smith	Charleston	St Stephens - Charleston
Ann H. Smith	Pawleys Island	Holy Cross - Faith Memorial
Audrey Smith	Charleston	Grace - Charleston
Barbara Smith	Mt Pleasant	St. Stephens - Charleston
Clyde Smith		St Stephens - Charleston
Colton Smith	Charleston	St Stephens - Charleston
Rev. Dennis L. Smith, PhD	John's Island	Episcopalian
Gretchen Smith	Edisto Island	Trinity - Edisto
Martha Smith	Conway	St Pauls - Conway
Roger Smith	Beaufort	St Marks Chapel - Port Royal
Roy Smith	James Island	Grace - Charleston
Truman Smith	Charleston	Grace - Charleston
Russell Southwick	Hilton Head Island	All Saints - Hilton Head
John Spann	Sumter	St Augustines - Wedgefield
Sparkie Sparks	Charleston	Old St. Andrews - Charleston
Becky Sparrow	Pawley's Island	Holy Cross - Faith Memorial
Robert Spencer+	Rock Springs	Holly Communion - Rock Springs, WY
Nancy Stafford	Mt Pleasant	Grace - Charleston
Sam Stafford III	Mt Pleasant	Grace - Charleston
Margaret Stallings	Pawleys Island	Holy Cross - Faith Memorial
H. McKim Steele	Charleston	Episcopalian
Judith Steele	Charleston	Episcopalian
Gail Steinfield	Conway	St. Anne's - Conway
Hazel M. Stewart	Charleston	St. Mark's - Charleston
John Stewart	Charleston	Grace - Charleston
Sara Stewart		

Tim L. Stinson	Darlington	St. Matthews-Darlington
Ann Stirling	Charleston	Grace - Charleston
Robert P. Stockton	Charleston	St. Stephens - Charleston
Stephanie Stockwell	Johns Island	Grace - Charleston
Dudleigh C. Stone	Beaufort	St Helena's - Beaufort
Sallie Stone	Beaufort	St. Helena's - Beaufort
David Stoney	McClellanville	
Daisy Stoudenmire	Mt Pleasant	Grace - Charleston
Brenda Stroup	Georgetown	Holy Cross - Faith Memorial
Hank Stroup	Georgetown	Holy Cross - Faith Memorial
Barbara Stubbs	Mt Pleasant	Grace - Charleston
Hal Stubbs	Mt Pleasant	Grace - Charleston
Charles Sturm	Summerville	St. George's - Summerville
Carolyn Swallow	Hartsville	St. Catherine's - Florence
Paul Sykes	Charleston	St Stephens - Charleston
Janie Sylvan	Charleston	St Stephens - Charleston
Joe Sylvan	Charleston	St. Stephens - Charleston
Barbara Sylvester	Florence	St Johns - Florence
Thomas Howard Sylvia	Charlotte, NC	St David's - Cheraw
Michael Szymanowski	Summerville	
Harold Talbot	Charleston	Grace - Charleston
Dale Tasker	Charleston	Grace - Charleston
Gary Tasker	Charleston	Grace - Charleston
Allison Taylor	Rock Hill	Our Saviour - Rock Hill
John H. Templeton	Clayton, GA	Diocese of Atlanta
Ann Hurd Thomas	Charleston	Grace - Charleston
John Teter	Beaufort	Episcopalian
Bryan Thompson	Charleston	St. Stephens - Charleston
Lucy Thrower	Florence	St Johns - Florence
John Tindal	Sumter	Church of the Holy Comforter
Sarah F. Tindal	Sumter	Church of the Holy Comforter
Anne Tindall	Denmark	Christ Church - Denmark
Byron Tindall	Denmark	Christ Church - Denmark
Sarah Tipton	Charleston	Grace - Charleston
Timothy Tipton	Charleston	Grace - Charleston
Carolyn Titus	Mt Pleasant	Grace - Charleston
Clif Titus	Mt Pleasant	St Stephens - Charleston
Mary Lou Titus	Mt Pleasant	St. Stephens - Charleston
George Tompkins	Charleston	St. Stephens - Charleston
Shay Tompkins	Charleston	Grace - Charleston
Ernie Torricelli	Charleston	Grace - Charleston
Caroline Trask	Beaufort	Episcopalian
John M. Trask, Jr.	Beaufort	Episcopalian
Bill Trawick	Charleston	Grace - Charleston
Mary Ellen Troia	Meggett	Grace - Charleston
Ginny Trolley	Hilton Head Island	All Saints - Hilton Head
John Trolley	Hilton Head Island	All Saints - Hilton Head
George Tupper	Summerville	Good Shepherd - Summerville
Jane Tupper	Summerville	Good Shepherd - Summerville
Pat Updegraff	Okatie	All Saints - Hilton Head
Kathy Urban	Myrtle Beach	Trinity - Myrtle Beach
George Utter	Beaufort	St. Andrew's - Norfolk, VA
Jan Van Norte	Edisto Island	St. Stephens - Charleston
Sam Van Norte	Edisto Island	St Stephens - Charleston
Florine De Veer	Hanahan	Grace - Charleston

Barry Waddell	Hartsville	St. Bartholomews - Hartsville
Agnes G. Wade	Charleston	Grace - Charleston
Betsy Walker	Charleston	St. Stephens - Charleston
Elizabeth Wallace	Marion	Christ Episcopal - Florence
Marcy Walsh	Summerville	Episcopalian
Nancy Ward	Seabrook Island	Grace - Charleston
Robert C. Ward		Grace - Charleston
Stephen Ward	Seabrook Island	Grace - Charleston
C Douglas Warner	Charleston	Grace - Charleston
Bob Waters	Hanahan	St Marks - Charleston
Gin Waters	Hanahan	St. Marks - Charleston
Karen W. Watson	Johns Island	Christ Church of Our Saviour
Ann Weatherby	Charleston	Grace - Charleston
David Weatherby	Charleston	Grace - Charleston
Amy D. Webb	Pawleys Island	Holy Cross - Faith Memorial
Susan Webb	Murrells Inlet	Holy Cross - Faith Memorial
Rod Welch	James Island	St James - James Island
Priscilla Wendt	Charleston	Grace - Charleston
Robertson Wendt	Charleston	Grace - Charleston
Judy Werrell	Charleston	Grace - Charleston
William Werrell	Charleston	Grace - Charleston
Temple Whitaker	Mt Pleasant	East Cooper Episcopalians
Pattie White	Darlington	St Matthew-Darlington
James W. White,III	Anderson	Episcopalian
Thomas White	Columbia	Ebenezer Lutheran, ELCA
John Wilder	Summerville	Good Shepherd - Summerville
Letty Wilder	Myrtle Beach	Trinity - Myrtle Beach
Ginga Wilder	Summerville	Good Shepherd - Summerville
Christine Wilkerson	Folly Beach	Grace - Charleston
Jim Wilkerson	Folly Beach	Grace - Charleston
Donna Rae Williams	Summerville	St. Pauls - Summerville
Harriet P. Williams	Charleston	Episcopalian
Lance Williams	Charleston	Grace - Charleston
Pat Williams	Charleston	Grace - Charleston
Ellen T. Willingham	Summerville	Saint Paul's - Summerville
John Willson	Charleston	
Harriet Wilmeth	Hartsville	St. Bartholomews - Hartsville
Christina Wilson	Beaufort	St Marks - Port Royal
John N. Wilson	Charleston	Grace - Charleston
Larry Wilson	Myrtle Beach	Episcopalian
Mary B. Wilson	Charleston	Grace - Charleston
Wendy Wilson	Beaufort	
Matthew Winburn	Hartsville	Episcopalian
Carrington Wingard		St Johns - Florence
William Wingfield, Jr	Mt Pleasant	Christ Church - Mt. Pleasant
Paul B. Wiske	Beaufort	St Marks Chapel - Port Royal
John Womack	Pawleys Island	Holy Cross - Faith Memorial
Susan Womack	Pawleys Island	Holy Cross - Faith Memorial
Rodgers Wood +	Coraoplis, PA	Episcopalian
Norris Wootton	Kingstree	St Albans - Kingstree
Nancy Wylie	Camden	

Patrick Wylie	Camden	
Barbara Yergens	Beaufort	St Marks - Port Royal
Bill Yergens	Beaufort	St Marks - Port Royal

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Enthusiastically Episcopalian in South Carolina

EXHIBIT 11

(Membership List dated 4/21/2017)

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EPISCOPAL FORUM MEMBERS

April 21, 2017

(List excludes Members who wish not to be listed)

Name	City	Parish
Carol A. Adams		Episcopalian
Gregory B. Adams	Charleston	St. Stephens - Charleston
Huel Adams	Charleston	St. Stephens - Charleston
Rosamond J Affleck	Mt Pleasant	Christ Church - Mt. Pleasant
Dianne Agapour	Charleston	St. Stephens - Charleston
Paul Alford	Hartsville	St. Bartholomews - Hartsville
Bernard Allen	Conway	St. Anne's - Conway
Forrest Allen	Sumter	Episcopalian
Terry Allen	Charleston	
Judith Alling	Beaufort	St Marks - Port Royal
Patrick J. Amer	Hilton Head Island	All Saints - Hilton Head
Dorothy P. Amis	Charleston	Grace - Charleston
Lewis R. Amis	Charleston	Grace - Charleston
Barbara Anderson	Dataw Island	St Marks - Port Royal
Bob Anderson	Dataw Island	St Marks - Port Royal
Pam Jordan Anderson	Tallahassee, FL	St. Johns - Tallahassee
William Andrews	Charleston	St. Stephens - Charleston
Dick Arlington	Goose Creek	Grace - Charleston
Sydney Arlington	Goose Creek	Grace - Charleston
Elizabeth B. Asnip	Pawleys Island	Prince George - Georgetown
George Asnip	Pawleys Island	Prince George - Georgetown
Elizabeth Ault	Myrtle Beach	Trinity - Myrtle Beach
Glenn Ayers	Sumter	Holy Comforter - Sumter
Joe Aytes	Charleston	Old St. Andrews - Charleston
Joseph Bagnulo	Mt Pleasant	St. Stephens - Charleston
Nancy Bagnulo	Mt Pleasant	St. Stephens - Charleston
Robert RM Bagwell+	Savannah, GA	St. Paul the Apostle - Savannah
Nancy Bailey	Florence	All Saints - Florence
Thomas Waring Bailey, Jr.	Summerville	Epiphaney - Summerville
Carolyn Baker	Charleston	Grace - Charleston

Lillian Baldwin	McClellanville	St James - Santee
Mikell H. Baldwin	Beaufort	St. Helena's - Beaufort
William Baldwin	McClellanville	St James - Santee
Robert Ball		St Stephens - Charleston
Debbie Bandy	Charleston	Grace - Charleston
Dr. Lisa K. Barclay	Charleston	Cath. of St. Luke & St. Paul - Charleston
Sherman Barker	Hilton Head Island	All Saints - Hilton Head
Patty Barnes	Cheraw	Episcopalian
Kaitlin Barrett	Summerville	Episcopalian
C. Alex Barron, Jr.	Pawleys Island	Holy Cross - Faith Memorial
Margaret Barron	Pawleys Island	Holy Cross - Faith Memorial
Cindy Bass	Hilton Head Island	All Saints - Hilton Head
Gabriel John Batarseh	Florence	Christ Episcopal - Florence
Lillian Batarseh	Florence	Christ Episcopal - Florence
Suzi Bateman	Georgetown	Holy Cross - Faith Memorial
Cathy Battle	Conway	St. Pauls - Conway
Ellen Baxter	Charleston	St Stephens - Charleston
Ellen L. Baxter	McClellanville	St James - Santee
E. T Baysden	Beaufort	St Marks - Port Royal
Harriette S Bayse	Mt Pleasant	Grace - Charleston
Tater Beak	Charleston	Grace - Charleston
William Beak	Charleston	Grace - Charleston
Thelma Beaubeir		Prince George - Georgetown
Charles Bender	Charleston	Grace - Charleston
Jean Bender	Charleston	Grace - Charleston
Mary Neale Berkaw	Charleston	Holy Communion - Charleston
Dean Berry	Pawleys Island	Holy Cross - Faith Memorial
Elaine R. Bestler		St James - Santee
Annette L. Billings	Murrells Inlet	Holy Cross - Faith Memorial
Douglas G Billings	Murrells Inlet	Holy Cross - Faith Memorial
Sara Binkley	North Myrtle Beach	Episcopalian
Robert R. Black	Mt Pleasant	Grace - Charleston
Cindy Blackburn	Charleston	Grace - Charleston
John C Blackburn	Charleston	Grace - Charleston
Catherine Blumberg		Holy Comforter - Sumter
Linda Blume	Orangeburg	Redeemer - Orangeburg
Broughton Boatwright	Charleston	Grace - Charleston
Cindy Boatwright	Mt. Pleasant	East Cooper Episcopal Church
Sarah-Wade Boatwright	Charleston	Grace - Charleston
Joan Bonaparte		Calvary - Charleston
Eric Bonetti	Fairfax, VA	Episcopalian
David Bossman	Charleston	
Carolyn Bourne	Georgetown	Holy Cross - Faith Memorial
Keith Bowling	Myrtle Beach	Episcopalian
Catherine Boykin	Charleston	Grace - Charleston
Milton Boykin	Charleston	Grace - Charleston
McGregor Boyle	Murrells Inlet	Holy Cross - Faith Memorial
Nancy R. Boyle	Murrells Inlet	Holy Cross - Faith Memorial
Philip L. Bradley	Johns Island	Grace - Charleston
Brenda Branson	Cheraw	St. David's - Cheraw
Francine Bray	Mt Pleasant	Grace - Charleston
S.G. Brehmer	Goose Creek	St Stephens Charleston
Sassene Bridges	Mt Pleasant	Christ Church - Mt. Pleasant
Jerry Broadwater	Summerville	St. Stephens - Charleston
Lynn Brooke	Charleston	Episcopalian

Julia Brooks	Summerville	Good Shepherd - Summerville
Christen Brown	Charleston	Old St. Andrews - Charleston
Frank Brown	Charleston	Old St. Andrews - Charleston
Jeanne Rose Brown	Little River	St. Stephens - North Myrtle Beach
Michael K. Brown	Charleston	St. Stephens - Charleston
Sara Browner	Callawassie Island	All Saints - Hilton Head
Edward Bryan, III	Charleston	St. Stephens - Charleston
Mary Bush Bryan	Hampton	St Mark's - Port Royal
Mary H. Burkett	Mt Pleasant	St Stephens - Charleston
Arenilla Bush	Charleston	Calvary - Charleston
Jan Buvinger		Grace - Charleston
Westley Byrne	Beaufort	St. Helena's - Beaufort
Elizabeth Caldwell	Florence	St. John's - Florence
Ann Campbell	Conway	St Paul's, Conway
Catherine Campbell	Ulmer	Church of the Holy Apostles - Barnwell
Harry Campbell	Conway	St. Pauls - Conway
Joye Cantrell		
C. Cantwell		
Chuck Carpenter	Florence	St John's - Florence
Margaret (Peg) Carpenter	Florence	St. John's - Florence
Iris L. Carson	Charleston	St. Stephens - Charleston
Marie Carter	Mt Pleasant	Grace - Charleston
Hope Causby		St. Thomas - N. Charleston
Lila S Cauthen		St. Pauls - Summerville
Joanna S Cawley	Charleston	Grace - Charleston
Edward Champion	Cumberland, MD	Episcopalian
Debra Charlton	Beaufort	Episcopalian
Rita Chelton	Elkridge, MD	Episcopalian
Kay Chitty	Mt Pleasant	St. Stephens - Charleston
Tom Chorlton	Folly Beach	Episcopalian
Fabienne Christenson	Cincinnati, OH	Episcopalian
Barbara Christie	Charleston	Grace - Charleston
Janet Clark	Cheraw	St. David's - Cheraw
Jim Clark	Georgetown	Episcopalian
Mary Clark	Surfside Beach	Holy Cross - Faith Memorial
Bill Cobb	Beaufort	St Helena's - Beaufort
Fran Cobb	Beaufort	St. Helena's - Beaufort
James Coker	Charleston	St. Stephens - Charleston
Sarah Coker	Charleston	Episcopalian
Michael G. Cole	Pawleys Island	Holy Cross - Faith Memorial
Lynn Collins	Seabrook	Church of The Cross - Bluffton
David Comer	Summerville	Good Shepherd - Summerville
Mary Comer	Summerville	Good Shepherd - Summerville
Bonnie Connolly	Port Royal	St Mark's - Port Royal
Patricia Cook	Mt Pleasant	Christ Church - Mt Pleasant
Roberta C. Cook		St. David's
Taylor Cook	Mt Pleasant	Christ Church - Mt Pleasant
William J Cook	Charleston	St. Stephens - Charleston
Mollie Corrie	Florence	
Harry Cotesworth	Bluffton	Church of The Cross - Bluffton
Nola Cotesworth	Bluffton	Church of The Cross - Bluffton
Ann Cotton	Charleston	Grace - Charleston
Julia Cripps	Murrells Inlet	Holy Cross Faith Memorial
N. Clark Cromwell	Folly Beach	Grace - Charleston
Jerry Crosby	Georgetown	Holy Cross - Faith Memorial

Kathy Crosby	Georgetown	Holy Cross - Faith Memorial
Gary Crossley	Charleston	St Francis - Charleston
Kevin Crothers	Mt Pleasant	East Cooper Episcopal Church
Patty Crower	Port Royal	St Marks - Port Royal
Barbie Culbertson	Georgetown	Prince George - Georgetown
Carmen Cunningham	Hilton Head Island	All Saints - Hilton Head
William Cunningham	Hilton Head Island	All Saints - Hilton Head
Michael M Cureton	Myrtle Beach	Holy Cross - Faith Memorial
John F. Daley	Pawleys Island	Holy Cross - Faith Memorial
Mason Daley	Pawleys Island	Holy Cross - Faith Memorial
Dottie D'Ambrosio	Pawleys Island	Holy Cross - Faith Memorial
Patricia Daniel-Turk+	Beaufort	St Marks - Port Royal
Lucy G. Dargan	Darlington	St. Catherine's - Florence
Alison J. Davidow	Beaufort	St Marks - Port Royal
Geoff Davis	Myrtle Beach	St. Pauls - Conway
Hutson Davis	Beaufort	St Marks - Port Royal
Sue Davis	Myrtle Beach	St. Pauls - Conway
Debbie Dawsey-Davis	Beaufort	St Marks - Port Royal
Jane deButts	Marshall, VA	Grace - Charleston
Barry Dennis	Conway	St. Anne's - Conway
Robert Dennis	Edisto Island	Trinity - Edisto
Ann W. Dibble	Charleston	Grace - Charleston
Barbara Z Dick	Mt Pleasant	Cath. of St. Luke & St. Paul - Charleston
Taylor Dinsmore	Knoxville, TN	Episcopal
Susan Dolan	Hilton Head Island	All Saints - Hilton Head
Sally Domby	Beaufort	St Helena's - Beaufort
Samuel Domby	Beaufort	St Marks - Port Royal
Steve Donaldson	Johns Island	Grace - Charleston
Margaret Dotson	Chesterfield	St David's Cheraw
Tracy Dotson	Chesterfield	St David's Cheraw
Patricia Doyle		Christ Church of Our Saviour
Thomas A. Doyle		Christ Church of Our Saviour
Mary Ginny DuBose	Pawleys Island	Holy Cross - Faith Memorial
Sallie Duell	Charleston	St. Stephens - Charleston
Chip Dukes	Norcross	
Lindsay M. Dukes	New York City	St Stephens - Charleston
Paul Dunkle		St. Stephens - Charleston
Ann Tietjen Durham-Culp	St Helena Island	St Mark's - Port Royal
Amaryllis Duvall	Cheraw	St. David's
Ann Trively Duvall	North Myrtle Beach	
Hal Duvall	Cheraw	St. David's
Jayne Eastman	Mt Pleasant	Christ Church - Mt. Pleasant
Caroline Eddy	Mt Pleasant	St. Stephens - Charleston
Charlotte Edwards	Summerville	St. George's - Summerville
Jack Egan	Pawleys Island	Holy Cross - Faith Memorial
David Elliott	Jackson, MS	Episcopalian
Martha Ellis	Florence	St Johns - Florence
Dr. Frances Elmore	Florence	St Catherine's - Florence
Beth Wickenberg Ely	Columbus, NC	Diocese of North Carolina
Duncan Ely	Columbus	Episcopalian
Phil Emanuel+	Pawleys Island	Holy Cross - Faith Memorial
Daniel J Ennis	Conway	St. Pauls - Conway
Anne Errington	Beaufort	St Marks - Port Royal
Roger Errington	Beaufort	St Marks - Port Royal
Mollie Fair	Mt Pleasant	St Andrews Mt Pleasant

Dwight Fee	Murrells Inlet	Holy Cross - Faith Memorial
Eulelie Fenhagen	Pawleys Island	Holy Cross - Faith Memorial
The Rev. James Fenhagen	Pawleys Island	Holy Cross - Faith Memorial
Mary Joe Ferguson	Pawleys Island	Prince George - Georgetown
Nan Fetters		Holy Cross - Faith Memorial
Dale Finn	Bluffton	All Saints - Hilton Head
Fred Finn	Bluffton	All Saints - Hilton Head
Peter Finne	Hollywood	St. Thomas - N. Charleston
Yvonne Finne	Hollywood	St. Thomas - N Charleston
Helen Fischer	Mt Pleasant	Christ Church - Mt. Pleasant
Sarah Vann Fishburne	Chattanooga	Episcopalian
Bob Fisher	Johns Island	Christ Church of Our Saviour
Nancy Fisher	Johns Island	Christ Church of Our Saviour
Jaquelin P. Fleet	Charleston	Grace - Charleston
Audrey J Foley	Mt Pleasant	Episcopalian
Sylvia Folk	Charleston	Grace - Charleston
Jo Fortuna	Pawleys Island	Holy Cross - Faith Memorial
Clarice Foster		Grace - Charleston
Kaye Fox	Summerville	Episcopalian
Harry Foy		Trinity - Edisto
Mary Ann Foy		Trinity - Edisto
Roberta B. Fraher		Episcopalian
Georgianne France	Murrells Inlet	Holy Cross - Faith Memorial
Gerald France	Murrells Inlet	Holy Cross - Faith Memorial
Cecelia Franko	Mt Pleasant	
Julian G. Frasier, III	Sumter	Holy Comforter - Sumter
Michael Frederick	Beaufort	St. Helena's - Beaufort
Jane Fredrick	Beaufort	St. Helena's - Beaufort
Debra Freeman	Hartsville	St Bartholomews - Hartsville
Kathlyn Ann Fritz		Trinity - Edisto
James E Fulcher	McClellanville	St James Santee - McClellanville
Patty Fulcher	McClellanville	St James Santee - McClellanville
Richard Futch	Mt Pleasant	Grace - Charleston
Barbara Gallop	Seabrook	St Marks - Port Royal
Doug Gallow	Dataw Island	St. Helena's - Beaufort
Harriet Gallow	Dataw Island	St. Helena's - Beaufort
Fred Gebler	Okatie	All Saints - Hilton Head
Mary Anne Gebler	Bluffton	All Saints - Hilton Head
Charles C. Geer	Charleston	Holy Communion - Charleston
Jane H. Geiger	Bamberg	Christ Church - Denmark
Paul L. Geiger	Bamberg	Christ Church - Denmark
Gorman Getty	Cumberland, MD	Emanuel - Cumberland
Harriet W Gettys	Edisto Iskland	Trinity - Edisto
Jim Gettys	Edisto Island	Trinity - Edisto
Emily T Gibbons	Summerville	Good Shepherd - Summerville
Mike Gibbons	Mt. Pleasant	East Cooper Episcopal Church
Charley Gibbs	Johns Island	Grace - Charleston
Helen Pringle Gibbs	Bennettsville	St. Paul's Bennettsville
James Gibbs	Bennettsville	St. Paul's Bennettsville
Barbara Gilchrist	Charleston	Old St. Andrews - Charleston
Carroll L. Gilliam	Mt Pleasant	Holy Cross - Sullivans Island
Peggy Gilliam	Mt Pleasant	Holy Cross - Sullivans Island
Anne Marie Goad	Charleston	Grace - Charleston
William Goad	Charleston	Grace - Charleston
Lin Goldstone	Goose Creek	All Saints Episcopal - Moline, IL

Mel Goodwin	Mt Pleasant	Grace - Charleston
Sandra Goodwin	Mt Pleasant	Grace - Charleston
Betty Gore	Charleston	St. Stephens - Charleston
Elizabeth H. Grady	St. Helena Island	St Marks - Port Royal
Linda A Grady	Bluffton	All Saints - Hilton Head
C. Wesley Grady	Bluffton	All Saints - Hilton Head
Carla Graham		St John's - Florence
Kerry Grant	Hilton Head Island	All Saints - Hilton Head
Sandy Grant	Hilton Head Island	All Saints - Hilton Head
Rebecca Gray	New Orleans	St. Stephens - Charleston
Bill Greeley	Daniel Island	St. Stephens - Charleston
Kristy Greenwood	Summerville	Episcopalian
Sands M Gresham	Georgetown	Prince George - Georgetown
Ann Gridley	Kiawah Island	Episcopalian
Kelley Grobmyer	Charleston	St. Stephens - Charleston
Bonnie Gruetzmacher	Okatie	All Saints - Hilton Head
William D Gudger	Charleston	Cath. of St. Luke & St. Paul - Charleston
Emily Guerry	Mt Pleasant	Grace - Charleston
C B. Guess	Summerville	Good Shepherd - Summerville
Emily Guess	Denmark	Christ Church - Denmark
Joe Guess	Denmark	Christ Church - Denmark
Keith Guess	Summerville	Good Shepherd - Summerville
Pamela Guess	Denmark	Christ Church - Denmark
Ted Halkyard	Charleston	Grace - Charleston
Melinda Hamilton	Charleston	Grace - Charleston
Melissa Hamilton	Charleston	St. Stephens - Charleston
Ann Hanchey	Charleston	Old St. Andrews - Charleston
Carol Hanckel	Charleston	Grace - Charleston
Marion Hanckel	Charleston	Grace - Charleston
Margaret Hane	Columbia	Cath of St. Luke & St. Paul - Charleston
Dale Hansel	Okatie	All Saints - Hilton Head
Robert R Hansel	Okatie	All Saints - Hilton Head
David Hardin		Trinity Church
Ellen Hardin	Charleston	Old St Andrews - Charleston
Cynthia Harding	Edenton, NC	St Pauls - Edenton
Flint Harding	Edenton, NC	St Pauls - Edenton
Karen Harmon	Columbia	Good Shepherd - Columbia
Timothy Harmon	Branchville	Christ Church - Denmark
Dill Harper	Florence	Christ Church - Florence
Libby Harper	Florence	Christ Church - Florence
Deb Harris	Murrells Inlet	Holy Cross - Faith Memorial
John C. Hartman	Mt Pleasant	Grace - Charleston
John Hartman	Mt Pleasant	Grace - Charleston
John Hartman, Jr	Mt Pleasant	Grace - Charleston
Justin T. Hartman	Mt Pleasant	Grace - Charleston
Susan Hartman	Mt Pleasant	Grace - Charleston
J D Hastie	Charleston	St. Stephens - Charleston
Bert Hatch	Edisto Island	
Clint Hazzard		Grace - Charleston
Kaye Hearn	Conway	St. Pauls - Conway
George Hearne	Hanahan	Grace - Charleston
Clara H Heinsohn	Charleston	Grace - Charleston
Margaret Held	Sumter	Episcopalian
Wayne Helmly	Goose Creek	St. Stephens - Charleston
Anne Henry	Okatie	All Saints - Hilton Head

Grace Heron		St Pauls - Summerville
Robert Heron		St. Pauls - Summerville
Paul Hessinger	Hilton Head Island	Grace - Charleston
John R. Hester	Marion	Advent
Rufus Hill	Washington	
Elizabeth Hills	Mt Pleasant	St Stephens - Charleston
Roy Hills	Mt Pleasant	St Stephens - Charleston
Robert Hirst	Charleston	Cath of St Luke & St. Paul - Charleston
Gail Hodsdon	Beaufort	St Marks - Port Royal
William Hodsdon	Beaufort	St Marks - Port Royal
Linda Hoke		St. Philips - Charleston
Joni Holderman	Surfside Beach	Church of the Resurrection - Surfside
Harriet Holliday	Myrtle Beach	Episcopal Church in Myrtle Beach
Sue Holloman	Seabrook Island	Christ Church of Our Saviour
Eleanor Horres	Mt Pleasant	Grace - Charleston
Harriet Hostetler	Surfside Beach	Holy Cross - Faith Memorial
Hugh Hostetler	Surfside Beach	Holy Cross - Faith Memorial
Alan Houghton	Pawleys Island	Holy Cross - Faith Memorial
Billie Houghton	Pawleys Island	Holy Cross - Faith Memorial
Wallis C Houseman	Georgetown	Prince George - Waccamaw
Natalie Howard Martin	Charleston	Old St Andrews - Charleston
Elizabeth Howell	Columbia	Holy Cross - Faith Memorial
David Hoyle	Charleston	St Stephens - Charleston
Erin Hoyle	Charleston	St. Stephens - Charleston
Susan Hudgins	Hilton Head Island	All Saints - Hilton Head
Tommie Hughes	Edisto Island	Trinity - Edisto
Salker Humphrey	Dallas, TX	Church of the Incarnation
Elizabeth G. Hunter	Charleston	Old St Andrews - Charleston
Andrea Hurley	Charleston	Old St. Andrews - Charleston
Julie Hussey	Charleston	Grace - Charleston
Peter Hyndman	Charleston	Grace - Charleston
Kenneth Inman	Mt Pleasant	Grace - Charleston
Heyward Jablomee	Charleston	St. Stephens - Charleston
Shawn Jacobs	Columbia	St Timothy's - Columbia
Mac James	Florence	
John Jennings	Memphis, TN	Grace - St. Luke's Episcopal
Jane Jett	Summerville	St Stephens Charleston
Charles Jett	Summerville	St Stephens Charleston
Charles Johnson	Conway	St Paul's - Conway
John Romig Johnson	Charleston	St. Stephens - Charleston
Nicole Johnson	Charleston	St. Stephens - Charleston
Kenneth L Jones	Mt Pleasant	Grace - Charleston
Lucille Jones	Murrell's Inlet	All Saints Parish Waccamaw
Mike Jones	Sykva	Episcopal
Nancy Jones	Georgetown	Prince George - Georgetown
Alice DuPre Jordan	Awendaw	Episcopalian
Michael L M. Jordan	Hilton Head Island	All Saints - Hilton Head
Nancy Y. Jordan		Grace - Charleston
Nathan Kaminski	Georgetown	Prince George Winyah Episcopal
Marcia Kaminski	Georgetown	Prince George Winyah Episcopal
Joyce K Kauffman	Hilton Head Island	All Saints - Hilton Head
Renee Keanu	Waipahu, HI	St. Timothy's - Hawaii
Susan Kearney	Beaufort	St Marks - Port Royal
William G. Kee	Charleston	Cath. of St. Luke & St. Paul - Charleston
Marion Kelly	Mt Pleasant	Grace - Charleston

Marsha Kendrick	Mt Pleasant	Grace - Charleston
William Kendrick	Mt Pleasant	Grace - Charleston
Minnie Kennedy	Georgetown	Prince George - Georgetown
Mary Gwynne Kill	Summerville	Good Shepherd - Summerville
Anne Osborne Kilpatrick	Charleston	Grace - Charleston
Anne Osborne Kilpatrick	Sullivan's Island	St. Stephens - Charleston
Suzanne Kindler	Okatie	All Saints - Hilton Head
Judy M. King	North Charleston	Calvary - Charleston
Virginia King	Yonges Island	Episcopal Church on Edisto
Susan Klein	Los Angeles, CA	Episcopalian
Don Koets	Summerville	Good Shepherd - Summerville
Eleanor Koets	Summerville	Good Shepherd - Summerville
Jan Kowal	Moncks Corner	Trinity - Pinopolis
John Kowal	Moncks Corner	Trinity - Pinopolis
Leslie Krafft	Hilton Head Island	All Saints - Hilton Head
Kenneth Kraft	Beaufort	St Marks - Port Royal
Patricia Kraft	Beaufort	St Marks - Port Royal
Pixie Kubick	Pawleys Island	Holy Cross - Faith Memorial
John Kwist	Summerville	Good Shepherd - Summerville
Margaret S. Kwist	Summerville	Good Shepherd - Summerville
John P LaBruce	Georgetown	Prince George - Georgetown
LaClair W. Laffitte	Hampton	All Saints - Hampton
Catherine LaFond	Charleston	St. Stephens - Charleston
Richard Lamb	Florence	St Andrew's-Mt. Pleasant
Jim Lancaster	Johns Island	Grace - Charleston
Tony Lantzy	Myrtle Beach	St. Stephen's- North Myrtle Beach
Jane LaRock	Beaufort	St Helena's - Beaufort
Ward Lassoe	Sullivan's Island	Grace - Charleston
Mary Vereen Lauer	Myrtle Beach	Trinity - Myrtle Beach
Robert J. Lauer	Myrtle Beach	Trinity - Myrtle Beach
Casey Lavin	Summerville	St Phillips - Charleston
Andrea Lawrence	Charleston	Episcopalian
Katrina P. Lawrimore	Georgetown	Prince George - Georgetown
Linda Lear	Charleston	St. Stephens - Charleston
Bonnie Leazer	Charleston	Old St. Andrews - Charleston
Perry R Leazer	Charleston	Old St Andrews - Charleston
Frank Lee	Charleston	Cath of St Luke & St Paul - Charleston
Linda Lee	Charleston	St. Stephens - Charleston
Susan Legare	Charleston	Grace - Charleston
Caroline T. Leland	Charleston	St. Michaels - Charleston
Cynthia C. Leland		St. James - Santee
Lee Leland	McClellanville	St. James - Santee
T. Ballard Lesemann	McClellanville	St. James - Santee
Jane Hart Lewis	Florence	St. John's - Florence
Marilyn A. Lewis	Pawleys Island	Prince George Winyah Episcopal
Irene Lichy	Myrtle Beach	The Episcopal Church of Myrtle Beach
Cecily Lilly		St. John's - Florence
Adam Limehouse	Charleston	St. Marks - Charleston
Capers Limehouse	Charleston	St. Stephens - Charleston
F. Ward Logan	Charleston	Grace - Charleston
Karen Long	Florence	All Saints - Florence
Lynn B. Long	Myrtle Beach	St. Stephens - North Myrtle Beach
Rebecca Lovelace	Conway	St. Pauls - Conway
Richard Lovelace	Conway	St Pauls - Conway
Melinda Lucka	Mt Pleasant	Grace - Charleston

Betsy Luke	Summerville	Good Shepherd - Summerville
Lindsay Luke	Summerville	Good Shepherd - Summerville
T. E..Lynberg	San Diego, CA	Episcopal Church
Ian MacDonald	Charleston	Grace - Charleston
Barbara Mackey	Murrells Inlet	Episcopalian TBD
Brandon V Madden	Columbia	Holy Cross - Faith Memorial
Helen Madden	Columbia	Holy Cross - Faith Memorial
Kathy Magruder	Charleston	St Stephens - Charleston
DeWitt Mallary	Hanover, NH	St Marks - Port Royal
Barbara Mann	Charleston	Grace - Charleston
Dave Mann	Mt Pleasant	Grace - Charleston
Fran Marscher	Hilton Head Island	
Elizabeth R. Marlow	Pawleys Island	Holy Cross - Faith Memorial
Allerton D Marshall	Hilton Head Island	All Saints - Hilton Head
Mary Markley Marshall	Hilton Head Island	All Saints - Hilton Head
Quitman Marshall	Beaufort	St Marks - Port Royal
Pepper Marts	Albuquerque, NM	St Michael & All Angels
Robert Mason	Florence	St. Catherine's - Florence
Sue Mason	Bluffton	Church of The Cross - Bluffton
Peggy Mauldin	Mt Pleasant	Grace - Charleston
Fred W. Mauterer	Georgetown	Episcopalian
Sally Mayse	St. Helena Island	St Marks - Port Royal
Felicia McBratney	Florence	Episcopalian
Karen E McCormick		Christ Episcopal Church
Mary Sue McDaniel	Summerville	Good Shepherd - Summerville
Christie McDonnell	Hilton Head Island	All Saints - Hilton Head
Maureen C McDonnell	Hilton Head Island	All Saints - Hilton Head
The Rev. Dr. Richard P. McDonnell	Hilton Head Island	All Saints - Hilton Head
G. Simms McDowell, III	Charleston	Grace - Charleston
Amy McEachin		St. John's - Florence
Gary McGee	Mt Pleasant	Christ Church - Mt. Pleasant
Susan McGee	Mt Pleasant	Episcopalian
Laura McGeorge	Charleston	Grace - Charleston
Dorothy McIlraith	Hilton Head Island	All Saints - Hilton Head
Cindy McKinney	Florence	St Catherine's - Florence
Baxter McLendon	Brunson	All Saints - Hampton
Paul (Mac) McTeer	Mt Pleasant	Grace - Charleston
Lillis McWhorter	Murrells Inlet	Holy Cross - Faith Memorial
Dorothy Meacham	Charleston	St. Michaels - Charleston
Susan Meehan	Varnville	All Saints' - Hampton
Terrance L Meehan	Varnville	All Saints' - Hampton
Warren Mersereau	Kiawah Island	Christ Church of Our Saviour
Daniel Messier	Charleston	St. Marks - Charleston
Florence Miles	Charleston	Grace - Charleston
Dolores Miller	Florence	St. Catherine's - Florence
Rodly J. Millet	Mt Pleasant	St. Stephens - Charleston
Carl b. Millford, Jr	Charleston	Grace - Charleston
Cecilia Mims	Myrtle Beach	Trinity - Myrtle Beach
Kathryn Mixson	Ladson	St George's - Summerville
Patricia Mizell	Columbia	Trinity Cathedral
Brian Monroe		Holy Cross - Faith Memorial
Amelia Montjoy	Hollywood	Episcopalian
James Moore	Hilton Head Island	All Saints - Hilton Head
Arete Morgan	Johns Island	Christ Church of Our Saviour
Jane Morris	Santee	Grace - Charleston

Jim Morris	Santee	Epiphany - Eutawville
Nan Morrison	Charleston	St Philips - Charleston
Alisa Mosley		St. Mary's Irmo
George Moyser+	Bluffton	All Saints - Hilton Head
Sandy Moyle+	Pawleys Island	Holy Cross - Faith Memorial
Ann Munger	Beaufort	Episcopalian
Jack Murray	Charleston	Grace - Charleston
Kate Murray	Columbia	St John's - Columbia
Mary Murray	Charleston	Grace - Charleston
Mike Murray	Charleston	Grace - Charleston
Sara Ann Murray	Charleston	Grace - Charleston
Tom Myers	Mt Pleasant	St. Stephens - Charleston
Ann E. Nagel	Edisto Island	Episcopalian
John Nash	Edisto Island	Trinity - Edisto
Susanne Nash	Edisto Island	Trinity - Edisto
Tim Nauss	Pawleys Island	Holy Cross - Faith Memorial
F. Truett Nettles	Charleston	Grace - Charleston
Michael Newman	Charleston	Grace - Charleston
Marshall Newton		St. Andrews Mt Pleasant
Chris Nietert	Beaufort	All Saints' - Hampton
Jack Nietert	Beaufort	All Saints - HH & St Marks - PR
Michael O'Connell	Charleston	Grace - Charleston
Bobby O'Dell	Charleston	St Michaels - Charleston
Helen Brenchley Oates	Pawleys Island	All Saints Parish Waccamaw
Jean Oliver	Little River	St. Stevens - N Myrtle Beach
Ronald Oliver	Little River	St. Stevens - N Myrtle Beach
Virginia Orban	Kiawah Island	Christ Church of Our Saviour
Jane Orenstein	Summerville	Good Shepherd - Summerville
Donna Orvin	Moncks Corner	Grace - Charleston
Doug Osborne		Holy Cross - Faith Memorial
Sue Osborne		Holy Cross - Faith Memorial
Kenny Oubre	Mt Pleasant	St. Stephens - Charleston
Michael Oyer	Myrtle Beach	St Anne's - Conway
Kathleen L Padgett	Walterboro	Episcopalian
Laura-Chapman Page	Charleston	Grace - Charleston
Dottie Pagliaro	Charleston	Grace - Charleston
Lynn Pagliaro	Charleston	Grace - Charleston
Porcher Palmer	Winter Haven, FL	St Paul's - Winter Haven
Dusty Parker	Mt Pleasant	St. Stephens - Charleston
Milton Parker	Beaufort	St Helena's - Beaufort
Harold "Pat" Patrick	Charleston	St Stephens - Charleston
Sally Peace	Nichols	St. Pauls - Conway
Jordan Peeler	Boston	Grace - Charleston
Cornelia Pelzer	Charleston	St. Michaels - Charleston
Randy Pelzer	Charleston	St. Michaels - Charleston
Julie Petroff	St. Helena Island	St Marks - Port Royal
Walker Petroff	St. Helena Island	St Marks - Port Royal
Harold Petzolt		
Celeste Phillips	Charleston	Grace - Charleston
Cliff Phillips	Pawleys Island	Holy Cross - Faith Memorial
Earle Phillips	Hartsville	St. Catherine's - Florence
Maxine Phillips	Pawleys Island	Holy Cross - Faith Memorial
Eve Pickney	Okatie	Episcopal Church in Okatie
Martha Pike	Hilton Head Island	All Saints - Hilton Head
Barbara Pinkerton	Beaufort	St Marks - Port Royal

Bob Pinkerton	Beaufort	St Marks - Port Royal
George Pinkerton	Okatie	All Saints - Hilton Head
Joan C. Pittman	Sullivan's Island	St. Stephens - Charleston
Geoff Place	Charleston	Grace - Charleston
Jan Place	Charleston	Grace - Charleston
Eugene Platt		St. James-Charleston
Jerry Poer	Folly Beach	Grace - Charleston
Georgia Ann Porcher	Mt Pleasant	Grace - Charleston
Philip Porcher	Mt Pleasant	Grace - Charleston
Daniel Porter	Bluffton	Church of the Cross - Bluffton
David Porter	Charleston	Grace - Charleston
Marianne Porter	Bluffton	Church of the Cross - Bluffton
Jonathan Poston	Charleston	Grace - Charleston
Leslie Postell	Summerville	Episcopalian
Marilyn Powell	Charleston	St. Stephens - Charleston
Phillip Powell	Charleston	Grace - Charleston
Ann Prentice	Augusta, GA	Order of St Helena
David Price	Summerville	Grace - Charleston
Ann Priest	Charleston	Grace - Charleston
Lineta Pritchard	Myrtle Beach	Trinity - Myrtle Beach
Martha Propps	Pawleys Island	Holy Cross - Faith Memorial
Jane Pulling	Pinopolis	Trinity - Pinopolis
Verne Pulling	Pinopolis	Trinity - Pinopolis
Patricia Quattlebaum	Charleston	Calvary - Charleston
Truitt Rabun	Hilton Head Island	All Saints - Hilton Head
Charlotte Raney	Little River	St. Stephens - North Mrytle Beach
Jo Ray	Mt Pleasant	St Stephens - Charleston
Mike Ray	Mt Pleasant	St. Stephens - Charleston
Anne Read	Charleston	Grace - Charleston
Mayo Read	Wadmalaw Island	St. Philips - Charleston
Tom Read	Charleston	Grace - Charleston
Warren Redman-Gress	Charleston	St. Stephens - Charleston
Isabella Stuart Reeves	Okatie	Christ Church Episcopal - Savannah
Jerry H. Reeves, IV	Okatie	Christ Church Episcopal - Savannah
Fran Reid	Sumter	Holy Cross - Faith Memorial
Manney Reid	Sumter	Holy Cross - Faith Memorial
Charles C Reimers	Moncks Corner	St. George's - Summerville
James Remillard	Charleston	St. Stephens - Charleston
Sherry Remillard	Charleston	St Stephens - Charleston
Camille Reynolds	Charleston	Grace - Charleston
Mary Flowerre Rhett	Charleston	St. Michaels - Charleston
Nelljean Rice	Conway	Conway Worship Group
Irvin Richards	Charleston	St. Stephens - Charleston
Suzanne M. Richardson	Mt Pleasant	Grace - Charleston
Shannon Richards-Slaughter		Calvary - Charleston
Tom Riley	Summerville	Good Shepherd - Summerville
Tricia Riley	Summerville	Good Shepherd - Summerville
F Edward Ritchen	Charleston	Grace - Charleston
Madeleine C. Ritchie	Pawleys Island	Holy Cross - Faith Memorial
Tom B. Ritchie	Pawleys Island	Holy Cross - Faith Memorial
Jason Roberson	Charleston	Grace - Charleston
Christopher Rivers	Granby, MA	Episcopalian
Andrea Robinson-Lawrence		Calvary - Charleston
Tommy Robinson	North Charleston	St. Stephens - Charleston
Steve Roehrich	Mt Pleasant	St. Stephens - Charleston

Susan Roehrich	Mt Pleasant	St. Stephens - Charleston
Marilyn Roper	Hilton Head Island	All Saints - Hilton Head
John David Rose	Black Mountain	
Penny Rose	Hilton Head Island	St Lukes - Hilton Head
Jim Rowe	Beaufort	St Marks - Port Royal
Peggy E. Rozelle	Mt Pleasant	Grace - Charleston
Martha Rudisill	Daniel Island	Grace - Charleston
Dwight Runge	N. Charleston	St Stephens - Charleston
Virginia Runge	N. Charleston	St. Stephens - Charleston
Elaine Rutherford	Pawleys Island	Holy Cross - Faith Memorial
J Wood Rutter	Dataw Island	St Marks - Port Royal
Ray Sabalis	Orangeburg	Christ Church - Denmark
Robert Sabalis	Orangeburg	Christ Church - Denmark
Janet Somerville Sachs	Summerville	Episcopalian
Louisa Salvo	Summerville	St Pauls - Summerville
Geales Sands	Murrells Inlet	Holy Cross - Faith Memorial
John Sands	Murrells Inlet	Holy Cross - Faith Memorial
Dave Sartin	Knoxville, TN	St. Thomas - Knoxville
Philis Sarto	Pawleys Island	Holy Cross - Faith Memorial
David Saunders	Hilton Head Island	All Saints - Hilton Head
Henry Saunders	Myrtle Beach	St Pauls - Conway
Loni Saunders	Hilton Head Island	All Saints - Hilton Head
Sandra Saunders	Conway	St. Pauls - Conway
Dorothy Schafer	Kiawah Island	Grace - Charleston
Robert Schafer	Kiawah Island	Grace - Charleston
John Schroeder	Charleston	Grace - Charleston
Patricia H Scoggins	Ladson	Grace - Charleston
Roy Scoggins	Ladson	Grace - Charleston
Kent Scott	Charleston	St. Stephens - Charleston
Maggie Seymour	Beaufort	St Marks - Port Royal
Mike Seymour	Beaufort	St Marks - Port Royal
Lee Shaffer	Beaufort	St Marks - Port Royal
Scott Shaffer	Beaufort	St Marks - Port Royal
Amy Shea	Conway	St Anne's - Conway
Anne Carmichael Sherman	Edisto Island	St Stephens - Charleston
Charles Shine	Charleston	St. Stephens - Charleston
Thelma Shine	Charleston	St. Stephens - Charleston
Jaquelin Simons	Summerville	Good Shepherd - Summerville
Marie Simpson	Orangeburg	St. Paul's - Orangeburg
Jill Sinclair	John's Island	St Stephens - Charleston
H David Singleton	Charleston	St Stephens - Charleston
Carolyn Sires	Summerville	St. Pauls - Summerville
John W. Skardon	Mauldin	Grace - Charleston
Steve Skardon	Mt Pleasant	Grace - Charleston
Mary Slaby	Myrtle Beach	Trinity - Myrtle Beach
Dick Smartt	Isle of Palms	Grace - Charleston
Harriet Smartt	Isle of Palms	Grace - Charleston
Andrew Smith	Charleston	Grace - Charleston
Angela Smith	Charleston	St Stephens - Charleston
Ann H Smith	Pawleys Island	Holy Cross - Faith Memorial
Audrey Smith	Charleston	Grace - Charleston
Barbara Smith	Mt Pleasant	St. Stephens - Charleston
Clyde Smith		St. Stephens - Charleston
Colton Smith	Charleston	St. Stephens - Charleston
Rev Dennis L Smith, PhD	John's Island	Episcopalian

Gretchen Smith	Edisto Island	Trinity - Edisto
Martha Smith	Conway	St Pauls - Conway
Nina N Smith	Columbia, SC	Trinity Episcopal Cathedral Episcopal Church on Edisto
Roger Smith	Beaufort	St Marks - Port Royal
Roy Smith	James Island	Grace - Charleston
Truman Smith	Charleston	Grace - Charleston
Russell Southwick	Hilton Head Island	All Saints - Hilton Head
John Spann	Sumter	St Augustines - Wedgefield
Sparkie Sparks	Charleston	St. Francis Episcopal - Charleston
Becky Sparrow	Pawley's Island	Holy Cross - Faith Memorial
Robert Spencer+	Rock Springs	Holly Communion - Rock Springs, WY
Nancy Stafford	Mt. Pleasant	Grace - Charleston
Sam Stafford III	Mt. Pleasant	Grace - Charleston
Margaret Stallings	Pawleys Island	Holy Cross - Faith Memorial
H. McKim Steele	Charleston	Episcopalian
Judith Steele	Charleston	Episcopalian
Gail Steinfield	Conway	St Anne's - Conway
Jim Stevenson	Ottawa, ON, Can.	All Saints, Anglican Church of Canada
Hazel M. Stewart	Charleston	St. Mark's - Charleston
John Stewart	Charleston	Grace - Charleston
Sara Stewart		
Tim L. Stinson	Darlington	St. Matthews-Darlington
Ann Stirling	Charleston	Grace - Charleston
Robert P. Stockton	Charleston	St. Stephens - Charleston
Stephanie Stockwell	Johns Island	Grace - Charleston
Dudleigh C. Stone	Beaufort	St Helena's - Beaufort
Sallie Stone	Beaufort	St Helena's - Beaufort
David Stoney	McClellanville	
Daisy Stoudenmire	Mt Pleasant	Grace - Charleston
Brenda Stroup	Georgetown	Holy Cross - Faith Memorial
Hank Stroup	Georgetown	Holy Cross - Faith Memorial
Barbara Stubbs	Mt Pleasant	Grace - Charleston
Hal Stubbs	Mt Pleasant	Grace - Charleston
Charles Sturm	Summerville	St. George's - Summerville
Carolyn Swallow	Hartsville	St. Catherine's - Florence
Paul Sykes	Charleston	St. Stephens - Charleston
Janie Sylvan	Charleston	St. Stephens - Charleston
Joe Sylvan	Charleston	St. Stephens - Charleston
Barbara Sylvester	Florence	St Johns - Florence
Thomas Howard Sylvia	Charlotte, NC	St David's - Cheraw
Michael Szymanowski	Summerville	
Clare Tager	West Jefferson, NC	Grace - Charleston
Miles Tager	West Jefferson, NC	Grace - Charleston
Harold Talbot	Charleston	Grace - Charleston
Dale Tasker	Charleston	Grace - Charleston
Gary Tasker	Charleston	Grace - Charleston
Allison Taylor	Rock Hill	Our Saviour - Rock Hill
John H. Templeton	Clayton, GA	Diocese of Atlanta
Ann Hurd Thomas	Charleston	Grace - Charleston
John Teter	Beaufort	Episcopalian
Bryan Thompson	Charleston	St. Stephens - Charleston
Lucy Thrower	Florence	St Johns - Florence
John Tindal	Sumter	Church of the Holy Comforter
Sarah F. Tindal	Sumter	Church of the Holy Comforter

Anne Tindall	Denmark	Christ Church - Denmark
Byron Tindall	Denmark	Christ Church - Denmark
Sarah Tipton	Charleston	Grace - Charleston
Timothy Tipton	Charleston	Grace - Charleston
Carolyn Titus	Mt Pleasant	Grace - Charleston
Clif Titus	Mt Pleasant	St Stephens - Charleston
Mary Lou Titus	Mt Pleasant	St. Stephens - Charleston
Gina Tjersland	Hilton Head Island	All Saints - Hilton Head
George Tompkins	Charleston	St. Stephens - Charleston
Shay Tompkins	Charleston	Grace - Charleston
Ernie Torricelli	Charleston	Grace - Charleston
Caroline Trask	Beaufort	Episcopalian
John M Trask, Jr.	Beaufort	Episcopalian
Bill Trawick	Charleston	Grace - Charleston
Mary Ellen Troia	Meggett	Grace - Charleston
John Trolley	Hilton Head Island	All Saints - Hilton Head
George Tupper	Summerville	Good Shepherd - Summerville
Jane Tupper	Summerville	Good Shepherd - Summerville
Pat Updegraff	Okatie	All Saints - Hilton Head
Kathy Urban	Myrtle Beach	Trinity - Myrtle Beach
George Utter	Beaufort	St. Andrew's - Norfolk, VA
Jan Van Norte	Edisto Island	St. Stephens - Charleston
Sam Van Norte	Edisto Island	St. Stephens - Charleston
Florine De Veer	Hanahan	Grace - Charleston
Barry Waddell	Hartsville	St. Bartholomews - Hartsville
Agnes G Wade	Charleston	Grace - Charleston
Betsy Walker	Charleston	St. Stephens - Charleston
Elizabeth Wallace	Marion	Christ Episcopal - Florence
Marcy Walsh	Summerville	Episcopalian
Nancy Ward	Seabrook Island	Grace - Charleston
Robert C. Ward		Grace - Charleston
Stephen Ward	Seabrook Island	Grace - Charleston
Bill Warner	Myrtle Beach	St. Anne's - Conway
C Douglas Warner	Charleston	Grace - Charleston
Bob Waters	Hanahan	St. Marks - Charleston
Gin Waters	Hanahan	St Marks - Charleston
Karen W. Watson	Johns Island	Christ Church of Our Saviour
Nicole Watts	Charleston	St Stephens - Charleston
Ann Weatherby	Charleston	Grace - Charleston
David Weatherby	Charleston	Grace - Charleston
Amy D. Webb	Pawleys Island	Holy Cross - Faith Memorial
Susan Webb	Murrells Inlet	Holy Cross - Faith Memorial
Rod Welch	James Island	St James - James Island
Priscilla Wendt	Charleston	Grace - Charleston
Robertson Wendt	Charleston	Grace - Charleston
Judy Werrell	Charleston	Grace - Charleston
William Werrell	Charleston	Grace - Charleston
Temple Whitaker	Mt Pleasant	East Cooper Episcopal Church
Pattie White	Darlington	St Matthew-Darlington
James W White,III	Anderson	Episcopalian
Thomas White	Columbia	Ebenezer Lutheran, ELCA
John Wilder	Summerville	Good Shepherd - Summerville
Letty Wilder	Myrtle Beach	Trinity - Myrtle Beach
Ginga Wilder	Summerville	Good Shepherd - Summerville
Christine Wilkerson	Folly Beach	Grace - Charleston

Jim Wilkerson	Folly Beach	Grace - Charleston
Donna Rae Williams	Summerville	St. Pauls - Summerville
Harriet P. Williams	Charleston	Episcopalian
Lance Williams	Charleston	Grace - Charleston
Pat Williams	Charleston	Grace - Charleston
Skip Williams	North Myrtle Beach	Church of the Messiah
Ellen T. Willingham	Summerville	Saint Paul's - Summerville
John Willson	Charleston	
Harriet Wilmeth	Hartsville	St. Bartholomews - Hartsville
Christina Wilson	Beaufort	St Marks - Port Royal
John N. Wilson	Charleston	Grace - Charleston
Larry Wilson	Myrtle Beach	Episcopalian
Mary B Wilson	Charleston	Grace - Charleston
Wendy Wilson	Beaufort	
Matthew Winburn	Hartsville	Episcopalian
Carrington Wingard		St Johns - Florence
William Wingfield, Jr	Mt Pleasant	Christ Church - Mt Pleasant
Paul B. Wiske	Beaufort	St Marks - Port Royal
John Womack	Pawleys Island	Holy Cross - Faith Memorial
Susan Womack	Pawleys Island	Holy Cross - Faith Memorial
Rodgers Wood +	Coraoplis, PA	Episcopalian
Norris Wootton	Kingstree	St Albans - Kingstree
Nancy Wylie	Camden	
Patrick Wylie	Camden	
Barbara Yergens	Beaufort	St Marks - Port Royal
Bill Yergens	Beaufort	St Marks - Port Royal
Kammy Young	Sewanee, TN	The School of Theology

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Enthusiastically Episcopalian in South Carolina

EXHIBIT 12

(8/24/10 EFSC Letter to HOB and Executive Council)

Episcopal Forum of South Carolina

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Date: August 24, 2010

To: The Executive Council of The Episcopal Church
The House of Bishops

From: The Episcopal Forum of South Carolina

Subject: The Alienation and Disassociation of the Diocese of South Carolina from The Episcopal Church

This communication is being sent from the Directors of the Episcopal Forum of South Carolina to the general membership of the Forum, to the House of Bishops, and to the lay and clerical leadership of The Episcopal Church.

The Episcopal Forum of South Carolina is a 501(c)(3) corporation with members from two thirds of the congregations in our Diocese. Our mission is to preserve unity with diversity in the Diocese and in The Episcopal Church through the inclusion of a broad range of Scriptural understandings and by upholding the Constitution and Canons of The Episcopal Church and the democratic actions of its Conventions and elected leaders. We have enclosed an EFSC brochure for your information.

We wish to call to your attention the recent actions and inactions on the part of the diocesan leadership and leaders in parishes and missions within the Diocese of South Carolina, which we believe are accelerating the process of alienation and disassociation of the Diocese of South Carolina from The Episcopal Church.

In accordance with our Mission statement, we feel compelled to emphasize the importance of the issues that we include in our attached documents. Specifically, we enumerate issues that present grave concern to us, as Episcopalians in our Diocese, and we request that The Episcopal Church leadership investigate the situation in our Diocese.

Thank you for your consideration.

Attachments/Enclosures

The Alienation and Disassociation of the Diocese of South Carolina from The Episcopal Church

I. **Actions and inactions of the Bishop appear to be tantamount to an abandonment of the polity of The Episcopal Church (TEC). Examples of these actions and inactions include:**

a) The Ecclesiastical Authority (the Diocesan Bishop or the Standing Committee) has taken no disciplinary measures or legal action against the leadership of the St. Andrews Parish, Mt. Pleasant, since it withdrew from (TEC) in March 2010. http://www.wearestandrews.com/default.aspx

b) The Ecclesiastical Authority has done nothing to stop other parishes which outwardly appear to be moving in the direction of withdrawal from TEC. Of particular importance, some parishes have sought, or otherwise obtained, legal advice as to what the necessary steps would be to leave TEC. *Attached is a letter written by an attorney used by All Saints, Pawleys Island (AMIA) to another parish in the Diocese that is looking at leaving TEC.*

c) The Ecclesiastical Authority has declared verbally and in writing that the Diocese of South Carolina is a "Sovereign Diocese," and that the Presiding Bishop has wrongfully intruded into this "sovereignty". The 2010 Diocesan Convention affirmed these positions in Resolution 2:

> *RESOLVED, That this 219th Convention of the Diocese of South Carolina affirms its legal and ecclesiastical authority as a sovereign diocese within the Episcopal Church, and be it further*
>
> *RESOLVED, That this Convention declares the Presiding Bishop has no authority to retain attorneys in this Diocese that present themselves as the legal counsel for the Episcopal Church in South Carolina, and be it finally*
>
> *RESOLVED, That the Diocese of South Carolina demands that the Presiding Bishop withdraw and terminate the engagement of all such legal counsel in South Carolina as has been obtained contrary to the express will of this Diocese, which is The Episcopal Church within its borders.*

This Resolution is in direct conflict with both the Diocesan and The Episcopal Church Constitutions and Canons. Specifically, **Article I of the Diocesan Constitution** inherently links this Diocese to The Episcopal Church: *"The Church in the Diocese of South Carolina accedes to and adopts the Constitution and Canons of the Protestant Episcopal Church in the United States of America."*

Examples of the connection between the Diocese of South Carolina and TEC are found in both the Diocesan and The Episcopal Church Canons. **Title IV of TEC Canons** sets forth disciplinary procedures for Bishops. Clergy discipline is handled through the Diocese; however, **Diocesan Canon Title III** prescribes that the Diocese must follow Episcopal Church disciplinary trial procedures as set forth in **Title IV of TEC Canons**.

Secondly, **Diocesan Canon XXX, Section 5,** relating to parish property, states:

> *"All real and personal property held by or for the benefit of any Parish, Mission, or Congregation is held in trust for the Episcopal Church and the Protestant Episcopal Church in the Diocese of South Carolina. The existence of this trust, however, shall in no way limit the power and Authority of the Parish, Mission, or Congregation existing over such property so long as the particular Parish, Mission, or Congregation remains a part of, and subject to, the Episcopal Church and the Protestant Episcopal Church in the Diocese of South Carolina"*

d) The Diocesan website, http://www.dioceseofsc.org/, approved and electronically published by Ecclesiastical Authority, has removed substantially all references to TEC. Further, of the 44 parishes with working websites with direct links from the Diocesan Website for the Diocese of South Carolina, over 25 parishes have websites that either:

(1) have taken out "Episcopal" in their names or elsewhere on their websites; or

(2) have no link or mention of TEC; or

(3) are linked as "partners" with the Anglican Church of North America (ACNA) / American Anglican Council (AAC) /South Carolina Anglican Communion Network (SCACN) organizations.

e) Missions are being planted within the Diocese; however, the Ecclesiastical Authority will not recognize or approve the establishment of St. Mark's Chapel, Port Royal, http://www.stmarksc.org, a congregation of loyal Episcopalians that has doubled its membership over the past year.

f) With the support of the Ecclesiastical Authority a special Diocesan convention held in October, 2009 modified the declaration of conformity, signed by ordinands to the Priesthood and Deaconate, as specified in the Book of Common Prayer, and required in Article VIII. Resolution I from that convention states in part that the following statement must be read at all ordinations and attached to the Oath of Conformity:

> *"In the Diocese of South Carolina, we understand the substance of the 'doctrine, discipline and worship' of The Episcopal Church to mean that which is expressed in the Thirty-Nine Articles, the Creeds, the Chicago-Lambeth Quadrilateral and the theology of the historic prayer books."*

II. We urge the **leadership of the Diocese and TEC to initiate an investigation of:**

a) parishes in this Diocese known to have taken measures to withdraw from TEC via the use of overt website language.

b) the actions and lack of action of the Diocesan Ecclesiastical Authority with regard to the withdrawal of St. Andrews Parish in Mt. Pleasant, South Carolina, and any knowledge of and/or participation in other similar parish strategies.

c) all property titles and corporate documents of parishes located within our Diocese. We believe that having this information will aid in determining the possible existence or absence of circumstances distinguishable from, or similar to, the property issues found within the "All Saints Waccamaw" ruling by the South Carolina Supreme Court.

Instructive Letter from Attorney to South Carolina Parish

The following letter is filed in the vestry record book of a parish in the Diocese of South Carolina. This letter is attached to the minutes of the May 2010 meeting. A parishioner hand copied this letter from the vestry record book. Hand copying is necessary since this congregation does not allow facsimiles of minutes or supporting documents to be made.

Typed on letterhead from Lindsay & Lindsay, LLC (with offices in Myrtle Beach and Pawleys Island)

To: The Rev. _____
Re: Review of Church Corporation Governing Documents
April 13, 2010

Dear ____,

I enjoyed talking with you today. Thank you for faxing me your church corporation governing documents. A cursory review revealed the following:

1. Your certificate of incorporation needs to be amended in order to change your name (to delete "of the Diocese of South Carolina") and to delete the purpose clause (Article Four) and to substitute your parish mission or vision statement. This action is critical, and the amendment must be approved by the Vestry and two-thirds of your members at an annual or specially called meeting. When is your annual meeting held?
2. Your by-laws are problematic in that the Bishop must approve any amendment, but they do not contain "accession" language like St. John's and others in the diocese do.
3. The good news is that your deeds do not contain any reversionary clauses or restrictions in favor of TEC or the Diocese.
4. Some parishes are creating irrevocable land trusts to hold their property. The bishop and standing committee have to consent to such a transfer or sign a quit-claim deed first, then the property can be conveyed to the land trust. The land trust offers the best protection from TEC and any future diocese created by TEC that might seek to seize or otherwise control your property.
5. If you were to decide to leave TEC and/or the Diocese, you would need to apply for your own tax exemption status.
6. The cost of amending the charter and by-laws would be $2,500. The cost of establishing the land trust would be $5,000. The cost of obtaining your own tax exemption would be $7,500. The documents and other corporate formalities required to leave TEC would be approximately $10,000. I would recommend that you amend your charter first and perhaps the by-laws.

I return from the Global South Conference on April 26 and would be happy to discuss this further with you and your wardens or vestry at that time.

R.M. "Buddy" Lindsay

This letter was followed up by a visit from an attorney (presumably Mr. Lindsay) at the May meeting of the Vestry:

> *Per the minutes from the May 2010 ____ Vestry meeting:*
>
> *Church Legal Position: An attorney provided the Vestry background information and context concerning the church's legal documents, property holdings, etc. The Vestry thanked him for coming to speak with them. They will reflect on his recommendations and discuss the issue in more depth at the next Vestry meeting.*

From ***Christianity Today***, *Land and Building Wars* by John W. Kennedy, January 12, 2010:

> ***R****oss "Buddy" Lindsay III receives phone calls every day from pastors who want his help wresting their church property from denominational control. As chancellor of All Saints Church in Pawleys Island, South Carolina, Lindsay has spent a decade immersed in church property disputes. He is one of only four Americans with a master's degree in canon law from Cardiff University in Wales.*
>
> http://www.christianitytoday.com/ct/2010/january/16.15.html

EXHIBIT 13

(10/25/10 Executive Council Letter to EFSC)

THE EPISCOPAL CHURCH

THE DOMESTIC AND FOREIGN MISSIONARY SOCIETY
OF THE PROTESTANT EPISCOPAL CHURCH IN THE UNITED STATES OF AMERICA

FOUNDED 1821 ▪ INCORPORATED 1846

25 October 2010

Barbara G. Mann
The Episcopal Forum of South Carolina
P.O. Box 1772
Mt. Pleasant, SC 29465

Dear Barbara:

Thank you for your letter to the Executive Council laying out your concerns about the situation in your diocese. We appreciate that your staunch commitment to The Episcopal Church in the midst of challenging times is demanding of you a high personal and institutional price.

The Presiding Bishop's office is invested in responding in all the ways that are canonically and pastorally possible to the concerns you and others have raised. Both she and the Executive Council are committed to doing what we can to help the Episcopal Diocese of South Carolina continue to participate fully in the life, work and mission of The Episcopal Church. We value your voice in South Carolina.

The realities of our church polity mean that there are canonical limits to how her office and the Executive Council can intervene. There are, however, other formal and informal ways in which the diocese is connected to the wider church. We are aware that the Forum is making good use of some of these informal connections already. We encourage you to continue this and to make use of resources that are yours by right at the provincial level and through interactions with other Episcopal Church organizations.

We continue to hold you and the entire diocese in our prayers.

I am
Faithfully yours,

Gregory Straub

(The Rev'd. Canon Dr.) Gregory S. Straub
Secretary of Executive Council

THE EPISCOPAL CHURCH CENTER

815 SECOND AVENUE NEW YORK, NY 10017-4503 USA ▪ 212 716-6000 ▪ 800 334-7626 ▪ www.episcopalchurch.org

EXHIBIT 14

(11/9/10 EFSC letter to The Province IV House of Bishops)

Episcopal Forum of South Carolina

P.O. Box 1772 • Mt. Pleasant, SC 29465
www.episcopalforumofsc.org

Episcopal Forum Directors

Alex Baron+
Douglas G. Billings
Frances Elmore
Daniel J. Ennis
Cynthia Harding
John Johnson+
Eleanor Koets
Richard Lovelace
Melinda Lucka
Barbara Mann
Dave Mann
Susanne Nash
Jack Nietert+
Lynn Pagliaro
Dusty Parker
Bob Pinkerton
Philip Porcher+
Scott Shaffer
Marilyn Roper
Colton Smith+
Carolyn Sparks
Ginny Trolley
Betsy Walker
Virginia Wilder

Date: November 9, 2010

To: The Province IV House of Bishops

From: The Episcopal Forum of South Carolina (EFSC)

Subject: Update on the situation in the Diocese of SC

The Episcopal Forum of South Carolina wishes to update the Province IV House of Bishops on the situation present in the Diocese of South Carolina.

Following the Fall 2010 meeting of the TEC House of Bishops, the Forum sent a letter on September 22, 2010, with related attachments, to each member of the House of Bishops and to the Executive Council of The Episcopal Church. The letter enumerated our observations, and our concerns, regarding the direction toward disassociation from TEC that has been pursued by the Bishop and the Diocese of South Carolina.

Since our September letter went out, the annual Convention of the Diocese, (first convened in March of this year), was reconvened October 15th, and passed, without amendment, all six resolutions proposed in September by the Diocese of South Carolina Standing Committee. [Copies of these resolutions are attached to this mailing.] The resolutions include the removal of *Episcopal* from the diocesan Charter, and canonical and constitutional elimination of accession to TEC Canons, with the exception of retaining minor applicability to the 2006/current Title IV provisions. The Charter amendment and the canonical changes took effect that day; the constitutional amendments received first reading approval that day, and will presumably be ratified at the 2011 Convention in February.

We, the EFSC, are greatly saddened by these actions, and remain very concerned about our Diocese and the loyal Episcopalians in the Diocese of South Carolina. We have watched our Diocese slide further and further away from TEC over recent years. And it appears to us that the actions of this diocesan Convention have triggered the final break, contingent on the constitutional ratifications early next year.

In addition to our concern about the resolutions, St. Andrews, Mt. Pleasant, formerly the largest parish in the Diocese, has not only left TEC, they have continued use of their parish properties, have apparently affiliated with the Anglican Church of North America, and are busy planting similar churches in two nearby communities. The Bishop, with the advice and consent of the Standing Committee of the Diocese of SC, only recently removed the former Rector and his associates from ordained ministry in the Episcopal Church.

Enthusiastically Episcopalian in South Carolina

The Forum's mission is primarily to promote The Episcopal Church, its vision and polity, within the Diocese To that end, we are planning to sponsor a conference in the Spring of 2011, which will include renowned speakers who will celebrate the work and mission of the Episcopal Church, as we have done before

Another immediate task is to offer support to loyal Episcopalians, who live throughout our Diocese, by helping them to establish small groups in their homes where retired (or active) clergy would be invited to assist in worship and in pastoral care These Episcopalians are hurting, they are concerned about their children's Christian Education, as well as their own. They are frequently shunned in their own parishes, and they have no viable options where they live. Based on the clergy and lay voting patterns at the Convention last month, it appears that only a handful of parishes remain loyal to TEC Those few parishes are localized in three general geographic areas, leaving much of the diocese without Episcopal worship options.

The purpose of this letter is to bring you, as Bishops of our Province, up to date on our situation, to assure you of our prayers for your important ministry, and to ask you for your support and guidance. Thank you.

Attachment

EXHIBIT 15
(1/9/12 All Saints Opinion)

All Saints Parish, Waccamaw, Inc.: "*A Case in Controversy*"

-The Supreme Court's Narrow Ruling as to Property Ownership -

Does the 2009 opinion of the South Carolina Supreme Court in the case of All Saints, Waccamaw exempt *all* parish properties in the state's dioceses from the Canons of the Episcopal Church? Does it say that the Dennis Canon is no longer valid in South Carolina, or does it consider only the property of *that one particular parish,* with its unique history of ownership, to be exempt? The opinion also begs the questions of constitutionality in light of U.S. Supreme Court church property dispute cases and the First Amendment, and whether the Diocese has taken improper steps to detach itself from The Episcopal Church after the decision was issued.

The case was originally filed as two actions that were eventually consolidated. One action, filed in 2000, had to do with property ownership of All Saints, Waccamaw. The other, filed in 2005, revolved around who was in control of the parish -- the vestry that voted to break away from The Episcopal Church and the Diocese of South Carolina, or the vestry that was elected by the remaining parishioners after the majority of the parish voted to leave. Although the cases were consolidated, the Court addressed the issues separately. The focus of this writing is primarily limited to the property ownership issue from the 2000 case. The ruling as to the 2005 part of the case is left for another writing, as are full discussions of the overarching question of constitutionality and the subsequent actions of the Diocese of South Carolina.

The opinion begins with a factual background of the case; a timeline that starts with a 1745 Trust Deed and ends with a parish vote in 2004 to amend its 1902 parish charter and transfer its affiliation with the Diocese and the Episcopal Church to the Anglican Mission in America, (AMiA), an outreach mission of the Anglican Province of Rwanda, formally organized in 1999.

The timeline also includes the recording of a legal notice in Georgetown County in 2000 in which the Diocese of South Carolina asserted its claim that All Saints' property is held in trust for the Diocese and The Episcopal Church. The document served as notice and restatement of the Diocese's claim of trust ownership, pursuant to the adoption of the Dennis Canon by General Convention in 1979 and by the Diocesan Convention in 1987.

Below is an outlined history that the Court used to base its decision. This history stretches back to colonial South Carolina, and includes legislative Acts specifically pertaining to All Saints Parish, adopted first by the colonial Commons House of Assembly and later by the South Carolina General Assembly, before and after the Revolutionary War:

a) 1734 - George Pawley, member of the colonial Commons House of Assembly, was given legislative approval to acquire land in the coastal Carolina region in order to establish churches in that area;
b) 1745 - a trust deed was granted from Percival and Ann Pawley to George Pawley and William Poole to build a church for the "inhabitants of the Waccamaw Neck area;"
c) 1766 -Waccamaw Neck inhabitants petitioned the Commons House to establish their own parish;

d) 1767 - Church Act of Commons House affirmed the parish's existence and the parish recorded its 1745 trust deed, as title vested in the members of All Saints Parish;
e) 1778 -South Carolina General Assembly re-established the parish;
f) 1820 – the Vestry and Wardens of All Saints Parish were recognized and incorporated through an Act of the General Assembly;
g) 1839-S.C. General Assembly renewed the incorporation of All Saints Parish;
h) 1853-S.C. General Assembly renewed the charter as an indefinite corporate recognition of All Saints;
i) 1880-Act of the S. C. General Assembly required dormant parishes to be owned by the Diocese;
j) 1902 - All Saints reincorporated its charter, due to parish concerns that property records had been destroyed in a storm;
k) 1903 - A Quit-Claim deed was issued by the Diocese to All Saints Parish, Waccamaw, Inc., and recorded in 1903;
l) 1987 - The Diocese of South Carolina adopted the Dennis Canon, Title III, Canon XXIX, Section 5.
m) 2000 -Notice of diocesan trust interest in All Saints was recorded in Georgetown County.

Recognizing the many renewals and restatements of corporate entity and ownership documentation, the Court issued a narrow opinion as to the property ownership, determining that "All Saints Parish, Waccamaw, Inc.," (the corporate entity named in its 1902 rechartering), owned the parish's property, and not the Diocese or The Episcopal Church. The Court held that the Dennis Canon "*had no legal effect*" in the All Saints matter, based on the parish's reincorporation in 1902 and the recording of a Quit-Claim deed in 1903, through which the Diocese relinquished its interest in All Saints' property, decades *prior* to the Diocesan adoption of the Dennis Canon.

The significance of the Court's reliance on the 1902 and 1903 events needs added emphasis. All Saints Parish, Waccamaw, Inc. revised its Articles of Incorporation and received its Quit-Claim deed from the Diocese over seventy years prior to General Convention's adoption of the Dennis Canon, and over eighty years prior to its adoption by the Diocese of South Carolina.

The Court applied its version of the "neutral principles of law approach" to the facts of this case to analyze the question of ownership, using South Carolina property and trust law, (and in the second portion of the opinion, using South Carolina non-profit corporate law). This analysis led the Court to give *this parish*, All Saints Parish, Waccamaw, Inc., the authority to retain its property, since the Diocese conveyed all of its inherent interest to the parish *prior* to the adoption of the Dennis Canon. The Court's neutral principles analysis, in effect, exempted All Saints from the Dennis Canon, since all of the ownership documents and charters and the renewals thereof had been well established *prior to the adoption of the Dennis Canon.* The Court stated that "*there was no such property canon existing in 1902 when the Diocese directed the congregation to incorporate, or when it executed the 1903 Quit-Claim deed in favor of the newly created All Saints Parish, Waccamaw, Inc.*"

A breakdown of the decision shows that seven pages of the fifteen page opinion focus on the detailed history of All Saints Parish; two and one half pages address the constitutional basis for its property decision; two pages explain its property decision, and a little over one page was devoted to the issue of which leaders are in charge. Considering the importance of the relation between constitutionality and property ownership, and the brevity of the Court's constitutional analysis, a critical view of the opinion is necessary.

First, the case that the Court relied on to reach its decision that it could constitutionally use the "neutral principles approach," *Pearson v Church of God*, 325 S.C. 45, 478 S.E.2d 849 (S.C. 1996), can be distinguished from this case. *Pearson* involved a contractual issue over an insurance policy from a minister's pension fund, which was revoked because of misconduct on the part of the minister. All facts involving the revocation of the policy were outside of the purview of the Church's doctrinal concern.

In the All Saints case, however, the hierarchical nature, the governing authority, and governing documents of the Church organization, (the Constitution and Canons of The Episcopal Church) were integrally intertwined with the facts of the case. The Court chose only to look at property law, trust law, and non-profit corporation law, as independent bodies of law, not having arisen out of church doctrinal issues.

Had the Court looked hard at the structure and authority of The Episcopal Church, in relation to the history of the parish, it may have placed more emphasis on the hierarchical nature of the Episcopal Church and related critical issues that could have put the controversy to rest:

1) The Diocese of South Carolina, of which All Saints Parish is a member, was part of the 1979 General Convention when the Dennis Canon was adopted, putting the Diocese and All Saints Parish within the purview of the Dennis Canon;
2) Because the Dennis Canon was specifically adopted by the Diocese of South Carolina in 1987, All Saints would have reinforced its recognition of and adherence to the 1979 action of General Convention, as being a member of the Diocesan Convention;
3) Prior to The Episcopal Church's and the Diocesan adoption of the Dennis Canon, there was an implied trust between parishes, dioceses, and The Episcopal Church regarding church property, through the parish-diocesan relationship in the hierarchical Church structure;
4) The diocesan version of the Dennis Canon, (Title III, Canon XXIX, Section 5 of the diocesan Canons) remained in place at the time of the All Saints dispute, through its "Accession Clause" in the diocesan Constitution, Article I: *"The Church in the Diocese of South Carolina accedes to and adopts the Constitution and Canons of the Protestant Episcopal Church in the United States of America and acknowledges this authority accordingly."*

Furthermore, new facts have emerged since the Court issued its opinion:

1) It was not until 2010 that the Diocesan Convention purportedly eliminated the Accession Clause and the Dennis Canon of The Episcopal Church, well after the All Saints opinion; and

2) The diocesan actions of purportedly eliminating accession to the Canons of The Episcopal Church (with the exception of the 2006 Title IV disciplinary canons), and The Episcopal Church Constitution, (when inconsistent with the diocesan Constitution), were thereafter deemed to be "null and void" in 2011, by The Episcopal Church's Executive Council, through its Joint Standing Committee on Governance & Administration of Council.

A complicating problem is that there have been interpretational differences throughout the diocese over this opinion, and in particular, over the sentence, "*the Dennis Canon has no legal effect.*" This has created a case in controversy in and of itself. A common interpretation of the property ownership part of the opinion is that of a broad view; that parishes within the Diocese no longer need to hold their properties in trust for the Diocese and The Episcopal Church. The Diocese included language to this effect, in its attempt to abolish the Dennis Canon in October 2010, by making the following statement after the language of Resolution 10: "*The ruling of the South Carolina Supreme Court has established that in this state there is no implied trust in the property of the parishes of the Diocese. Given that ruling, this Section no longer applies and should be removed.*" (emphasis added)

Other than the diocesan attempt to abolish the Dennis Canon, the broad interpretation of the September 2009 opinion has spawned additional diocesan actions which further detach itself from The Episcopal Church. The Special Convention in October of 2009 voted that the Diocese of South Carolina is a "sovereign" diocese. Several months later, the March 2010 Diocesan Convention voted to affirm the "sovereignty" of the Diocese. As referenced in Paragraph 1 above, the October 2010 "Reconvened Convention" purportedly eliminated accession to the Canons of The Episcopal Church, (with the exception of retaining the outdated 2006 disciplinary Canons), and the 2011 Annual Convention limited the unqualified accession to The Episcopal Church's Constitution. The 2010 Convention also authorized a change in the diocesan Corporate Charter such that the Diocese would no longer be an Episcopal Diocese *in The Episcopal Church*, but an Episcopal Church *in the Diocese of South Carolina*. The most significant diocesan actions that have been taken, in implementation of the above amendments, were the amending of its Corporate Charter, filed October 2010 with the South Carolina Secretary of State, and the Bishop's and Standing Committee's executing of numerous Quit-Claim deeds to parishes throughout the diocese, many of which have become effective through public recording.

Referring back to the initial questions: Does the All Saints property decision apply to *all* parishes? Is the Dennis Canon no longer valid in South Carolina? Can the Diocese abolish the Dennis Canon, recharter itself, and issue deeds to parishes, in the name of the All Saints case? Not at all; a reasonable interpretation of the opinion as to all of the above questions, is that the case in controversy was specific to All Saints, and that all diocesan actions which followed were improper. --Melinda A. Lucka 1/9/2012©

Excerpts from the FACTUAL/PROCEDURAL BACKGROUND of the opinion:

"Therefore, at the direction of the Diocese, the congregation re-incorporated in 1902 under the name "All Saints Parish, Waccamaw, Inc." Shortly thereafter, in 1903, the Trustees of the Diocese signed a quit-claim deed (hereinafter the "1903 Quit-Claim Deed") transferring any interest the Diocese may have had in the congregation's property to All Saints Parish, Waccamaw, Inc. The Diocese did not retain any interest in the property, reversionary or otherwise. The 1903 Quit-Claim Deed was recorded in the Georgetown County public records on May 30, 1903.

"In 1987, the Diocese amended its constitution and canons so as to include the "Dennis Canon." The Dennis Canon purports to declare a trust, in favor of the ECUSA and the Diocese, on all real and personal property held by any congregation. No such property canons existed in 1902 when the Diocese directed the congregation to incorporate, or when it executed the 1903 Quit-Claim Deed in favor of the newly created All Saints Parish, Waccamaw, Inc."

Excerpts from the RULING:

1903 Quit-Claim Deed-

"Moreover, the 1903 Quit-Claim Deed makes clear that All Saints Parish, Waccamaw, Inc. holds title to its property. The All Saints Parish congregation was officially incorporated in 1820. In 1902, due to doubt over the status of the congregation's incorporation, the Diocese directed it to re-incorporate as "All Saints Parish, Waccamaw, Inc." Shortly thereafter, in order to settle any doubt as to the status of title to Parish property, the Diocese voluntarily executed the 1903 Quit-Claim deed. The 1903 Quit-Claim Deed makes clear that title to the property at issue is currently held by the congregation's corporate entity – All Saints Parish, Waccamaw, Inc."

2000 Notice and Dennis Canon-

"Furthermore, we hold that neither the 2000 Notice nor the Dennis Canon has any legal effect on title to the All Saints congregation's property. A trust "may be created by either declaration of trust or by transfer of property...." Dreher v. Dreher, 370 S.C. 75, 80, 634 S.E.2d 646, 648 (2006). It is an axiomatic principle of law that a person or entity must hold title to property in order to declare that it is held in trust for the benefit of another or transfer legal title to one person for the benefit of another. The Diocese did not, at the time it recorded the 2000 Notice, have any interest in the congregation's property. Therefore, the recordation of the 2000 Notice could not have created a trust over the property.

"For the aforementioned reasons, we hold that title to the property at issue is held by All Saint

Parish, Waccamaw, Inc., the Dennis Canons had no legal effect on the title to the congregation's property, and the 2000 Notice should be removed from the Georgetown County records."

The author, Melinda A. Lucka, is an attorney in Charleston, a member of the Ecclesiastical Law Society, and currently serves as President of the Episcopal Forum of South Carolina.

EXHIBIT 16

(9/27/15 *Post and Courier* article)

Special Coverage

Here's everything you need to know about the total solar eclipse in Charleston in one place

http://www.postandcourier.com/archives/questions-arise-over-justice-s-impartiality-in-episcopal-suit/article_de3547ba-fa04-59d4-8fdb-0e63ba61ccaf.html

Questions arise over justice's impartiality in Episcopal suit

Jennifer Berry Hawes Sep 27, 2015



This screen capture from an SCETV video of Wednesday's session shows state Supreme Court Justice Kaye Hearn as she questions one of the lawyers for the Episcopal Church.

Buy Now

When the ongoing lawsuit over The Episcopal Church's local breakup saga landed before the state Supreme Court last week, several justices peppered questions at an attorney representing parishes that broke away from the national church.

Among those who spoke most was Justice Kaye G. Hearn.

Since the hearing, her relationship with The Episcopal Church and one of its parishes where she worships is raising questions about whether she should have recused herself from the case.

Hearn used to be a member of a Conway parish, St. Paul's, that left The Episcopal Church along with Bishop Mark Lawrence and the Diocese of South Carolina in 2012. After years of arguing with the national church over Scriptural interpretations and governance powers, most parishes in the diocese joined them.

They then sued the national church to retain their properties along with the diocese's name and identifying marks. That case landed before the state Supreme Court on Wednesday.

Attorney A.S. Haley, who blogs as the "Anglican Curmudgeon," called Hearn's behavior at the oral arguments "blatant bias" in a recent post.

"To this attorney, it is simply unbelievable that a sitting Justice who had long ago subscribed to these principles in public would not recuse herself from sitting in judgment on Bishop Lawrence's case," Haley wrote.

Worshippers at Hearn's former parish who wanted to stay with the national church formed a new parish, St. Anne's Episcopal Church, including Hearn and her husband who serves on the vestry, Haley wrote.

Hearn's name also appears on an April 24 member list of The Episcopal Forum of South Carolina, which exists to "support" The Episcopal Church and its local diocese, its website says.

"This was truly a disgraceful performance and display of impropriety by one of the country's highest sitting judges. If she does not recuse herself post-argument, there should be, at a minimum, an investigation" into whether she violated the South Carolina Code of Judicial Ethics, Haley wrote.

That code says: "A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned." That would include if the judge has "a personal bias or prejudice" concerning the dispute or parties involved, the code reads.

However, attorneys for the Diocese of South Carolina and its parishes didn't file a request for Hearn to recuse herself before the oral arguments were held. A spokeswoman said it would be inappropriate for her to comment on Hearn's role.

The Supreme Court's clerk said in an email that it would be inappropriate for Hearn to comment since the case is pending before the court.

She joined the state's highest court in 2009, becoming the second woman to serve on it. Until then, she sat on the state Court of Appeals for 15 years, including 10 as chief judge.

The Episcopal Church in South Carolina's attorney also declined to discuss whether Hearn should have bowed out.

"We have complete confidence in the ability of the South Carolina Supreme Court to decide this case in a just manner," said Thomas S. Tisdale Jr., chancellor of the national church's local diocese.

EXHIBIT 17

(4/9/14 scepiscopalians.com blog)

South Carolina Episcopalians

An Independent Journal of News & Commentary

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Thursday, April 10, 2014 12:35 PM

Scroll down for older posts

April 9, 2014

Church Attorneys Demand Sanctions Against PECDSC Legal Team for "Misconduct" and "Intimidation" over Subpoenas

Despite judge's order, PECDSC pressing forward on interrogation of retired Bishop & Archdeacon during Holy Week, Easter

Lawrence's legal team even going after the spouse of a Supreme Court Justice

ST. GEORGE - Attorneys for the Episcopal Church in South Carolina today asked S.C. Circuit Judge Diane Schafer Goodstein to sanction ex-Bishop Lawrence's legal team for continued "misconduct and wrongful intimidation" of potential witnesses in the lawsuit he and his secessionist "Protestant Episcopal Church in the Diocese of South Carolina, Incorporated (PECDSC Inc.)" have brought against the Episcopal Church and its continuing diocese in South Carolina.

According to Church lawyers, the PECDSC legal team has continued to issue subpoenas and pressure potential witnesses for depositions despite Goodstein's order "staying" all proceedings in the case. They also have asked the judge to quash all 14 subpoenas they believe to have been wrongfully issued by Beaufort Attorney Alan Runyan and company.

Is this legitimate information gathering?

Depositions are intended to serve as pretrial tools for collecting information from potential witnesses in a lawsuit. Lawyers are often given wide latitude in using it, and sometimes the line between reasonable data gathering from potential witnesses and harassment or intimidation is not always clear.

This week PECDSC lawyers even issued a subpoena for the husband of a member of the state Supreme Court, demanding that he be deposed this Friday, just before Holy Week begins. George Hearn, and his wife, were among a number of prominent Episcopalians in South Carolina who left their longtime parish homes when Lawrence supporters tried to secede from the Episcopal Church.

The PECDSC Inc. legal team has also been shameless in trying to schedule depositions around Palm Sunday and Easter, in what appears to be a show of contempt for individuals like retired Western Missouri Bishop John Buchanan and Archdeacon Calhoun Walpole, the first woman to hold a position of authority in either legitimate diocese of the Episcopal Church in South Carolina.

Other subpoenas were issued to Bishop Charles vonRosenberg; retired Upper South Carolina Bishop Dorsey Henderson; the Presiding Bishop of The Episcopal Church; the Rector of Grace Episcopal Church in Charleston; the Rector of St. Thomas Episcopal Church in North Charleston; and the Director of Communications for the continuing Diocese.

Lawrence's attorneys also want to depose imagined enemies like Charleston Attorney Robert Black, and former leaders of the Episcopal Forum, Melinda Lucka and Barbara Mann. They were instrumental in filing a complaint with the Episcopal Church questioning Lawrence's conduct as a bishop in the Church. It is not clear what they have to do with issues raised in Lawrence's lawsuit, especially since Lawrence has never disputed the factual basis for their claims.

Since January, PECDSC Inc. lawyers have employed process servers to deliver subpoenas to potential pro-Church witnesses by sneaking up on them at their homes at odd hours of the day. It is a mystery why the PECDSC Inc. is doing this, since none of their targets have indicated any objection to providing depositions. Normally, just mailing or delivering subpoenas to attorneys of record during regular working hours would be a more civil and less expensive process.

PECDSC Inc. angered over disclosure of legal fees?

Meanwhile, Mr. Runyan also wants to depose the editor of *SC Episcopalians*, and ordered up a process server to travel to his home last Tuesday to deliver what appears to be an exact copy of a previous subpoena. The process server announced his arrival with a loud banging on the front door at the crack of dawn. Runyan wants that deposition to be taken on Monday of Holy Week.

Oddly this -- now third -- subpoena arrived two days after we published an article detailing the extraordinary legal fees Lawrence's "diocese" has been paying since he became bishop in 2008.

Last year alone, those fees of $286,250 consumed 14% of the PECDSC's operating budget. We also pointed out that the PECDSC appears to have ended up nearly $150,000 in the red for that year. You can do the math.

April 9, 2014
SC Supreme Court will hear Appeals during PECDSC Lawsuit Trial

Change of appeals venue from SC Court of Appeals does not prevent future appeals; "Stay" order still in place

Lawrence's legal team fighting to protect over 1,200 emails that Church lawyers believe might reveal misconduct

COLUMBIA - The state's Supreme Court ruled today that it would assume jurisdiction over appeals generated during the trial of Mark Lawrence's lawsuit against the Episcopal Church and its continuing Diocese in South Carolina. The trial is expected to start July 7th, but pretrial activities have been explosive and already included appeals of a controversial ruling by the trial judge.

Normally such appeals would first go to the state's Court of Appeals, which was created in 1983 to reduce a backlog of cases pending before the Supreme Court. However, the justices will make exceptions in some cases, including those where there is an expectation of an eventual appeal to the high court.

Lawrence and 34 parishes and missions in his breakaway "Protestant Episcopal Church in the Diocese of South Carolina Inc." are suing for control of Episcopal Church property and financial assets valued in the tens of millions of dollars.

There is no way to infer whether such an action favors one side or the other. For the past few months, attorneys for the Episcopal Church have been pressing the Appeals Court to overturn a pretrial decision by Circuit Judge Diane Goodstein in Dorchester County to exclude nearly 1,200 emails between Lawrence and attorney Alan Runyan as evidence in the case.

Lawrence's spokesmen have been hailing the Supreme Court's intervention as a "victory" for their case, suggesting that it will prevent future "frivolous" appeals by the Church and prevent delays in the trial. However, such a claim is a stretch as there is no restriction on appeals by either party, nor is there any guarantee that the Supreme Court will hear them expeditiously.

April 5, 2014
PECDSC Corporation Swimming in Red Ink

Budget Report: Declining revenues, legal fees, & excessive spending undermining breakaway effort

Addiction to long-standing Church trust funds preventing even larger deficits

Plagued with declining revenues and mounting legal bills, the breakaway "Protestant Episcopal Church in the Diocese of South Carolina, Incorporated" slipped even further into the red in 2013 with an operating deficit of nearly $150,000, according to financial reports provided delegates to the corporation's Annual Meeting two weeks ago.

EXHIBIT 18

(8/2/17 scepiscopalians.com blog)

South Carolina Episcopalians

An Independent Journal of News & Commentary

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Wednesday, August 9, 2017 2 01 PM

Learn more about The Episcopal Church Schism in South Carolina from Dr. Ron Caldwell

August 7, 2017

Lawrencian Leadership Wants to Slog It Out

"Standing Committee" of Lawrence organization tells legal team to press on with legal case in spite of lawsuit fatigue

In spite of losses in income, membership, and in the courts, Mark Lawrence's Standing Committee says it still trusts the legal team that has led them on an expensive and disastrous odyssey to leave the Episcopal Church.

In a statement today, the leadership of the organization authorized its legal team to ask for a rehearing on the Supreme Court's recent decision declaring that 29 of the 36 parishes that tried to leave the Episcopal Church with Lawrence in 2012 belong to the Episcopal Church. A majority of the Court also said it believed that the Diocese of South Carolina and its millions of dollars in assets -- including Camp St. Christopher -- belong to the Church, but left that decision up to a Federal judge in a related case.

Lawyers for Lawrence, led by Beaufort Attorney Allan Runyon, believe that if they are granted a rehearing, they can exploit sharp disagreements between the justices that were evident in Court's opinion. The five-member Court that heard the case in 2015 was comprised of the active justices at that time. However, two of them have retired and the Republican legislature has replaced them with two conservatives.

The Court has become increasingly politicized in recent years, and Lawrence was careful to hire law firms that are both legally and politically connected.

The news of Lawrence's decision to continue fighting has not been met with complete joy by lay people in pro-Lawrence parishes who say they are done with paying for the legal case, and want to move on. Some of them want to know if the Church is still willing to settle with them, as it was two years ago.

In 2015, Runyon and his team rejected an offer, approved by the Presiding Bishop of the Episcopal Church, to remove any claims it has on their parish property, in exchange for the parishes dropping their claims to the Diocesan corporation. Camp St. Christopher would be governed by a Board of Directors with equal numbers from each side.

A Message from the Standing Committee of the Diocese of South Carolina

August 7, 2017

The Standing Committee of the Diocese of South Carolina, having met together with our bishop, The Rt. Rev Mark J. Lawrence, in Charleston this day, sends to all of our brothers and sisters of the diocese our love and our greetings in the name of Jesus Christ. We are so profoundly thankful for all who have fasted and prayed for our diocese and our Standing Committee during the past week from across South Carolina, throughout the Anglican Church in North America, and among all the faithful in global Anglicanism.

We have spent this time together in prayer and discussion regarding the decision by the South Carolina Supreme Court last Wednesday. In light of the conflicting opinions issued by the court, we met with the legal counsel for our diocese and have approved a strategy on how we go forward seeking clarity We want you to know this the legal process continues. We will be filing a motion for a rehearing from the Supreme Court, the deadline for which is September 1st. We are convinced there are compelling reasons to make this motion. There will be other avenues along with and following that action

Finally, while we cannot tell you what tomorrow brings, we want to reiterate three things that you already know First, again, the legal process continues Second, we are stronger together. Third, we will continue in all circumstances our God-given mandate of making biblical Anglicans for a global age.

Know that we love you, our brothers and sisters in Christ, and that we remain,

Yours in Christ Jesus, *The Standing Committee of the Diocese of South Carolina*

SC Supreme Court
August 5, 2017
Bishop Lawrence Responds to State Supreme Court Ruling
He is reviewing options with his legal team this week to determine next steps

Click here to read his comments in full

August 5, 2017
Where Do We Stand Now?
An excellent summary of the legal status of the Episcopal Church in South Carolina and the breakaway "Diocese of South Carolina"

Click here to visit Dr. Ron Caldwell's excellent blog

Federal Case
August 4, 2017
Federal Impersonation Case Reassigned
U.S. District Judge Margaret Seymour will hear Federal "False Advertising" Case instead of Judge Michael Duffy

August 4, 2017

Righteous

I can go for days without thinking about righteousness.

I know it is a good thing but, seriously, would you want to be married to someone who lists his or her best trait as "righteous," or go to a Super Bowl party to which only righteous people were invited? Not really.

A few months ago, the Dean of St. Philip's Cathedral in Atlanta preached a sermon that inspired many in the congregation to rethink our ambivalence toward righteousness. He challenged us to re-imagine its traditional Biblical context, and think of it as meaning *in a right relationship with God and our neighbors.*

That was on my mind this week in the wake of the state Supreme Court ruling. Many Episcopalians and former Episcopalians are taking stock of what their side has gained and lost. Most of us know all too well what we've lost. We are still struggling to understand what we have gained.

Most of us are still handicapped by our us-versus-them mindset.

Lawyers are in overdrive combing the 77-page opinion for any speck of opportunity to advance the cause of their clients in appeals or even new litigation. Lay people are needlessly fretting about the future of their church home or concerned that their children will be denied access to Camp St. Christopher.

Most regrettable is that once close friends and families have been torn apart by the traumatic events of the past 15 years. We have put so much energy into accusing each other of un-Christian and un-Biblical behavior, that we have had little left over to feed the hungry, care for the sick, comfort the oppressed... or care for each other.

"Lawsuit fatigue" is what a friend in one of the breakaway parishes calls it.

My suggestion is that all of us make it our mission – our priority, in fact -- to figure out what it will take to get us into *right relationships* with each other again. We can't go back in time, so we might actually have to take some risks and create something new and untested.

Righteousness is understood in parts of the Bible as a state of moral perfection essential for admission into the Kingdom of Heaven.

However, we cannot make ourselves righteous, nor can the courts, nor can a lifetime of good deeds and kind words in a good church.

Righteousness comes from God and God alone. It's a gift.

Perhaps then, our calling in this present time is to create those *right relationships* with each other that in some time of his own choosing, God's transforming spirit will enter our hearts anew ... and make us whole.

SC Supreme Court

August 2, 2017

Breakaways' Lawsuit Implodes

State's Supreme Court issues mixed opinion in Lawrence lawsuit, as lower court decision is mostly shredded

Seven parishes can leave TEC, while 29 others must remain; St. Christopher to stay with the Church

Lower court's premise that Episcopal Church is not "hierarchical" is rejected

Federal false advertising case will determine ownership of the "Episcopal Diocese of South Carolina" but a majority of the justices believe it belongs to the Church

COLUMBIA -- The Episcopal Church and its continuing Diocese in eastern South Carolina won a stunning victory today, as the state's Supreme Court ruled on a 2013 lawsuit filed by former bishop Mark Lawrence and parishes aligned with him.

In a vigorously engaged opinion, the Court narrowly overturned a 2015 lower court ruling that gave followers of ex-bishop Mark Lawrence control of parish properties and diocesan assets worth an estimated $500 million. The lower court judge also gave them the corporate entity known as "The Episcopal Diocese of South Carolina" and its Camp St. Christopher on Seabrook Island south of Charleston.

Today the Court determined that 29 of the 36 parishes that had joined Lawrence in his lawsuit were still part of the Episcopal Church, and not free to "disassociate" from the Church because the Church had a property interest in them. Camp St. Christopher also would go to the Church as it was originally given for the work of the Episcopal Church.

The Court determined that there was no property interest evident with seven of the parishes aligned with Lawrence and they were free to leave the Church with their properties. Those parishes are St. John's in Florence, St. Paul's in Conway, St. Matthew's in Darlington, Prince George's in Georgetown, Christ the King in Pawleys Island, St. Matthias in Summerton, and St. Andrew's (and St. Andrew's Land Trust) in Mount Pleasant.

The justices also said they would leave the decision of corporate ownership up to a Federal judge who is handling a related case in Charleston.

Justices bitterly divide over key issues in the case

The 77-page opinion came after nearly two years of wrangling among the five justices, each of whom wrote a separate opinion in which he or she variously concurred and dissented with each other on key elements of the ruling.

The *All Saints'* case, a related ruling by the Court in 2009, enjoyed a cameo appearance in the Court's opinion today with former Chief Justice Jean Toal staunchly defending one of her signature opinions from denigration by long-time rival and successor, former Chief Justice Costa Pleicones.

At one point, Pleicones needled Toal by blaming her majority opinion in *All Saints'* for causing the lower court judge in the Lawrence matter to arrive at the wrong outcomes. According to Pleicones, "the trial court sought to faithfully apply the flawed analytical framework created by *All Saints'*. In doing so, she unwittingly violated the constitutional precepts that underlie the "neutral principles of law" approach to the resolution of church disputes."

Pleicones took the lead for the pro-Church side and was consistently supported by Associate Justice Kay Hearn at each major point in the multi-layered opinion. Hearn managed to get in a few shots at Toal's insistent defense of part of her legacy saying, "I must part company with Acting Justice Toal in her dogged efforts to impose civil law at any cost... and indeed, elevate(s) the concept of neutral principles to heights heretofore unknown."

"Neutral principles" is the legal framework used by three of the justices to justify allowing the seven parishes to leave the Church. In essence, it allows state courts to ignore Federal Constitutional protections for hierarchical churches in certain cases in which doctrinal issues do not play a role. Pleicones and Hearn were clearly outraged that their colleagues did not

agree that this case was all about doctrine.

Toal responded to the barbs by pointing out that there was still a 3-2 majority that supported her position in *All Saints'*. Ironically, Hearn was a member of one of the breakaway parishes that her colleagues on the Court allowed to leave the Church.

Both Toal and Pleicones are retired but were on the Court at the time the Church appealed the lower court ruling, so they remained on the case, even though their successors were elected and are now serving.

Toal and Associate Justice John Kittredge from Greenville were solidly in the breakaways' corner, while current Chief Justice Don Beatty served as the self-described "swing vote."

Owners of the "Episcopal Diocese of South Carolina" to be decided by Federal Court

A majority on the Court said that it believed the corporate entity known as "The Episcopal Diocese of South Carolina" belonged to the Church, but deferred to a case pending in Federal Court before U.S. District Judge Margaret Seymour in Charleston.

Lawrence claims he is an Episcopal bishop because the lower court judge, Diane Goodstein, awarded him its corporate "marks," indicating the Diocese belonged to him.

In 2013 the bishop of the Church's continuing Diocese, known as "The Episcopal Church in South Carolina," took issue with that and initiated a lawsuit in Federal court against his predecessor claiming that he was engaged in "false advertising" that was interfering with his work and that of the real Episcopal diocese.

The case before Seymour will likely be heard in the spring, but given today's ruling, it may move forward more rapidly. It is difficult to imagine that her decision would not be determined in a manner consistent with today's opinion from the state's high court.

Confusion, disappointment, and bravado

There was deep disappointment today among the breakaway congregations who had spent millions promoting Lawrence's lawsuit over the last nearly five years. Adding to their distraction is second-guessing on whether they should have rejected a 2015 settlement offer in which the Church actually offered to give up its claim to their properties in exchange for their giving up their claims to the "The Episcopal Diocese of South Carolina".

The Rt. Rev. Skip Adams, Bishop of the Episcopal Church in South Carolina, sounded a grateful but cautionary tone when he reminded Episcopalians that "kindness and graciousness are in order," and that the journey toward reconciliation and unity will be long.

Adams, who only became the Bishop of the Episcopal Church in South Carolina a year ago, will play a pivotal role in reconstituting a Diocese now filled with former Church members who no longer have confidence in its mission.

The. breakaway "diocese" itself appeared to be reeling from the Court ruling, but continued the bravado that has for years characterized its communications on the case. Its website continues to point to key findings in the lower court ruling that were favorable to Lawrence's position even though that ruling has now been turned on its head.

Lawrence's lead attorney, Alan Runyon of Beaufort, denounced the Court's opinion as "inconsistent with South Carolina and long-standing United States Supreme Court precedent. involving church property disputes.

The premise of Runyon's case is that the Episcopal Church is a *congregational* rather than *hierarchical* Church, and therefore the authority for determining the ownership of parish property belongs to congregations. In his view, the Episcopal Church is little more than a non-profit association with members who are free to come and go as they'd like.

In a rare moment of unanimity, the high court rejected Runyon's characterization and found that the Episcopal Church is "hierarchical" in a way that requires the United States Constitution to protect its governing authorities from excessive encroachment by the courts.

Runyon's statement notwithstanding, this view of the Episcopal Church has been consistently upheld by Federal courts for over 200 years.

Breakaways' allies lash out

While many of the pro-Lawrence parishes were subdued today, the right-wing Institute on Religion and Democracy (IRD), which has aggressively backed the schism in South Carolina, lashed out.

According to IRD's leader, Jeffrey Walton, "Episcopal Church officials speak regularly about themes of reconciliation, but their actions in the courts indicate that property and exclusivity of their Anglican Communion franchise is paramount. The Episcopal Church has spent millions of dollars to litigate against departing Anglicans. The Episcopal Church and its liberal Mainline Protestant counterparts refuse to accept what has become obvious: the majority of many congregations across the country do not want to depart their denominations, but will do so if liberal leadership continues down an unfaithful path. Sadly, the Episcopal Church appears more interested in the recovery of property than in reconciliation."

Walton's comments typify the misleading rhetoric that has surrounded this case since its beginning. Lawrence is the one who brought the lawsuit against the Episcopal Church, not the other way around. In fact, the claim Lawrence was making is the largest ever made in any case ever filed in any court by the Church or secessionists within the Church.

In some ways IRD is partly to blame for today's debacle. It has been a significant promoter of the flawed and untested legal theory put forward by Lawrence's legal team.

After years of self-congratulatory chatter among the small circle of breakaway legal types, Lawrence supporters began to buy into IRD's flawed thinking on the case. In 2015, when the Episcopal Church offered to settle their lawsuit by withdrawing any claim to their properties, they were so confident of success in the courts that they walked away from the offer "

(Send us your thoughts on the opinion at scepiscopalians@aol com)

Read the full opinion here

SC Supreme Court

August 2, 2017

Continuing Diocese Looks for Reconciliation

Bishop Adams urges gracious response to ruling; There has been too much hurt on both sides, he says

The South Carolina Supreme Court today issued a ruling in our appeal of the state court decision in Dorchester County, and that decision is generally in favor of The Episcopal Church in South Carolina. We are grateful for this decision and for the hard work of the court in rendering it. We also give thanks to God for the faithfulness, support, and sacrifices of countless Episcopalians within our diocese and throughout the Church.

This is a lengthy and detailed ruling, and our legal team and leadership will be studying it closely in the days ahead. It is important to note that the legal system allows for periods of

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(12/26/15 episcopalschismsc.blogspot.com blog)

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The Episcopal Church Schism in South Carolina

By Ronald James Caldwell, Ph.D., Professor of History, Emeritus. An independent blog unaffiliated with any church or diocese. E-mail: ronaldcaldwell1210@gmail.com

Saturday, December 26, 2015

RON CALDWELL'S SOUTH CAROLINA HISTORY HALL OF FAME, 2015

To say that 2015 was an unusual year in South Carolina would be an understatement. It was a year of traumatic events, some natural and some man-made. Topping the list of "natural" would be the river of rain that turned the state into a river of destruction. Leading the "man-made" would be the monstrous massacre in the most sacred of spaces. So, here is my list of the ten greatest heroes of the year in South Carolina whose names I think should be inscribed in the great book of life forever.

1. Cynthia Marie Graham Hurd, Susie Jackson, Ethel Lee Lance, Depayne Middleton-Doctor, Clementa C. Pinckney, Tywanza Sanders, Daniel Simmons, Sharonda Coleman-Singleton, and Myra Thompson. They all, every one, went to their deaths ministering to the crazed monster who had invaded their sacred space to kill them. They refused to abandon good even in the face of the worst evil imaginable. May they be revered forever as true martyrs of the faith. *May light perpetual shine upon them.*

2. The families of the nine martyrs. "I forgive you." In almost unbearable grief, the families of the nine addressed the impassive accused murderer to shower him with forgiveness. Ethel Lance's daughter spoke for them all: "You hurt me. You hurt a lot of people. But God forgives you. I forgive you." The families demonstrated the best of Christianity in the worst of circumstances. They did not allow evil to overcome good. They

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taught us all how to be good Christians even in the hardest of times.

3. Governor Nikki Haley. Although she had been elected by some of the most conservative elements in South Carolina, she immediately arose to lead the state to condemn the murders and to denounce racism. She demanded the Confederate flag that was flying on public property, on the state house grounds, be removed to a museum. Under her resolute leadership the state legislature complied. She demonstrated the best of political leadership: toleration, conciliation, and healing.

4. Jenny Horne. This descendant of Jefferson Davis and conservative Republican legislator from Dorchester County arose in the legislature to give one of the most memorable speeches ever: "I can't believe." Gushing and shaking with morally indignant emotion she shamed the legislature into doing the right thing and removing the Confederate flag. May we have more statespersons like Horne who lead from the heart and the head.

5. President Barack Obama. He has said repeatedly the hardest part of his job is being all too often Mourner-In-Chief. He reached far to do his very best in Charleston on June 26 in a rousing eulogy and a memorable rendition of "Amazing Grace." Leading practically the entire political establishment to Charleston, Obama brought everyone closer to healing and peace. He showed us what real leadership is all about.

6. Jean Toal. The Chief Justice of the South Carolina Supreme Court demanded fairness and fullness in the dispute between the two competing dioceses. She took command of the case and conducted a hearing on Sept. 23 demolishing the injudicious decision of the lower court and snatching away any idea her *All Saints* decision of 2009 had any bearing on the present matter. She is retiring on Dec. 31. The Episcopal Church decision is likely to be the one by which she will be remembered.

7. Kaye Hearn. One of the five justices on the SC Supreme Court and a loyal Episcopalian. There is no evidence she was asked to recuse herself from the case. In the hearing, she refused to be intimidated by Alan Runyan who had all but directed the circuit court trial in July 2014 under Judge Diane Goodstein. She forcefully joined with Toal to eviscerate Goodstein's order and demolish Runyan's case of reliance on the *All Saints* decision. The Episcopal Church could not have had a

better champion.

8. Martha Horne. Suffering from a long and serious case of cancer, Horne refused to be vanquished by the insidious invader. She kept up her ministry. She convinced Bishop Mark Lawrence to ordain her to the priesthood even though he had never ordained a woman to the priesthood. She taught us how to be brave in the face of terrible disease. She taught Lawrence how to overcome prejudice. She and Lawrence both are to be commended.

9. The judges of the United States Court of Appeals, Fourth Circuit. The U.S. District Court judge, C. Weston Houck, in Charleston, had deferred to the state court holding the two lawsuits, in state and federal courts, were parallel and the state one had chronological precedence. The judges of the Fourth disagreed and reminded everyone that federal law takes precedence over state law. They sent the case back to Houck with directions for a new procedure.

10. Thomas S. Tisdale. He has been from the start the lead lawyer on the Church side. In 2013 and 2014 he was rocked back on his heels by an initial surprise attack from Alan Runyan, the well-prepared and clever lawyer for the independent diocese. In 2015, however, Tisdale caught his breath and staged a strong counter-attack for the Church side. He pressed the case, successfully, on the federal court of appeals. He pressed the case very well on the state Supreme Court. His offer of compromise settlement in June showed which side was reasonable, showed too the breakaways' aim was not the property. Regardless of the court outcomes, no one could have done a better job, legally speaking, for the Episcopal Church than Tisdale.

These are my leading heroes of the year 2015. There are many others who deserve to be included. I am remembering mostly the thousands of long-suffering loyal Episcopalians in South Carolina who refused to allow prejudice, intolerance, and division to lead them too away from the true historic nature of our religion.

Posted by Ronald Caldwell at 7 58 AM

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The Episcopal Church Schism in South Carolina

By Ronald James Caldwell, Ph.D., Professor of History, Emeritus. An independent blog unaffiliated with any church or diocese. E-mail: ronaldcaldwell1210@gmail.com

Thursday, April 16, 2015

PANIC ON COMING STREET?

There is a rising air of desperation, possibly even panic, coming from the independent diocesan headquarters on Coming Street in Charleston. The year 2015 is turning out to be very different than were 2013 and 2014. At two and a half years into the schism, matters are not looking so well for the secessionists these days.

As we have seen in posts on this blog, statistics show there has been a drastic drop in both membership and income of the independent diocese, down a third since Lawrence arrived in January of 2008. Around the time of the schism 10,000 communicants abandoned the diocese, about half staying with the Episcopal Church parishes and missions and half dropping out of the schismatic parishes and missions. Some local secessionist churches have been hit seriously. While income has declined, legal costs have soared. DSC reports spending $2m on legal expenses ($800k is unaccounted for in the annual budgets; where did it come from? where did it go?).

The DSC "Legal Defense Fund," which operates in secrecy and without accountability, recently established the "1785 Society" to raise a new $300k for *this year's* legal expenses. Obviously, the money has been slow in arriving. In Holy Week, DSC spent several thousand dollars to post snail-mail letters apparently to everyone on the old mailing list (even some loyal Episcopalians) in which Mark Lawrence solicited donations for the Fund. Just today, Jim Lewis, Canon to the Ordinary at DSC, posted a letter (more about that in a moment) calling anew for donations to the

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1785 Fund.

The landscape of litigation has changed. DSC began the lawsuits in January of 2013 when its lawyers chose one certain court and sued TEC, then ECSC there. For over two years, DSC controlled the venue of the litigation through a predictably friendly court. Even the federal court judge, Houck, agreed to step aside in view of the convincing performance in St. George. The show in St. George came to a climax in February of this year when Judge Goodstein produced a decision that sounded as if it had been written by Alan Runyan. Then, DSC's luck began to change. In March, the U.S. Fourth Circuit Court of Appeals rejected Judge Houck's decision to abstain and remanded the case to the District Court in Charleston to be reheard following the Colorado River principle. This enhances the Church side in court and makes it much harder for DSC to make its case. As we have already seen, the case may go to another judge in the District Court who is much friendlier to the Episcopal Church. The idea, promoted by some, that the federal court in Charleston now has to follow the state court ruling is nonsense. Federal courts are not beholding to state courts. It is the other way around. State courts must accept the superiority of federal actions. The DSC lawyers are well aware of this.

On April 14, DSC lawyers appealed to the U.S. Fourth Circuit, in Richmond, to reconsider their decision of March 31. This alone showed their lack of confidence in their own position. If they felt certain of the strength of their arguments, they would allow the case to proceed in Charleston without delay. Anyone who heard the audio recording of the Fourth Circuit hearing in January and read the unanimous decision of Mar. 31 knows it is highly unlikely this court will change its position. I suspect DSC lawyers know this and are only employing a delaying tactic (something they repeated accused ECSC lawyers of doing in 2013-14). It may be DSC lawyers want a judgment from the state supreme court first. This, however, is not likely. The District Court in Charleston will probably take up the case again before the state supreme court makes its ruling.

On April 15, the South Carolina Supreme Court agreed to hear the appeal of Judge Goodstein's ruling (Feb. 3). If their two-page statement gives any hint, it is favorability to ECSC. DSC made a motion to the Court "to expedite" the case. ECSC made a counter motion in opposition. The Court rejected the DSC motion and granted the ECSC motion not to expedite. It set a

date of Sept. 23, 2015, for oral arguments. If six months later is a typical time for a written decision, that would put a judgment of the state supreme court in early 2016. This will be the first time in which a state supreme court will take up the issue of the legal relationship between the Episcopal Church and a diocese (PA, TX, and IL state supreme courts left it to lower courts). It will be a historic moment for the Episcopal Church and for South Carolina.

It is possible that DSC lawyers wanted to hurry up the state supreme court in order to have the case decided within Chief Justice Toal's term. She is reportedly in her last year in that role. Toal is an active Roman Catholic. Her name was on the famous 2009 All Saints decision. That ruling went against TEC and its diocese in finding the Dennis Canon inoperable in that parish's case (the only case in the U.S. finally settled in favor of a breakaway parish). Since Judge Goodstein strongly relied on the All Saints decision in her Order of Feb. 3, one may assume Chief Justice Toal would want to uphold Goodstein's Order to reaffirm her own work of 2009.

Of the justices' names on the All Saints decision, only one is still in the state supreme court, Justice Beatty. There are three other justices now on the court. Justice Costa M. Pleicones is from Greenville and is Greek Orthodox. Justice Kittredge is also from Greenville and is a Presbyterian. Finally, there is Justice Kaye Hearn of Conway. She is an active communicant of the Episcopal church in Conway, St. Anne's, the group of refugees from the schismatic St. Paul's. Her husband, lawyer George M. Hearn, Jr. also a leader in St. Anne's, was subpoenaed by DSC lawyers for a deposition in March of 2014. He was ordered for deposition even though he did not hold an office in the Episcopal diocese.

The five justices of the South Carolina Supreme Court will hear the oral arguments from both sides in court on September 23, 2015 and will draw up a written decision some time afterwards, perhaps in early 2016. Thus, DSC lawyers can no longer control the venue of litigation. The U.S. District Court in Charleston and the South Carolina Supreme Court in Columbia will be nothing like the local circuit court in rural Dorchester County.

Back to Jim Lewis's letter of today (www.diosc.com). Lewis, Lawrence's assistant, is often out front with strong public

statements against the Episcopal Church side. In my view, his most outrageous assertion was his ludicrous claim that the schism had nothing to do with homosexuality (It's about God, not gays). See the post here on the causes of the schism, part 2. In his new fundraising missive, Lewis once again declares that God favors DSC: "God has remarkably blessed us throughout this litigation process. We have been the beneficiaries of God's providence repeatedly in countless ways..." Apparently Lewis did not get the message from Mark Lawrence in the recent DSC convention that one must not say the legal actions were predestined by God's will. Obviously, if people think God will determine the outcome of the litigation anyway they might not want to give money from their own pockets.

Lewis made three bold, and dubious, assertions in his letter of today, all without a shred of evidence to back them up. This is nothing new. For years before the schism, DSC used the-best-defense-is-a-good-offense strategy and its leaders employed the tactic of making sweeping generalizations against the Episcopal Church without any supporting evidence. As history showed, this strategy and tactic actually worked very well among the majority of the communicants in the old diocese who naturally preferred to trust the words of their own leaders.

Lewis's first declaration was that DSC was in the middle of negotiations for a settlement when TEC tried to remove Bishop Lawrence in 2012. This is not true. A simple glance over the Chronology post here will reveal that. In fact, the evidence shows that after Bishop Lawrence returned from General Convention in July of 2012, he declared a crisis for the diocese. He met secretly with the Standing Committee and drew up a secret plan of action on August 21, 2012. This plan has never been revealed to the public. He continued to meet secretly with his lawyers and the Committee as they drew up a secret plan to remove the diocese from the Episcopal Church. That conspiracy was enacted by secret resolution of the Standing Committee on October 2. It remained a secret among about twenty people until October 15. It was revealed to the presiding bishop and everyone else on Oct. 17. Meanwhile, in public, Lawrence staged a charade of offering peace with the Episcopal Church. He met with Bishop Waldo, of Upper South Carolina, and the presiding bishop, on Oct. 3 but did not reveal to them the secret resolution of the Standing Committee. Neither did he offer a plan of settlement with the national church, only an agreement to keep talking. However, he refused repeated offers

to meet in person with the presiding bishop after Oct. 3. The simple facts of history show that for a long time before the schism DSC was planning a disassociation from TEC, not a settlement with it. Lewis's claim that DSC was trying to make a negotiated settlement with TEC is a myth. Nevertheless, it is one DSC leaders continue to make even in face of the stark facts.

Lewis's second contentious assertion was that TEC has never negotiated a settlement in any of its legal actions. TEC goes to court to enforce its duly established Constitution and Canons just as the United States fought the Civil War to defend its non-negotiable Constitution. The Dennis Canon is not negotiable. It is a law of the Church. The idea that TEC lawyers would cast aside a canon of the Church to make a negotiated settlement with secessionists is absurd and the other side knows it.

Lewis's third charge was that DSC told the TEC lawyers that it would entertain written offers of a negotiated settlement in 2013 but that none ever appeared. Really? Tell us more! Who made the offer? When was it made? To whom was it made? Was Judge Goodstein informed of this? She did not seem to know it in court proceedings. What offer of a negotiated settlement did DSC ever make to the other side? If not, why not? It certainly was not in DSC's interest to make a compromise agreement in a court everyone knew would favor DSC, as it inevitably did.

Lewis's letter of today displayed a rather sad air of desperation, just as DSC actions of the last few weeks. The control DSC has had over litigation has ended. It can no longer fire down on its enemy from the heights to the valley below. It must now wage war on an open field. The fight will be different from now on and Lewis, Lawrence, Runyan et al know it very well. If it's not panic in their camp, it is at least grave concern.

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The Episcopal Church Schism in South Carolina

By Ronald James Caldwell, Ph.D., Professor of History, Emeritus. An independent blog unaffiliated with any church or diocese. E-mail: ronaldcaldwell1210@gmail.com

Friday, August 28, 2015

AWAITING THE SOUTH CAROLINA SUPREME COURT HEARING

On Wednesday, September 23, the South Carolina Supreme Court will hold a hearing in the case of the two rival dioceses in the lower state.

When?

10:30 a.m. on September 23, 2015. This time is fixed as the Court has already ruled that no extension will be granted.

Where?

The Courtroom of the South Carolina Supreme Court building at 1231 Gervais Street, Columbia, across from the state house. The hearing is open to the public on a first-come basis. Security personnel at the entrance will direct the seating of the hearing (there are two other unrelated hearings scheduled before the Church case, at 9:30 and 10:00).

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What?

The Episcopal Church diocese is appealing Judge Diane Goodstein's decision. On February 3, 2015, Goodstein issued her "Final Order" finding all in favor of the independent diocese and rejecting all the claims of the Church side. The Episcopal Church (TEC) and the Episcopal Church in South Carolina (ECSC) are the "Appellants." The independent diocese (at present legally the Diocese of South Carolina and The Protestant Episcopal Church in the Diocese of South Carolina) is the "Respondent."

Owing to the unusual size, complexity, and importance of this case, the Court has scheduled 50 minutes for the hearing. Most hearings are set at 30 minutes. Each side will be given 20 minutes to make its case before the bench of five justices, then 10 minutes for rebuttals. As in the U.S. Supreme Court, although each side will prepare a "presentation" to the Court, that time is usually taken up by the justices asking pointed questions of the presenting lawyer(s) standing before them. The judges will have already studied the briefs, papers, and history of the case beforehand. The hearing is their only opportunity to get the clarifications and explanations they want from the lawyers. The justices' questions are clues to their thinking and attitudes in the case. A hearing is not a trial. There is neither jury nor witnesses. The five justices alone "hear" the attorneys; and they alone will make the final decision. At some time after the hearing, the justices will discuss the matter in private and vote, then one will write the majority opinion. Six months is the typical time from a hearing to the issuance of the written order in the case. If so, we could expect a decision in early 2016 although a decision could be handed down at any time.

An audio recording of the hearing will be available on CD a couple of days after the hearing. It can be purchased for $20 from the office of the Clerk of the South Carolina Supreme Court.

The biographies of the five justices are available on the Court's website. Jean Hoefer Toal is Chief Justice and has been since 2000. She is 72 years old and a Roman Catholic. She wrote the *All Saints/Waccamaw* decision for the Court in 2009. It recognized the local parish as legal owner of its property rather than the diocese. The diocese, under Bishop Lawrence, did not appeal to the U.S. Supreme Court. This is the only final decision

in the U.S. that ended on the side of the local party against the Church side. Chief Justice Toal is reportedly to retire on Dec. 31, 2015. Three other justices concurred with Toal in the *All Saints* decision, but only one of them is still on the Court, Walter Beatty. The three new justices on the Court are: Costa Pleicones, a Greek Orthodox from Greenville; John Kittredge, a Presbyterian from Greenville; and Kaye Hearn. Hearn is an active member of St. Anne's Episcopal Church in Conway, the congregation formed by Episcopalian refugees from the local schismatic parish. In early 2013, her husband, an attorney and not a Church official, was inexplicably subpoenaed by the independent diocesan lawyers to give a deposition for the circuit court case.

What is the Purpose of the Hearing?

The purpose is to consider Circuit Court Judge Goodstein's Final Order of Feb. 3. The Church side is appealing that decision. It is asking the Court to overturn Goodstein's ruling. The opposition is defending that same decision before the Court. They want Goodstein's ruling to stand as is.

What is the Legal Background of the Hearing?

The hearing is the result of a series of legal events.

1. Feb. 3, 2015. Judge Diane Goodstein, of the state circuit court, in Dorchester County (St. George) issued "Final Order." This was the result of a two-year legal process. To begin, Alan Runyan and other lawyers filed a lawsuit in Goodstein's court on Jan. 4, 2013 against the Episcopal Church (and later the Episcopal Church in South Carolina). They claimed all the legal and property rights of the pre-schism Episcopal Diocese of South Carolina. In time, 36 individual parishes joined the suit on the side of the independent diocese. A trial was held in Goodstein's courtroom in July of 2014 involving numerous witnesses and a host of evidentiary documents. The judge claimed she followed only "neutrality" but some people felt she relied on the independent diocesan side. The two sides presented to Goodstein their lawyers' "orders" [requests for judgment] in

December of 2014. Goodstein's decision, a 46-page Final Order was entirely in favor of the independent diocese. She ruled that the Episcopal Church is a congregational institution where power flows from the bottom to the top and that the diocese was a sovereign and independent entity free to leave the Episcopal Church at will. She awarded all rights and assets to the independent diocese. This was the most sweeping judgment of any court in the U.S. against the claims of the Episcopal Church. It is this Final Order that the Church lawyers are asking the state supreme court to overturn.

2. Feb. 13, 2015. Church lawyers asked Goodstein to reconsider her decision. They submitted to her a monumental 182-page rationale outlining a very long list of what they saw as errors and lapses in the Final Order.

3. At 11:55 a.m., Feb. 23, 2015, the independent diocesan lawyers submitted to Goodstein a response to the Church lawyers' request for reconsideration.

4. At 5:07 p.m., Feb. 23, 2015, Judge Goodstein issued a denial for reconsideration in a two-page order.

5. March 24, 2015, the Episcopal Church and the Episcopal Church in South Carolina asked the state supreme court to accept their appeal from the circuit court, thereby bypassing the state court of appeals.

6. April 15, 2015, the South Carolina Supreme Court agreed to accept the appeal from the circuit court. It also refused the request of the independent diocese to expedite the case and declared a fixed date for a hearing of Sept. 23, with no chance of delay. With this, the South Carolina Supreme Court became the first state supreme court in the nation to agree to hear a case involving the relationship of the national Episcopal Church and a local diocese. The Pennsylvania, Texas, and Illinois supreme courts had all refused to take similar cases and left the decision to the lower courts.

7. May 15, 2015, TEC and ECSC lawyers filed a 52-page brief with the state supreme court giving their reasons why Goodstein's Order should be vacated.

8. June 15, 2015, independent diocesan lawyers filed a 59-page brief with the state supreme court giving their reasons why Goodstein's decision should be upheld.

9. June 25, 2015, TEC and ECSC lawyers filed a 25-page reply brief in response to the independent diocesan lawyers' brief of June 15.

All of the above documents can be found on the Episcopal Church in South Carolina's website.

What are the Issues Involved?

The basic issue in this case is the legal relationship between the national Episcopal Church and its local dioceses, in this instance the Diocese of South Carolina. In a nutshell, the independent diocesan lawyers claim that the diocese is an independent and self-governing body with a distinct legal identity under state law. This fact entitles it to disassociate from the Episcopal Church and keep intact all its legal rights and assets. They see the Episcopal Church as a voluntary organization lacking the institutional right to rule over its dioceses (no supremacy clause) and to prevent any diocese from leaving the Church (no clause preventing secession).

On the other hand, Church lawyers argue that a diocese exists only in context of the Episcopal Church that is governed by a single Constitution and Canons. Except for local matters, all issues of the Church are settled by the General Convention and applicable to all dioceses equally. Once a diocese accedes to the Church's Constitution and Canons, as South Carolina did in 1789, it is subject to that document. It cannot disregard it. Moreover, all clergy in every diocese are required to make an ordination vow to obey the discipline of the Episcopal Church and, once made, are not free to disregard that vow.

In general, courts have followed two different approaches to cases involving religious institutions, deference and neutrality. Deference is deferring to the religious institution to settle its own disputes. Neutrality is adjudicating a property-related case treating two sides neutrally and equally. The First Amendment of the U.S. Constitution established the first and greatest right, freedom of religion: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..." Following the principle of the separation of church and state, a court is not allowed to interfere in the internal working of a church. Churches must be free to manage themselves. However, courts have also said that cases may be

adjudicated on "neutrality" if they concern only property disputes and the courts treat both sides neutrally. However, under the neutrality principle, no court can interfere in the internal working of a church.

South Carolina courts have followed the neutrality principle. The state supreme court justices claimed they followed it in their famous *All Saints* decision of 2009. Judge Goodstein claimed she followed it. The independent diocesan lawyers are now asking the state supreme court to agree that Goodstein followed neutrality properly while the Church lawyers are asking the court to discard her ruling as a breach of neutrality. They say she violated both the First Amendment and neutrality by making many improper judgments on the internal affairs of a church. It will be up to the state supreme court justices to decide whether Goodstein adhered to neutrality.

As I see it, the possible effective strategies of the two sides in the hearing are fairly clear. The independent diocesan lawyers must convince the justices that Goodstein's Order scrupulously adheres to neutral principles. They must follow the path of "strict construction," that is, holding the Episcopal Church to the letter of the law in its Constitution and Canons. On the other side, the Church lawyers have two possible tracks of argument. In one, they can press the charge that Goodstein went well beyond the allowable bounds of neutrality by repeatedly judging the internal working of the Episcopal Church. In the second, they can argue that this particular case is not appropriate for neutrality since it necessarily involves the court's probing into the structure of a religious institution. Under the First Amendment, the government is not allowed to infringe on freedom of religion. Therefore in this particular case, the Episcopal Church must be free to manage its own affairs. Since the state supreme court followed neutrality in its 2009*All Saints* decision, the Church lawyers must convince the justices that the present case is fundamentally different that that of 2009. In 2009, the issue was between the diocese and a parish and involved only a property. The present matter concerns the institutional nature of a national religious institution and involves far more than property. For the Church side to win on deference, its lawyers must present a compelling argument to differentiate the 2009 decision from the 2015 appeal.

It seems to me the second track is the strongest case the Church lawyers can make. They should ask that neutrality be replaced by deference in this case. And, the best evidences for this are found in the text of Goodstein's Order. See the post on this blog of Feb. 5, 2015, "Reflections on Judge Goodstein's 'Final Order' of Feb. 3, 2015." See also the post of Feb. 16, "ECSC's Lawyers Devastate Goodstein's Decision." I see Goodstein's judgment going well beyond the allowable bounds of neutrality to violate the First Amendment. There are too many instances of this in the Order to list here, but as an example the startling assertion that the Episcopal Church is a congregational institution (did not the word "episcopal" have any meaning?). Another is the mindboggling declaration that the Episcopal churches in the diocese were never members of the Episcopal Church (in what other church were they?). The rationales for these head-scratching charges were either thin or non-existent in the Order. It seems to me to be clear that the case of DCS v. TEC and ECSC cannot be adjudicated under neutral principles. It must be given deference because it requires judgments on the internal working of the Episcopal Church and it involves issues far beyond just real estate, both of which are not allowed under the neutrality principle. The First Amendment to the Constitution protects the Episcopal Church's right to govern itself.

What are the Possible Decisions of the State Supreme Court?

While I am neither an attorney nor an authority on state courts, these are what I see as the likely outcomes:
1-The Court could validate Goodstein's Final Order.
2-The Court could find fault in one or more aspect of the Final Order and remand it to Goodstein with orders for reconsideration.
3-The Court could discard Goodstein's Final Order and consider the case *de novo*, or anew. The Church lawyers are asking for this. They assert the Order is so replete with errors of commission and omission that it can only be completely scrapped and replaced by a new decision of the state high court.

The Church lawyers have made a major point that Goodstein blatantly violated the First Amendment and the principle of neutrality. The burden will be on them to prove this. If they are

successful, the Court may agree on starting anew. One should listen carefully to the questions the justices ask in the hearing to get a sense of their attitudes. What questions they ask and how they ask them will give us clues to where they are going in this case.

What about the Federal Court Case?

This is the wild card.

In the federal court case, Bishop vonRosenberg is asking the court to recognize him as the only legal bishop of the Episcopal Diocese of South Carolina.

Judge C. Weston Houck, of the U.S. District Court in Charleston has been directed by the U.S. Appeals Court to reconsider his case under a different principle that will work to the favor of the Church side. He has taken written arguments from both sides, but one can have no idea of when Houck will proceed with the case. He said earlier that the Episcopal Church is hierarchical and that Mark Lawrence had renounced his vows. He also said that the federal case is not dependent on the proceedings in the state supreme court. If the federal case is resolved first, one can only wonder what the effect will be on the state court. In the American constitutional system, federal courts are superior to state courts.

What Happens after the State Supreme Court Rules?

That depends on the ruling. If the justices remand the case to Judge Goodstein with directions for changes, the matter could drag on for years with no indication of the final outcome.

If the decision is simply to validate Goodstein's Order, the Episcopal Church and its diocese could appeal to the U.S. Supreme Court. I imagine this as a probability. It may well be that the high court would welcome this case as a way of clarifying the confusion that has resulted from deference and neutral principles. The First Amendment and separation of church and state are fundamental to American democracy.

If the Episcopal Church should prevail in the state supreme court, the independent diocese would have to decide whether to appeal to the U.S. Supreme Court. An appeal would cost more money, something that has been in apparent short supply lately. Of course if DSC loses and does not appeal, it would presumably have to turn over all rights, money, and property to the Episcopal Church diocese. The followers of Lawrence would have to start anew on their own without church buildings or any other property or assets. The Church diocese has already offered to give the 36 parishes their property in return for the legal rights of the diocese, but the independent leaders rejected the offer. By refusing a compromise settlement, Lawrence and his lawyers are gambling for it all in the supreme courts.

Whatever the decision, it will be a landmark in the history of the Episcopal Church and its dioceses. It will be the first state supreme court ruling on the relationship of Church and diocese. Numerous state supreme courts have ruled on the relationship of diocese and parish, almost all on the side of the diocese. Perhaps the most famous of these is the Georgia decision on Christ Church of Savannah, a complete diocesan victory over a schismatic parish.

Recommended Reading

James Dator and Nan Nunley, *Many Parts, One Body; How the Episcopal Church Works* (NY: Church Publishing, 2010. 192 p.). Based on a doctoral dissertation, this is the definitive work on the institutional structure of the Episcopal Church. Dator finds a unique arrangement, neither a confederation as in the Articles of Confederation, nor a federation as in the U.S. Constitution. He calls the structure a "unitary" system where the original nine states (dioceses), including South Carolina, composed and ratified on the spot in General Convention in 1789 a constitution and canons governing all of the nine. New dioceses would be admitted to this union only after they acceded to these documents. All decisions for the Church would be made as one body in the General Convention. This union implied permanence.

Judge Donald S. Black, "Tentative and Proposed Statement of Decision," Superior Court of California, County of Fresno, May 5,

2014. Follows Dator. "Diocesan Conventions...may not conflict with the Church's Constitution and Canons," "...only the General Convention as a whole, or the Executive Council can speak for, act on behalf of, or is authorized to bind the Church." "Diocesan bishops are at all times subject to and bound by the Church's Constitution, Canons and Book of Common Prayer. None of these documents authorizes a diocesan Bishop to waive, to declare null and void, or modify or amend any of the Church's Constitution and Canons." Black's decision is the strongest yet in a state court on the rights of the Episcopal Church. (It is being appealed).

Some Final Thoughts

The schism in South Carolina occurred close to three years ago. Almost immediately the independent diocese went to court to sue the Episcopal Church. Litigation has filled the time since. The Church offered a compromise settlement in June. The people who sued first refused. There is no end in sight of these shameful lawsuits. Even if it were to be over tomorrow, the history of this once grand and great diocese is marred forever. The damage, cost, and destruction of all of this will be felt for a long time to come. The saddest part is that it was all avoidable. This schism was completely unnecessary. Nevertheless, the two sides are now mired in the quicksand and there is no apparent way out. The litigation will drag on for months, probably years, to come dragging everyone involved down.

The fundamental issue in dispute is the relative authority of the national Church and its dioceses. The question is, Where does sovereignty ultimately rest, in the national Church or in the local diocese? One side insists in the Church, the other in the local diocese. This issue is really a historical question. What does history tell us about the relationship of the Diocese of South Carolina to the national Church?

Space does not permit here a long discourse on this question. I have made remarks already in some posts, such as "A History Lesson," June 17, 2015. Suffice to say that my research has shown me that the Diocese of South Carolina saw itself only as part and parcel of the Episcopal Church (except for the temporary interlude of the Civil War), from the start in

1785 to the rise of the issue of homosexuality in the 1980's. Starting in 1982, under Bishops Allison then Salmon, the Diocese began to deliberately move away from the mainstream of the Episcopal Church. Farther and farther it went. Even as most of the conservative dioceses resolved to bite the bullet and stay in the national Church, the leaders of the Diocese of South Carolina plotted to leave the Church. According to the Standing Committee records, the final decision was made at least weeks before the officials carried out the schism in October of 2012. The rationale they gave for the schism was a supposed legal right to secede from the union. It was a misinterpretation of history and the Constitution and Canons of the Episcopal Church. Nevertheless, the majority of communicants bought it. Judge Goodstein bought it. Now, we will see if the five justices of the South Carolina Supreme Court will buy it.

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The Episcopal Church Schism in South Carolina

By Ronald James Caldwell, Ph.D., Professor of History, Emeritus. An independent blog unaffiliated with any church or diocese. E-mail: ronaldcaldwell1210@gmail.com

Friday, September 18, 2015

PREPARING FOR THE SOUTH CAROLINA SUPREME COURT HEARING

In a few days, the South Carolina Supreme Court will hold a hearing in the case of the appeal of the Episcopal Church (TEC) and the Episcopal Church in South Carolina (ECSC). Anticipation is building. This will be the most important legal event in the schism since the two sides split in October of 2012. TEC and ECSC are asking the state supreme court to overturn a circuit court ruling. On February 3, 2015, Judge Diane Goodstein, of the state circuit court in Dorchester County (St. George), issued her decision called the Final Order. She found all in favor of the schismatic side called the Diocese of South Carolina (DSC).

The hearing will occur on Wednesday, September 23, at 10:30 a.m. in the Courtroom of the state supreme court building in Columbia. As far as we know, all five justices will be in attendance. To my knowledge, Justice Kaye Hearn has not recused herself from this case, nor has she been asked to do so. Hearn is an active member of St. Anne's Episcopal Church in Conway, the local church in ECSC. She is the only Episcopalian on the bench.

The purpose of the hearing is to consider Goodstein's Final Order of Feb. 3. The TEC/ECSC side is asking the court to overturn the decision. The DSC side is asking the court to uphold the decision.

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The set-up of the hearing is to give one side 20 minutes to present its case to the five justices, to give the other side 20 minutes, then 10 minutes for rebuttals. The verbal interchange is only between the lawyers and the five justices.

What can we expect in the hearing? The lawyers will make a prepared "presentation" to the judges, but the judges can interrupt them and ask any question they wish of the lawyers making the presentation. The questions the judges ask are crucial in sensing the direction they will go in their decision-making process. Listen very carefully to the questions themselves and the tones in which they are asked. Be aware too of what topics the judges emphasize as well as what they do not ask. Also, notice if the justices show any opposition to each other.

ISSUES

The issues in this case are clear and have been spelled out in the several briefs and counter-briefs both sides have issued since February 3.

1. What is the structural relationship between the Episcopal Church and a diocese?

DSC---TEC is not hierarchical. Dioceses are "autonomous" and self-governing entities.

TEC/ECSC---TEC is hierarchical. Dioceses are bound to the Church by the Constitution and Canons; clergy are bound to the Church by vows.

Goodstein's Final Order found DSC to be an independent entity entitled to all legal rights under state law. In fact she declared TEC to be a congregational institution organized from the bottom up.

2. Is this a religious or a property dispute?

DSC---property only. "Neutral principles" must be applied and have been applied properly by the circuit court in its Final

Order.

TEC/ECSC---religious. Relationship of DSC to TEC was an issue internal to the Episcopal Church. The U.S. Constitution and the laws prohibit a court from interfering in the internal matters of a church. Court must follow "deference" in this case.

Goodstein's Final Order declared it followed "neutral principles" but then gave a long list of judgments on the relationship between the Episcopal Church and its local diocese. She saw this as only a property dispute while going beyond that.

3. Did TEC and its diocese own the properties of the parishes in question?

DSC---No, because a trust was never established for the properties. State law requires that.

TEC/ECSC---Yes, because TEC established the Dennis Canon, and DSC adopted the Canon. The Canon said all local property was held for the diocese and the Episcopal Church.

Goodstein saw no interest of the national Church in the local properties.

4. What is the relevance of the *All Saints/Waccamaw* decision of 2009 (the SC Supreme Court decision recognized property owned by a local parish)?

DSC---proves Dennis Canon is not applicable in the state of South Carolina an that all local property is owned by the local parishes.

TEC/ECSC---decision applied to one parish only. In this case DSC argued in court that it was part of a hierarchical church, therefore DSC cannot now argue it is not part of a hierarchical church.

Goodstein cited the *All Saints* decision four times in her Final Order. Later she declared the case had no relevance to the matter at hand.

JUSTICES

What to look for among the five judges.

Chief Justice Jean Toal wrote the *All Saints/Waccamaw* decision of 2009. Listen carefully to her references to this decision in the questions she asks. How relevant does she see it to this case? How defensive will she be of her own earlier decision? Judges are usually highly reluctant to revise earlier decisions, let along reverse them. If Toal becomes very defensive of the *All Saints* decision, that could be a favorable sign for the DSC side. If she questions the relevance of *All Saints* to the present case, that would bode well for TEC/ECSC.

The next most important judge to watch is Hearn since she is an active Episcopalian. Pay attention to how many questions she asks, to whom she directs them, what she asks, and the tone of her words.

Then, Justice Beatty is the next to watch since he is the only justice presently on the court other than Toal to have signed the *All Saints* decision of 2009. As with Toal, pay attention to his attitude to the references to the *All Saints* case. Will he see relevance? Will he defend the 2009 decision in this case?

The other two justices, Kittredge and Pleicones, are new to the court and had no connection to the *All Saints* case and have no connection to either side in this appeal. Coming from this disinterested background, it will be important to see what issues they think are the important ones here. One should pay close attention to their words too.

It is just my conjecture, but I could see these last two as the "swing" votes on the bench. I can envision a scenario where Toal and Beatty side with DSC to defend their earlier decision while Hearn sides with TEC/ECSC. If that is the case, the other two justices will decide the outcome as the decision will be by majority vote among the five. One side has to get at least three votes to carry the court's decision. Toal and Beatty would have to convince one "swing" vote, but Hearn would have to persuade both "swing" votes.

HOW DO THE TWO SIDES COMPARE?

We can expect all 40+ lawyers for DSC to appear as well as attorneys for TEC and ECSC, presumably the same who took part in the circuit court trial of July 2014.

TEC/ECSC has the harder task in that they must convince a majority of the justices that something is fatally flawed in Goodstein's Final Order. They must make a convincing case of the errors or commission and omission in the Order. They cannot simply disagree with the decision. They must demonstrate why it is not acceptable either by wrong principles used or the faults in how those principles were carried out. Bottom line, they must show why this is a religious dispute and not just a property one. If it is religious, then the court would have to follow "deference" and that would be to the advantage of TEC/ECSC.

No doubt it will be months before we get the written decision of the state supreme court in this case. However, we should have a good idea of the attitudes of the five judges by the end of the hearing on next Wednesday. That will give us some indication of how the case will move into the decision phase.

DSC is praying for God's help. They have declared that God is on their side. I rather doubt that God choose sides like that. Let's all pray that God will be with everyone in the Courtroom, judges, lawyers, and spectators alike. We are all in the same boat whether we are crowding in opposite ends or not. We are all Christians and we ought to behave like it.

Posted by Ronald Caldwell at 9 31 AM

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The Episcopal Church Schism in South Carolina

By Ronald James Caldwell, Ph.D., Professor of History, Emeritus. An independent blog unaffiliated with any church or diocese. E-mail: ronaldcaldwell1210@gmail.com

Friday, October 2, 2015

WHAT WILL WE KNOW; AND, WHEN WILL WE KNOW IT?

What will the South Carolina Supreme Court decide in the church dispute? When will they let us know? These are the questions on everyone's mind nowadays. And apparently it is everyone as this blog has had over 4,000 visits since the hearing of September 23.

We have had the hearing. So, what happens next? There are five justices with equal votes on the Court. They will meet in private for deliberations on this case and will vote on a decision. The majority rules. Thus, 3, 4 or 5 justices must agree on a position. One justice in the majority is assigned to write a decision, but the others may contribute to it. If there is a minority, those justices are allowed to write a dissenting opinion giving their reasons for opposition to the majority. That statement carries no weight of law. The majority opinion will have force of law. When the justices are satisfied their work on the case is done, the Court will issue their written decision to the public.

The "when" question is easier to answer than the "what" part of the above questions. The typical gap between hearing and published decision is six months. However, Chief Justice Toal is retiring on December 31, 2015. Since she was the dominant personality in the hearing, I can only assume she will

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either write the decision herself, if she is in the majority, or will have a lot of input into it. If so, we may get the decision before Christmas. However, the Court is under no time constraint. It can issue a decision whenever it chooses. My own feeling is that we may well have the decision before the end of this year.

The "what" part is much harder to know, in fact, impossible to know. What will the Court decide? All we can do at this point is speculate about an outcome. What good is that? Certainly no good to the Court which makes its decision in private and is accountable to no one. However, speculation is a harmless game that might help us pass the time as we all anxiously await the decision. It might even be good therapy. Besides, after this is over, we can all look back and have a good chuckle at how far off base our predictions were. We will all need a good laugh by then. So, with that in mind, let's speculate.

Now, I think Chief Justice Toal is the most important person in this matter although she has only one vote among the five. We all saw in the hearing that she "owns" this case. Certainly, she will be a powerful voice in the private deliberations. What she will say we can only guess, but we can see the outlines of her thinking in her remarks in the hearing. Her remarks are our best guide to the tracks she may take in the decision making process.

In the hearing, Toal focused on three problems, albeit overlapping ones: 1-the ownership of the parish properties, 2-Bishop Lawrence's authority to act, and 3-the rights of a non-profit corporation under state law.

On the first, the question of the local properties, she said early on that under state law, the settlor (the one who holds the deed, in this case the parish) must create an express trust for the property. A trust cannot be created by any outside force such as the Dennis Canon. Only the settlor, that is the title holder, can create a trust. The implication of this is that neither the diocese nor the national church could have any legal claim on the local properties.

On the second, Toal wondered aloud if Bishop Lawrence had the authority to do what he did, specifically issue the quit claim deeds. Lawrence issued the quit claim deeds in November of 2011. He served as bishop of the Episcopal Church diocese until December 5, 2012. I must admit, I could not quite follow her

logic in this line. If the settlor actually owned the property and had not established an express trust for a beneficiary (diocese or Church), what difference would it make if Lawrence had authority or not? He would not be giving the parishes anything they did not already have. Perhaps the point she was making was that Lawrence might not have had the freedom to act outside the Constitution and Canons of the Episcopal Church.

It was on the third point that Toal seemed most interested. If the diocese were duly incorporated as a non-profit corporation under state law, did it not have freedom to act independently of the mother church? Did it not have the right to separate from the mother church as long as it followed state law? It seemed to me that Toal might have been moving to focus this case into a fine point of corporate rights under state law.

Thus, it appeared to me that Toal was trying to define the case as the very narrow issues of state law on titled property and corporate rights. If so, her next job will be to convince the majority of justices of her reasoning. In this scenario, she will face a very strong challenger in Justice Hearn who is obviously resolved to defend the Church's claims.

The problem for Toal that I saw was not so much Hearn, but Judge Goodstein and Alan Runyan, the lawyer for Lawrence. Goodstein's Order and Runyan's argument on the 2009 *All Saints* decision went well beyond the narrow focus of property and corporate rights to spill over into religious issues, for instance, Goodstein's stunning declaration that the Episcopal Church is congregational. Toal's impatience in the hearing, even apparent irritation, with Runyan was clear to me. The introduction of religious issues has forced the Court to broaden its considerations beyond a narrow focus. They will have to deal with questions that came up in the hearing such as hierarchy, the bishop's authority, and obligations of the diocese to the national church. The problem with this track is that the Court cannot go far into the structure of a church. Ruling on the internal working of a church would be a violation of the First Amendment. The justices know they must tread lightly on religious matters because there is only a vague line between neutral principles and deference. If they go too far, they would have to declare for deference. That would end the case on the Episcopal Church side. It seems to me, that may well be what Toal was trying to avoid.

All of that speculation being made, I am ready to move on to predictions. For whatever they are worth, here are what I see as possible decisions of the Court: (Of course, I reserve the right to change my mind at any minute. Consistency is not necessarily a virtue.)

1. The Court will uphold and validate Goodstein's Order of Feb. 3, 2015.

Bottom line: absolutely not. Out of the question. I have never seen such complete rejection among a panel of judges for a lower court trial and decision.

2. The Court will remand the case to Judge Goodstein with directions for new proceedings.

Only slightly more likely than #1. Does anyone really think this is possible? One has only to watch the video or read the transcript of the hearing to know Toal and Hearn demolished Goodstein's decision both for its courtroom method and for its findings. I think there is zero chance of remand. I fully expect the Court to act *de novo*, that is, write a new decision to replace Goodstein's.

3. The Court will make a compromise decision to give something for each side.

This is possible, but I have a hard time coming up with what a sensible compromise would be. I suppose the logical settlement would be along the lines of attorney Thomas Tisdale's offer in June of 2015 in which he suggested trading the local parish properties for the legal rights to the diocese. So, I'm wondering if the Court might agree with Toal that the local parishes hold titles to their properties, and since none had established an express trust in the property for the diocese or the national church, their ownership of the properties could not now be challenged. Recognize that the local parishes have the properties. Then, give the Episcopal Church the rights to the diocese under the claim that its incorporation was conditional on its operating under the Constitution and Canons of the Episcopal Church. It could not unilaterally alter its

corporate documents because of this overriding condition. Thus its purported disassociation from the Episcopal Church was illegal, null and void.

The problem I see with this track is, if the Court recognizes the Episcopal Church would not it also have to recognize the effectiveness of the Church's Dennis Canon? The Canon declared a trust over the local properties. Perhaps the Court could say South Carolina law did not allow such; so that part of the Church's rights would have to be overruled. I suppose such a compromise is possible, but it seems strained to me and I doubt the U.S. Supreme Court would follow the logic of recognizing some rights of the Church and not others.

Bottom line, I doubt there will be a "compromise" decision.

4. The Court will rule that the independent diocese (DSC) owns the legal rights of the old diocese and the parishes own their properties. Total victory for DSC.

I could see this happening if Toal, if indeed she wants the narrow approach, does succeed in getting the justices to focus only on the fine issues of state property law and corporate law. Of course, I'm sure this would lead to a titanic fight in deliberations between Toal and Hearn. I think those two would do their best to sway the other three justices to their sides. My guess is that Justice Beatty might follow Toal since he was a signatory of the 2009 *All Saints* decision. That would leave Justices Pleicones and Kittredge in the middle. Toal would have to persuade one of them. Hearn would have to bring over both of them to get a majority. It seemed to me that in the hearing, both Pleicones and Kittredge leaned to the Church side.

Bottom line on #3, I think a decision for DSC is unlikely.

5. The Court will rule that the Episcopal Church and its diocese (ECSC) are entitled to the rights, assets, and properties of the pre-schism diocese. Total victory of TEC/ECSC.

To make this happen, the Court will have to go beyond the narrow focus of state law on property and corporations and deal with some religious issues. They will have to see the diocese as

at least somewhat dependent on the national church. Since this was the direction I think they were going in the hearing, it is reasonable to assume they will continue that in private conference. In this case, Hearn's position would have the strength. To make this unanimous, Toal and Beatty would have to agree with the broader scope. If these two refuse to agree and the other three do unite behind the Church's position, there would be a 3-2 split decision for the Church side. Toal would go into retirement in defeat on what may turn out to be the defining Court decision of her tenure. She would have this on top of the virtually universal rejection of her *All Saints* decision.

The problem in this scenario is what the Court would do about the parish properties. It has already ruled a trust can be created only by the title holder. How they resolve that with the Dennis Canon would be interesting to see.

Bottom line, I think there is a slightly better than even (but not overwhelming) chance the Court will arrive at a decision favoring TEC/ECSC, probably unanimously, if not, 3-2.

Alright, dear reader, I have had enjoyed speculating about the Court's upcoming decision. Now tell me what you think.

Posted by Ronald Caldwell at 9 58 AM

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The Episcopal Church Schism in South Carolina

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Monday, September 28, 2015

THOUGHTS ON THE SOUTH CAROLINA SUPREME COURT HEARING

INTRODUCTION

Immediately after the hearing on September 28, I made a posting on this blog giving my initial reaction to the event. In the days since, I have reheard the recorded proceeding and made a written transcript for study. After several days of reflection, I can confirm my initial reaction. Now, I have some additional thoughts to offer my readers. Bear in mind I am an ordinary layman, neither a lawyer nor an expert on legal history. I have no connection to either party in this dispute. These are my own thoughts as a student of the history of the schism, for whatever they are worth, which may be nothing. Yet, I can only assume readers are interested. I have had over 3,000 hits on my blog since the hearing.

The hearing started at 10:55 a.m., on Wednesday, September 23, 2015, in the Courtroom of the South Carolina Supreme Court building in Columbia. It lasted 56 minutes and 38 seconds. Two lawyers made presentations to the court, Blake Hewitt for the appellants, the Church side (TEC/ECSC), and Alan Runyan for the respondents, the independent diocesan side (DSC). All five justices were present and all spoke. Chief Justice Jean Toal presided. The other justices were Costa Pelicones, Donald Beatty, John Kittredge, and Kaye Hearn. In all, 7 persons spoke in the hearing. The first block of time went to Hewitt, the

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second to Runyan, and a rebuttal time to Hewitt. The Chief Justice allowed the attorneys all the time they desired to use. Although both lawyers prepared formal "presentations" for the court, neither got far before the justices broke in for numerous questions. The time was about evenly divided between the justices' questions and comments and the lawyers' responses.

The arguments the two lawyers presented were exactly as I had expected. Right off, Hewitt raised the issue of the loyalty of the diocese to the national Church stressing the bond between diocese and Church under the Constitution and Canons of TEC. The diocese, and authorities in it, he said, had power only under the governance of the Episcopal Church. He also said this was a religious and not just a property dispute. He talked much about the importance of the Dennis Canon and the problem of the quit claim deeds. On the other side, Runyan stressed the sovereignty of the diocese as an independent entity unto itself, not dependent on the national Church, and insisted two separate parties were at dispute here. As a corporate body under state law, the diocese could act as it pleased towards the Episcopal Church. He stressed also this was only a property dispute that must be settled only under local property laws. He said the issue of whether the Episcopal Church is hierarchical was irrelevant in this instance just as it was in the *All Saints* case of 2009.

WHAT DO WE KNOW FOR SURE NOW?

As a result of the hearing, several points stand out as certainties that we can take away from the event:

1. Judge Diane Goodstein's decision in the circuit court trial has been discarded. DSC had asked the court to uphold the decision; TEC/ECSC had asked the court to overturn it. Score: win for TEC/ECSC.

The demolition came from Toal with a lot of help from Hearn. Only a few minutes into Hewitt's presentation, Toal jumped in to denounce Goodstein's opinion: "It may have been very unbalanced to have made the rulings that were made below that allowed one side's experts...to testify very fulsomely and

forbade your side's two experts from getting at all in the issue...hierarchical versus congregational." This was the first of the 40 interjections the Chief Justice made (Hearn had the next highest at 34). This was only Toal's first arrow into Goodstein, but it alone conveyed the unmistakable doom of death. To Runyan, she said, "This case was tried in a rather one-sided way on that particular issue [hierarchy]. You all were allowed to put in an expert to discuss in detail his opinions about whether hierarchical matters...Now, the other side had Dr. Walter Edgar and Professor McWilliams for two that were prepared to delve into specifically matters of hierarchy and so forth and they were completely stopped from arguing that, from presenting evidence about that and then the judge said we are not going to make a finding about hierarchical and then the order comes out and finds that this church is a congregational church. How did all that happen with the way this case was tried? Toal's body language conveyed agitation, but she was not finished. After a rather stunned Runyan got out a response about the Church having no right to control the diocese, Toal exploded: "They [TEC/ECSC] were not permitted to put in any evidence on that point. That's the reason I'm asking the question. And then, and then the judge said I'm not getting into that, she termed it, we are not a hierarchical state as a kind of odd thing because we discussed both principles in *All Saints* but she said, this, none of this information is going to be considered by me because we are neutral principles. How in the world if that is the framework that was used was a finding made specifically that this is a congregational, that the Episcopal Church is a congregational church?" Runyan, reeling, mumbled, "Your Honor, I know it surely does read that way..." Toal shot back: "It's exactly what it says!" But she was still not through with Goodstein. A few seconds later, she launched into Runyan again: "I mean there's a different side to that and a different set of arguments...in terms of your now getting into this hierarchical/congregational dispute and trying to use the perceived status of the Episcopal Church as a congregational church when your own expert explicated in detail the apostolic succession of your bishops beginning with the apostles and yet this judge finds that it's a congregational church, I'm struggling with that as a means of justifying this Order." There was no justifying the Order. At that point Goodstein's Order of Feb. 3 expired. Everyone knew it. The dominant voice had spoken. Not one other justice spoke up to defend Goodstein's decision.

2. The court dismissed the relevance of its own 2009 *All Saints* decision to the present case.

It was not just Goodstein's decision that riled up the Chief Justice. Runyan's use of the 2009 *All Saints* decision did too, perhaps even more so. Since she was the author of that very decision, Toal had a unique protective attachment, perspective, and understanding of the case (Judges are famously protective of their own decisions). Runyan made *All Saints* a major part of his presentation calling on the court to apply the same principles to the present case.

A bristling Toal would have none of it. The author of the decision broke in to deliver the longest speech of the entire hearing. She dismissed Runyan's claim of relevance and gave a long discourse on the differences between the two cases. (This was my biggest surprise of the day) Patience wearing thin, she lectured the lawyer: "Remember, recall, Mr. Runyan, that in *All Saints* there wasn't any dispute about the bishop's control of at least some personal interest in All Saints's property...No question about the bishop's authority. Serbian church, no question about the bishop's authority. Here, BIG question about the bishop's authority...but also big questions about whether the diocese, whether the bishop, has any ownership interest at all to deal with because of the Dennis Canon, so big difference between the case and *All Saints* where they wasn't any question about the bishop's ability to quit claim, would you agree?" End of matter. The very author of the *All Saints* decision snatched the rug from under Runyan's feet. In my view, Toal's decisive demolition of the Goodstein Order and dismissal of the relevance of the *All Saints* decision were her two primary contributions to the hearing. Both were stunning victories for the TEC/ECSC side and humiliating setbacks for the opposition.

3. Justice Hearn was completely committed to the TEC/ECSC side.

She was their intrepid advocate, doing, in my opinion, a better job of it that the lawyer. Hearn was the second most vocal justice, interjecting 37 times. This steel magnolia gave no quarter and pulled no punches, of course always with the consciously genteel and polite good manners so common in the

Low Country. Hearn was the second justice to speak, denouncing Goodstein's decision and declaring the Episcopal Church hierarchical. She asserted that neutral principles and hierarchy are not mutually exclusive, that the Dennis Canon created a trust, and that DSC had its own Dennis Canon before the national church. She also pointed out, perhaps daringly to the face of the author, that the *All Saints* decision was an "outlier" because not one other state in the union had accepted it. Although she gave Hewitt plenty of help, she saved her energy for Runyan. The tension in the string of exchanges between Hearn and Runyan was palpable. And this came after Runyan had just suffered through Toal's withering barrage on *All Saints*. Runyan and Hearn started interrupting each other through nine exchanges until Hearn finally commanded: "Stop there just a minute" to assert the Dennis Canon would trump any state law. Of course, Hearn could not resist adding to Toal's demolition of Goodstein. At one point she confronted Runyan: "This was a non-jury trial and yet I counted over twenty-five objections to Professor McWilliams's testimony in a non-jury trial. You all tried to hard to keep any of that evidence out, and then the Order is issued and low and behold there is a finding that this church is a, controlled by the bottom, that the parishes are really in charge rather than the national church."

4. Chief Justice Toal was the dominant person in the room. There could be no doubt. This was her court. This was her case. It should be remembered that she took this case on appeal to bypass the appeals court. She dominated the conversation in the hearing literally and figuratively. I can only assume all this assertiveness means she will write the court's decision, if she is in the majority, that is.

5. All five justices were outwardly supportive of each other. I detected not a hint of tension among them during the hearing. This could point toward a unanimous decision.

6. Runyan encountered a good deal of overt hostility, especially from Toal and Hearn.

WHAT QUESTIONS REMAIN UNANSWERED?

1. The fundamental question in the whole case is, What approach will the Court use in resolving this case? If we can assume the Court has discarded Goodstein's Order and will write a new decision, what criteria will the Court use to make their ruling? We can only guess at the answer by looking at various words of the justices in the hearing.

As a word of warning, we should not jump to the conclusion that discarding Goodstein's Order and *All Saints* also discards their conclusions. It could be that the court will reach the same conclusion for DSC by other means. I think there was a good possibility in the hearing that Toal was trying to do that by often redirecting the discussion back to the property rights of a state chartered non-profit corporation.

Although the Chief Justice insisted that the 2009 *All Saints* decision was not relevant to the present case, she and the other present signatory, Justice Beatty, may possibly want to continue their earlier attitude of favoring the local entity. There were parts in the hearing that might have indicated that. At one point, Toal said to Hewitt in reference to the hierarchical issue: "In the final analysis, specifically with reference to the property determination, the title determination, what difference does it make?" Property rights became Toal's common theme. Then, after chastising Runyan on Goodstein's Order and on *All Saints*, she propped up the reeling lawyer by feeding him his position: "All these organizations started to file articles of incorporation with the secretary of state including this diocese and there is nothing in those articles that are filed that forbids the corporation that we are talking about, which is your client, from disassociating or deaccessioning from the national church their corporation, they legally changed their purpose. They withdrew their accession to the national church and as a corporation they had the authority to do that, that's your argument, isn't it?" She then added: "If we see it as a matter of corporation law, and don't get tangled up in all the doctrinal issues, as a matter of corporate law they legitimately filed papers accomplishing that, that's your argument?" At the end, during Hewitt's rebuttal, Toal threw him some confrontational hardballs such as: "There is nothing in the corporation law of

this state that forbids a corporation, if it does it correctly and according to the law, from changing its purpose, is there?" She continued, "You want us to declare that the corporate law of South Carolina is that once you put a purpose clause in your charitable corporation you are forever bound to that purpose clause and, it can never be changed even if your constitution and operational documents are properly amended to do so?" Then, Toal challenged Hewitt: "What corporate, what constitutional documents were violated by amending the purpose to withdraw their accession from the national church?" The lawyer answered, the Constitution and Canons of the Episcopal Church. Toal retorted, "And are you saying that the national church, once you join it, you can never unjoin it, unless the national church lets you unjoin it? Alright, what principle governs that, the Dennis Canon?" Hewitt answered, the General Convention.

If the focus in deliberations is on narrow corporate rights over the local property, the DSC will have the edge. In order for TEC/ECSC to win, the focus must move to the obligation of the diocese to the national church. Toal seemed to want to make the issue a local corporate authority one. If she does, she can expect a strong opposition from Hearn. If that happens, I can envision an irreparable split on the court. I would guess Toal and Beatty would be on one side while Hearn, Pleicones and Kittredge would be on the other. That would give a 3-2 majority decision for the Church side.

2. What effect will the issue of Bishop Lawrence's authority have on deliberations? Another surprise I had was to hear the discussion about whether Bishop Lawrence had the authority to do what he did. Hearn had no hesitation about rejecting Lawrence's authority and recognizing vonRosenberg as the legitimate bishop of the diocese. Toal, however, seemed only perplexed by the question and gave no answers.

3. What effect will the issue of trademark infringement have on deliberations? Toal seemed annoyed by Judge Houck's decision to defer to the state supreme court and wondered aloud whether they could consider the issue. Kittredge offered that they could. If trademarks are added to the mix, that should strengthen the Church's hand since federal trumps state.

4. What effect will past political maneuverings among the justices have on their deliberations in this case?

On Feb. 5, 2014, the South Carolina General Assembly elected Toal to another term as chief justice (in South Carolina, judges are justices are elected by the legislature). She defeated Pleicones by a vote of 95 to 74 after a reportedly controversial campaign. She stood for reelection even though she would have only a year to serve on the 10 year term since state law requires a chief justice to retire at the end of the year in which he or she turns 72. In May of this year, the Assembly elected Pleicones chief justice without opposition. After Toal retires on Dec. 31, 2015, he will become chief justice but will have just one year to serve as he will have to retire on Dec. 31, 2016. Although both publicly profess to being nothing but good friends, one has to wonder what lingering feelings Pleicones might have about Toal's blocking his election in 2014 leaving him with only one year as chief justice. Toal has been chief justice since 2000, more than any chief justice in modern history.

5. What effect will Toal's view of her historic legacy have on the impending decision?

Toal will have been chief justice for 15 years, the first woman and the first Roman Catholic to hold that position. She must be concerned about her legacy. How will future generations view her place in history? As the author of the landmark 2009 decision on the All Saints' property, she would certainly want to protect that. She knows how poorly that decision has been received in the nation. In fact, no other state has accepted it. This must be something of an embarrassment for her.

The present case will perhaps be her final legacy. She will want to get it right. I would guess she would want a unanimous decision clearly giving a standard the whole nation would accept. After all, this will be the first state supreme court in the United States to rule on a dispute between the Episcopal Church and a local diocese. This decision may well be her greatest legacy. (It strikes me as ironic that of all states, South Carolina may be the one to decide the national standard on whether a diocese can secede from the union.)

I am certain a decision favoring DSC will not be unanimous. It is inconceivable Hearn would go along. On the other hand, a decision for TEC/ECSC would either probably be unanimous or a 3-2 split with Toal in defeat. Would she want defeat to be her final legacy?

6. Is there an ideological split on he court that would affect the outcome of deliberations? On this I would have to defer to someone who is familiar with the historic inner workings of this particular panel of justices. I saw no apparent split in the hearing, but that does not mean it does not exist. One would need to study the decisions handed down by this particular panel of justices to know that.

SOME FINAL THOUGHTS

The reactions of the two sides after the hearing tell us much about how the hearing went. The DSC issued a press release that was factual and straightforward without their usual spin. Typically, if DSC is pleased it declares victory as God's will. This time they did not. The quasi-official voice of DSC, Kendall Harmon's website, has been almost silent on the subject, only posting what others said and with almost no comment. Very vocal, as usual, was Alan Haley, the lawyer and blogger a.k.a. "The Anglican Curmudgeon." This time he turned all guns on Justice Hearn for her "blatant bias" and "unprofessional" behavior. He called for her to be investigated under the ethics codes. Ladson Mills III echoed that on Virtueonline claiming she had too many ties to the Episcopal Church. Thus, the reactions of the DSC side tell us they sense they are in trouble in the state supreme court. If they were confident of victory they would be behaving otherwise, and certainly not vilifying one of the justices who is about to rule on their case.

On the other side, the reactions are a mixture of relief and jubilation. You have only to read Steve Skardon's blog, scepiscopalians to know that.

Will this decision be appealed to the U.S. Supreme Court? Maybe. The loser certainly will have the right to ask SCOTUS to

take the case. I expect TEC would do that if they lose. DSC has indicated they may not appeal if they lose.

If DSC winds up losing this case, I think it will be because their lawyers made certain serious errors. The first was to get a circuit court trial relentlessly one-sided with a decision that was so over the top it was dead on arrival at the higher court. A more balanced trial, a more judicious decision that still reached the same conclusion would have had a much better chance of success. There is such a thing as too much of a good thing. The excess of the circuit court turned out to be its own self-destruction. A second mistake the DSC lawyers made was to try to spread the 2009 decision on All Saints parish to the whole diocese. They overplayed their hand and the author of that very decision slapped them down for it. A third mistake I see was not to challenge Justice Hearn to recuse herself. I know of no evidence they did that. Complaining after the fact does no good. Perhaps the decision not to challenge Hearn was made by the same DSC lawyer who thought it was a good idea, in early 2013, to subpoena the spouse of a state supreme court justice. How to account for these misjudgments? Overconfidence?

Before the hearing, I ended my last posting on this blog with a sorrowful lament on the lowest point in the long and great history of a premier diocese of the Episcopal Church. I still believe that. However, it is always darkest before the dawn, and I have a feeling, and it may just be wishful thinking I know, but I have a feeling that a tiny glimmer of dawn may be breaking way off on the horizon. A long, dark and terrible night might just possibly be coming to an end. One side will win and one side will lose. Even in losing, that side will be a step closer to fulfilling its mission. If TEC loses, it can appeal to SCOTUS for a definitive decision for the nation. Upon defeat, DSC leaders can reorganize and move forward on their self-proclaimed mission of making biblical Anglicans for the twenty-first century until that inevitably runs its course, homophobia fades away and the prodigal sons and daughters return to the loving arms of their ancestral home. So, I think whatever happens in the state supreme court will be for the greater good of both sides. It is just that none of this should ever have happened. It did not have to happen. It is a scandal and a shame, but I know all will be well somewhere down the road.

Posted by Ronald Caldwell at 11 06 AM

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EXHIBIT 25

(Humphrey email – D010770-010771)

Fwd:

2 Messages in thread

Sat Oct 27 2012 20:00:01 GMT-0600 (MDT)
ID: 13aa51967884fe98
From: William Tate <doctortate@aol.com>
To: mwright@gracesc.org
CC:

we'll get walker back some day. wonder about the outcast his former judge describes. she is going with lawrence

---

—Original Message—

From: Walker Humphrey walker.humphrey@gmail.com

To: William Tate doctortate@aol.com

Sent: Sat, Oct 27, 2012 8:13 pm

Subject: Re:

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She also told me about the plan to use the chapel for continuing services, and I believe they asked Holy Cross-Faith Memorial for help. I think it's a good arrangement, and I hope Tripp Jeffords, the rector at St. Pauls, is accommodating. I've seen some postings on St. Pauls' facebook page which shows it's been gone for far longer than I thought. I hoped the new associate rector there, Jason Collins, would help tie everyone together, but I guess it was too late.

I'm sure Tom Tisdale knows exactly what's going on, and I hope to be involved as much as I can from here. When will the provisional bishop be appointed?

On Oct 26, 2012, at 9:39 PM, William Tate wrote:

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the Presiding bishop will appoint a provisional bishop of our liking. more things bound to develop

Sat Oct 27 2012 20:42:33 GMT-0600 (MDT)
ID: 13aa53feab90b322
From: mwright@gracesc.org
To: "William E. Tate" <DoctorTate@aol.com>
CC:

Provisional bishop will be 'elected' at Spring Convention of the Continuing Diocese. Probably one name will be put forward. Usually a retired bishop hired on part time basis. Hopefully, +Charles vonRosenberg. New full time bishop is a few years away. Sent from my Verizon Wireless BlackBerryFrom: William Tate doctortate@aol.com
Date: Sat, 27 Oct 2012 22:00:01 -0400 (EDT)To: mwright@gracesc.orgSubject: Fwd:

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EXHIBIT 26
(Bishop Lawrence Deposition excerpts)

My question is: Are you familiar with the controversy along the general same lines that erupted in San Joaquin diocese?

A. You led into that question in a way that got me going, thinking one direction and then turned another. So if you would just ask the question again so that I can focus on what you're asking.

Q. Has there been -- did the Diocese of San Joaquin disassociate from The Episcopal Church at a point in time in the past?

A. Yes.

Q. And when did that occur, if you know?

A. I believe it was December of 2007. That is my recollection.

Q. Was that after you left, or were you still there?

A. That was after I had left, because I was canonically transferred to the Diocese of South Carolina after the consents came through.

Q. So you were a canonical resident of the Diocese of South Carolina?

A. At the time of the dissociation, yeah.

Q. At the time. Okay. Did you -- were you involved in an event --

MR. TISDALE: That question is too broad. I withdraw it.

BY MR. TISDALE:

Q. What was your position, if any, concerning whether or not San Joaquin should withdraw or disassociate from The Episcopal Church?

A. I don't remember.

Q. Whether you had a position or not?

A. Yes. I don't remember. I can think -- I can try to think back if you want me to do that.

Q. Well, I mean, I don't want you to take a long time thinking about it, but if you want to.

A. No, no. Then I won't.

Q. Well, I mean, will it take you long to think back?

A. Yes. You know, my life was focused -- was moving to South Carolina. And I don't want to say that I didn't have any pastoral concerns for the flock that I had been shepherding.

But when all that took place I was up in the mountains in North Carolina, working on a long paper on the life and ministry of Charles Henry Brent, one of the great luminaries of The Episcopal Church, apostle of Christian unity.

Q. Right.

A. And I was preparing that for a Mere Anglicanism conference in January.

Q. To be held here?

A. Yeah. So I had made the shift.

Q. Okay.

A. I'd begun to feel after a long consent process like overripe bananas.

Q. Right. That's a good...

Now, Bishop, now in this day in history, the Diocese of South Carolina, I call it, does -- I have read it has a relationship with an organization called the Southern Cone. Am I correct about that, or not?

A. It used to. Doesn't any longer.

Q. It does not?

A. No.

Q. Well, what is the Southern Cone?

A. Southern Cone is a province of the Anglican Communion. It consists of Chile, Argentina, I believe Venezuela, maybe Peru. I'm just going by memory. I know it includes Chile and Argentina. I'd have to look at a map. If I looked at a map of South America I could tell you. But it's a province of the Anglican Communion. 38 provinces.

(A recess transpired from 2:05 until 2:10.)

BY MR. TISDALE:

Q. Bishop, I asked you a few minutes ago about what your involvement or position was in the disassociation of San Joaquin from The Episcopal Church.

A. Um-hum.

Q. And you said that you would have to take some time to think about it. Have you thought any more about it?

A. No, I haven't.

Q. Well, do you want to take a couple minutes? And my question is: What was your position on whether or not the Diocese of San Joaquin --

A. I didn't take a position. Didn't take a position.

Q. Were you involved in the councils of the church in San Joaquin as a priest as to whether or not the diocese should disassociate from The Episcopal Church?

A. I was a dean of the current deanery, met with the bishop. The bishop kept everything close to the vest. So no.

Q. That was John David Schofield?
A. Yes.
Q. What do you mean?
A. Well, we talked about the diocese, but we didn't talk about dissociation.
Q. Did the diocese ultimately disassociate from The Episcopal Church?
A. Well, we've already established that fact.
Q. Yeah. And did you have any involvement --
A. No.
Q. -- in the decision to disassociate?
A. No. I would say I had involvement with hoping that the instruments of unity of the Anglican Communion would find a way forward for us.
Q. Okay. In San Joaquin.
A. Yes.
Q. Okay. I don't believe I have any other questions.
A. Let me be clear about that, if I might add something to that.
Q. Please.
A. When I say that, I mean, I had defended our request for alternative primatial oversight but

EXHIBIT 27

(TEC Request for Admission Response dated 10/8/13)

STATE OF SOUTH CAROLINA COUNTY OF DORCHESTER	IN THE COURT OF COMMON PLEAS FOR THE FIRST JUDICIAL CIRCUIT
THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA ET AL., Plaintiffs, v. THE EPISCOPAL CHURCH ET AL., Defendants.	Case No.: 2013-CP-18-00013
THE EPISCOPAL CHURCH, Counterclaim Plaintiff, v. THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA ET AL., Counterclaim Defendants and IVAN V. ANDERSON, JR. ET AL., Additional Counterclaim Defendants.	**THE EPISCOPAL CHURCH'S RESPONSE TO CHURCH OF OUR SAVIOUR OF THE DIOCESE OF SC; CHURCH OF THE CROSS, INC. AND CHURCH OF THE CROSS DECLARATION OF TRUST; THE CHURCH OF THE EPIPHANY; ST. DAVIDS CHURCH; THE VESTRY AND CHURCH WARDENS OF THE EPISCOPAL CHURCH OF THE PARISH OF ST. HELENA AND THE PARISH CHURCH OF ST. HELENA TRUST; VESTRY AND CHURCH WARDENS OF THE EPISCOPAL CHURCH OF THE PARISH OF ST. JOHN'S, CHARLESTON COUNTY; THE VESTRY AND CHURCH WARDENS OF ST. JUDE'S CHURCH OF WALTERBORO; 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; AND TRINITY EPISCOPAL CHURCH, EDISTO ISLAND'S FIRST REQUEST FOR ADMISSION**

The Episcopal Church (the "Church") responds to Church of Our Saviour of the Diocese of SC; Church of the Cross, Inc. and Church of the Cross Declaration of Trust; The Church of the Epiphany; St. Davids Church; The Vestry and Church Wardens of The Episcopal Church of the Parish of St. Helena and The Parish Church of St. Helena Trust; Vestry and Church Wardens of The Episcopal Church of the Parish of St. John's, Charleston County; The Vestry and Church Wardens of St. Jude's Church of Walterboro; 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; and Trinity Episcopal Church, Edisto Island's First Request for Admission as follows:

REQUEST FOR ADMISSION NO. 1:

The Episcopal Church did not exist as a civil entity in 1778.

RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Admitted.

REQUEST FOR ADMISSION NO. 2:

Parish churches are not members of The Episcopal Church.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Admitted.

REQUEST FOR ADMISSION NO. 3:

There is no document giving notice of the purported assertion of a trust by The Episcopal Church filed in any South Carolina county in which the real property of the Parish Plaintiffs is located.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Denied. The Church objects to the second sentence of this request on the ground that it does not constitute a Request for Admission authorized by South Carolina Rule 36(a), and therefore a response is not compelled.

REQUEST FOR ADMISSION NO. 4:

The Episcopal Church has never communicated directly in writing with any Parish Plaintiff stating that it claimed an interest in the parish's property.

a. If you deny this request, in whole or in part provide a copy of the written communication sent to any of the Plaintiff parishes.

RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Denied. The Church objects to the second sentence of this request on the ground that it does not constitute a Request for Admission authorized by South Carolina Rule 36(a), and therefore a response is not compelled.

REQUEST FOR ADMISSION NO. 5:

The Episcopal Church has never insured, or purchased insurance for, any of the real property of the Parish Plaintiffs over which it asserts a trust interest.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 5:

Admitted.

REQUEST FOR ADMISSION NO. 6:

The Episcopal Church does not carry any of the Parish Plaintiffs' real property in which it claims a trust interest on its books as an asset, contingent or otherwise.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Admitted.

REQUEST FOR ADMISSION NO. 7:

Resolution D-24, offered at the 1979 General Convention of The Episcopal Church by Canon Walter Dennis, was not distributed in advance of the 1979 General Convention.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 7:

Admitted.

REQUEST FOR ADMISSION NO. 8:

The Episcopal Church did not publish the purported passage of the Dennis Canon.

a. If this request is denied in whole or in part, produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Denied. The Church objects to the second sentence of this request on the ground that it does not constitute a Request for Admission authorized by South Carolina Rule 36(a), and therefore a response is not compelled.

REQUEST FOR ADMISSION NO. 9:

Resolution D-24, offered by Canon Walter Dennis at the 1979 General Convention stated in its third paragraph the following:

> Whereas, The Supreme Court of the United States, in the case of *Jones v. Wolf*, _____ U.S. _____, 99 S.Ct. 3020 (1979) has suggested that such alienation might be legally possible, in the absence of an explicit recitation in the Constitution that an express trust exists in favor of the general church, concerning covering the property of local parishes.

RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Admitted with the exception that the word "covering" was not included in the last line of the quoted language.

REQUEST FOR ADMISSION NO. 10:

Neither the 1979 General Convention nor any succeeding General Convention of The Episcopal Church voted to amend the Constitution of The Episcopal Church to provide for the express trust set forth in Resolution D-24.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Admitted.

REQUEST FOR ADMISSION NO. 11:

The unincorporated association known as The Episcopal Church does not hold legal title to any real property in the name of The Episcopal Church.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 11:

After a reasonable inquiry, the information known or readily obtainable by the Church is insufficient to enable it to admit or deny this request, therefore the Church denies it.

REQUEST FOR ADMISSION NO. 12:

The Domestic and Foreign Missionary Society of The Protestant Episcopal Church in the United States of America has no legal or beneficial ownership interest in the real property of any of the Plaintiffs.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Denied. The Church objects to the second sentence of this request on the ground that it does not constitute a Request for Admission authorized by South Carolina Rule 36(a), and therefore a response is not compelled.

REQUEST FOR ADMISSION NO. 13:

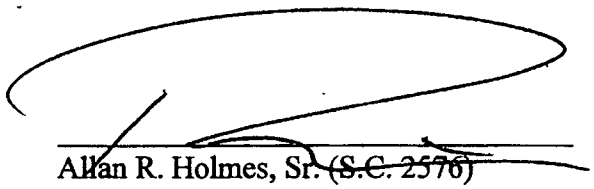
There is no written instrument executed by these Plaintiffs, manifesting or establishing an intention that these Plaintiffs' real property is, or that it be, held in trust for the benefit of The Episcopal Church.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

RESPONSE TO REQUEST FOR ADMISSION NO. 13:

After a reasonable inquiry, the information known or readily obtainable by the Church is insufficient to enable it to admit or deny this request, therefore the Church denies it.

Dated: October 8, 2013



Allan R. Holmes, Sr. ~~(S.C. 2576)~~

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171 Church Street, Suite 110
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Mary E. Kostel

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901 New York Avenue, N.W.
Washington, D.C. 20001
Telephone: (202) 346-4184
Facsimile: (202) 346-4444
mkostel@goodwinprocter.com

Counsel for Defendant The Episcopal Church

EXHIBIT 28

(TECSC Response to St Phillip's Interrogatories 5 & 6)

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE FIRST JUDICIAL CIRCUIT
COUNTY OF DORCHESTER	)	
	)	
THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA, ET AL.,	)	Case No.: 2013-CP-18-00013
	)	
Plaintiffs,	)	**DEFENDANT THE EPISCOPAL CHURCH IN SOUTH CAROLINA'S ANSWERS TO PLAINTIFF THE PROTESTANT EPISCOPAL CHURCH, OF THE PARISH OF SAINT PHILIP, IN CHARLESTON, IN THE STATE OF SOUTH CAROLINA'S FIRST INTERROGATORIES**
v.	)	
THE EPISCOPAL CHURCH, ET AL.,	)	
Defendants.	)	

Defendant The Episcopal Church in South Carolina (hereinafter "this Defendant"), pursuant to Rule 33 of the South Carolina Rules of Civil Procedure, by its undersigned authorized representative, hereby answers the First Interrogatories of Plaintiff The Protestant Episcopal Church, Of the Parish of Saint Philip, In Charleston, In the State of South Carolina as follows:

1. Give the names, addresses and telephone numbers of persons known to you or to your counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.

ANSWER: This Defendant identifies the following witnesses:

A. The Right Reverend Charles G. vonRosenberg, Provisional Bishop of The Episcopal Church in South Carolina, 98 Wentworth Street, Charleston, South Carolina 29401.

B. The Reverend Canon George I. Chassey, former Canon to the Ordinary of the

Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, 9B Exum Drive, West Columbia, South Carolina, 29169.

C. Wade H. Logan, III, former Chancellor of the Diocese of South Carolina, and former Chairman of the Constitution and Canons Committee, 652 Coleman Boulevard, Suite 200, Mt. Pleasant, South Carolina 29464.

D. The Right Reverend Mark J. Lawrence, former Bishop of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, 126 Coming Street, Charleston, South Carolina 29403.

E. The Reverend Canon James B. Lewis, 126 Coming Street, Charleston, South Carolina 29403.

F. Nancy J. Armstrong, former Assistant Treasurer and Administrator of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, 126 Coming Street, Charleston, South Carolina 29403.

G. John Wallace, former Treasurer of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, address unknown.

H. C. Alan Runyan, Chairman of the Resolutions Committee of the 2010 Convention of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, 2015 Boundary Street, Suite 239, Beaufort, South Carolina 29902.

I. Joy Hunter, former Communications Director of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, 126 Coming Street, Charleston, South Carolina 29403.

J. The Trustees of the Protestant Episcopal Church in South Carolina and the members of the Standing Committee to include:

- Ivan V. Anderson, Jr., 133 Tradd Street, Charleston, South Carolina 29401;
- The Reverend Craige N. Borrett, 4981 Chapel Road, Yonges Island, South Carolina 29449;
- R. Edward Holt, III, 50 Legare Street, Charleston, South Carolina 29401;
- The Reverend J. Robert Horn, IV, 2718 Bees Creek Road, Ridgeland, South Carolina 29936;
- Robert L. Kilgo, Jr., 123 Cashua Street, Darlington, South Carolina 29540;
- Robert M. Kunes, 115 Church Street, Charleston, South Carolina 20402;
- The Reverend J. Haden McCormick, 142 Church Street, Charleston, South Carolina 29401;
- Harry A. Oxner, 235 Church Street, Georgetown, South Carolina 29440;

- K. Glynn Watson, 1208 Congressional Boulevard, Summerville, South Carolina 29483;
- Wade H. Logan, III, 652 Coleman Boulevard, Suite 200, Mt. Pleasant, South Carolina 29464;
- The Right Reverend Mark J. Lawrence, 126 Coming Street, Charleston, South Carolina 29403;
- Dorothy Bowen, address unknown;
- The Reverend Samuel P. Gaillard, IV, 1393 Miles Drive, Charleston, South Carolina 29407;
- The Reverend Julian J. Jeffords, III, 710 South Main Street, Conway, South Carolina 29526;
- The Reverend Arthur Jenkins, 1872 Camp Road, Charleston, South Carolina 29412;
- Francis M. Kirk, 8460 Chisolm Plantation Road, Edisto Island, South Carolina 29438;
- William G. Lyles, III, 342 East Bay Street, Charleston, South Carolina 29401;
- Edward Mitman, 9 North Dukes Street, Summerton, South Carolina 29148;
- Andrew R. O'Dell, 210 South Main Street, Darlington, South Carolina 29532;
- Elizabeth Pennewell, 2823 Atlantic Avenue, Sullivans Island, South Carolina 29482;

- Suzanne Schwank, 305 King Street, Beaufort, South Carolina 29902;
- Gregory A. Snyder, 3673 Maybank Highway, Johns Island, South Carolina 29455;
- Kenneth Weldon, 252 South Dargan Street, Florence, South Carolina 29506;
- The Reverend Paul Fuener, 315 Screven Street, Georgetown, South Carolina 29440;
- The Very Reverend Doctor John MacReadie Barr III, 16 Swan Lake Drive, Sumter, South Carolina 29150;
- Ann Hester Willis, 28 Charlotte Street, Charleston, South Carolina 29403;
- Nancy J. Armstrong, 126 Coming Street, Charleston, South Carolina 29403;
- The Reverend Canon James B. Lewis, 126 Coming Street, Charleston, South Carolina 29403;
- The Reverend Jeffrey S. Miller, 507 New Castle Street, Beaufort, South Carolina 29902;
- John M. Jordan, Jr., 3003 Old Bridgeview Lane, Charleston, South Carolina 29403;
- Reid Boylston III, 10560 Dunbarton Boulevard, Barnwell, South Carolina 29812; and
- Other individuals currently unknown to this Defendant.

K. Each person who served as rector of any one or more of the Plaintiff parishes during the period from the date of Bishop Lawrence's ordination as bishop to the present.

L. Each person who served as Chancellor of any Plaintiff parish during the period from the date of Bishop Lawrence's ordination as bishop to the present.

M. Each person who served as a member of the vestry of any Plaintiff parish during the period from the date of Bishop Lawrence's ordination as bishop to the present.

N. Each person who served as member of the Standing Committee of the Diocese of South Carolina from the date of Bishop Lawrence's ordination as bishop to the present.

O. Designated representatives of institutions that are affiliated or associated with Bishop Lawrence.

P. The Right Reverend C. FitzSimons Allison, former Bishop of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, 1081 Indigo Avenue, Georgetown, South Carolina 29440.

Q. The Right Reverend Edward L. Salmon, Jr., former Bishop of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, 2777 Mission Road, Nashotah, Wisconsin 53058.

R. The Right Reverend William J. Skilton, former Suffragan Bishop in the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in

accordance with the provisions of an existing temporary injunction, 4969 Parkside Drive, North Charleston, South Carolina 29405.

S. The Right Reverend Dorsey F. Henderson, Jr., 965 Fairview Avenue, Mt. Dora, Florida 32757.

T. The Right Reverend John C. Buchanan, 1171 Parkway Drive, Mt. Pleasant, South Carolina 29464.

U. All persons who were authors or drafters of the Constitutional and Canonical amendments, or otherwise participated in the formulation or preparation of the amendments, that were considered by any Diocesan Convention during the period from the date of Bishop Lawrence's ordination as bishop to the present.

V. The Reverend Jeffrey S. Miller, former President of the Standing Committee, 507 New Castle Street, Beaufort, South Carolina 29902.

W. The Reverend Paul Fuener, former President of the Standing Committee, 315 Screven Street, Georgetown, South Carolina 29440.

X. The Reverend Doctor Kendall Harmon, 4981 Chapel Road, Yonges Island, South Carolina 29449.

Y. Representatives of the banks, securities firms, and other entities that at any time who were engaged in holding, managing, or acting as custodian of or for, assets of the Diocese of South Carolina, or any entity affiliated therewith, during the period from the date of Bishop Lawrence's ordination as bishop to the present.

Z. Representatives of all accounting firms that provided accounting, consulting, management, or other services to the Diocese of South Carolina, or any entity affiliated therewith, during the period from the date of Bishop Lawrence's

ordination as bishop to the present.

AA. Representatives of all accounting firms that provided any services to any of the Plaintiff parishes, during the period from the date of Bishop Lawrence's ordination as bishop to the present.

AB. Mark J. Duffy, Canonical Archivist and Director of Archives for The Episcopal Church, 606 Rathervue Place, Austin, Texas 78768.

AC. The late Eugene N. Zeigler, Jr., former chancellor of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction.

This Defendant is unaware of any written or recorded statements that have been taken from any of the above-named witnesses, except for affidavits filed herein; affidavits filed in the case of vonRosenberg v. Lawrence, et al. in U.S. District Court, South Carolina District, Charleston Division; and the sworn testimony of Eugene N. Zeigler, Jr., filed in the case of All Saints Parish, Waccamaw, et al. v. The Protestant Episcopal Church in The Diocese of South Carolina, et al. in the South Carolina Court of Common Pleas, Georgetown County. This Defendant states additional witnesses may be named if and when they are identified. For all answers hereinabove where unnamed representatives are listed, this Defendant expects to identify them through ongoing discovery in this case.

2. Set forth a list of photographs, plats, sketches or other prepared documents in your possession that relate to the claim or the defense in this case.

ANSWER: None at this time. Furthermore, this Defendant objects to this interrogatory to the extent it seeks protected attorney work product.

3. List the names, address and telephone numbers of any expert witnesses whom you propose to use as a witness at the trial of this case.

ANSWER: This Defendant has not yet identified any expert witnesses. This Defendant will respond to this interrogatory when the Court provides a scheduling order for such purposes.

4. For each person known to you or your counsel to be a witness concerning the facts of this case, set forth either a summary sufficient to inform us of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.

ANSWER: The Right Reverend Charles G. vonRosenberg, Provisional Bishop of The Episcopal Church in South Carolina, is expected to testify about the status and reorganization of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction; and about who is recognized by Defendant The Episcopal Church as the Ecclesiastical Authority in South Carolina, and the reasons therefor; and other matters alleged in the pleadings.

The Reverend Canon George I. Chassey, former Canon to the Ordinary of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify, as reflected in his testimony deposition, the following: the involvement and participation by the Diocese of South Carolina, and its representatives, in the approval and adoption of the Dennis Canon by the General Convention of Defendant The Episcopal Church in 1979 and by the Diocese of South Carolina; and the facts concerning the relationship and mutual support between Defendant The Episcopal Church and the Diocese of South Carolina.

Wade H. Logan, III, former Chancellor of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, and former Chairman of the Constitution and Canons Committee, is expected to testify regarding the purported transfers of parish property, and of the Diocese's interests in such property, that occurred during the tenure of Bishop Lawrence as Bishop of the Diocese of South Carolina; purported changes in the Constitution and Canons of the Diocese, and in its Certificate of Incorporation, under Bishop Lawrence; other matters related to the disaffiliation of the Lawrence diocese; and other matters alleged in the pleadings.

The Right Reverend Mark J. Lawrence, former Bishop of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify about his disaffiliation and that of his followers from The Episcopal Church; the issuance of quitclaim deeds purporting to release parish property, and of the Diocese's interests in such property; purported changes that he advocated and promoted in the Constitution and Canons, and the Certificate of Incorporation, of the Diocese of South Carolina; and other matters alleged in the pleadings.

The Reverend Canon James B. Lewis is expected to testify as to the conduct of Bishop Lawrence during his tenure as Bishop of the Diocese of South Carolina; Bishop Lawrence's disaffiliation and that of his followers from The Episcopal Church; the issuance of quitclaim deeds purporting to release parish property, and of the Diocese's interests in such property; purported changes that Bishop Lawrence advocated and promoted in the Constitution and Canons, and the Certificate of Incorporation, of the Diocese of South Carolina; and other matters alleged in the pleadings.

Nancy J. Armstrong, former Assistant Treasurer and Administrator of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify to the use and application of the funds and assets of the Diocese during Bishop Lawrence's tenure, and other matters alleged in the pleadings.

John Wallace, former Treasurer of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify to the use and application of the funds and assets of the Diocese during Bishop Lawrence's tenure, and other matters alleged in the pleadings.

C. Alan Runyan, Chairman of the Resolutions Committee of the 2010 Convention of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify to matters and circumstances surrounding the preparation and adoption of purported changes to the Constitution and Canons, and the Certificate of Incorporation, of the Diocese during the tenure of Bishop Lawrence, and other matters alleged in the pleadings.

Joy Hunter, former Communications Director of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify to the conduct of Bishop Lawrence during his tenure as Bishop of the Diocese, and the communications of the Diocese.

The Trustees of the Protestant Episcopal Church in South Carolina during the period of time from January 1, 2008 through November 17, 2012, all of whose identities may be presently unknown but will be discovered, are expected to testify to the use of, and transactions in or affecting, Diocesan real property and other assets during the tenure of Bishop Lawrence.

Each witness who served as rector of any one or more of the Plaintiff parishes during Bishop Lawrence's tenure is expected to testify to the history of his or her parish or parishes; the corporate status of the parish over time, and any changes made in such status and the reasons therefor; and, further, is expected to produce, and testify in regard to, relevant documents and records of or relating to the parish; and other matters related to the pleadings.

Each witness who was a member of the vestry of any Plaintiff parish is expected to testify regarding his or her parish, and the nature of, and the circumstances surrounding, the parish's purported withdrawal from Defendant The Episcopal Church, and the reasons for such purported withdrawal, and other matters related to the pleadings.

Each witness who was a member of the Standing Committee of the Diocese of South Carolina during the period from January 1, 2008 to November 17, 2012, is expected to testify regarding the conduct of Bishop Lawrence during his tenure as Bishop of South Carolina; the transfers of parish property, and of the Diocese's interests in such property; the purported changes made in the Constitution and Canons and the Certificate of Incorporation of the Diocese of South Carolina during Bishop Lawrence's tenure; the purported withdrawals of the Plaintiff parishes, and of the Diocese, from Defendant The Episcopal Church; and any business transacted by the Committee relevant to the issues in this case; and other matters related to the pleadings.

The Right Reverend C. FitzSimons Allison, former Bishop of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify about conversations and other communications that he had with Bishop Lawrence regarding the property of the Diocese,

as well as actions taken by the Diocese during Bishop Lawrence's tenure, and other matters related to the pleadings.

The Right Reverend Edward L. Salmon, Jr., former Bishop of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify about conversations and other communications that he had with Bishop Lawrence regarding the property of the Diocese, as well as actions taken by the Diocese during Bishop Lawrence's tenure, and other matters related to the pleadings. Additionally, The Right Reverend Edward L. Salmon, Jr. is expected to testify to his involvement in the disaffiliation of Bishop Lawrence and his followers from The Episcopal Church.

The Right Reverend William J. Skilton, former Suffragan Bishop in the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction, is expected to testify about his knowledge of the affairs of the Diocese regarding Diocesan property after the ordination of Bishop Lawrence; actions taken by the Diocese during Bishop Lawrence's tenure; and other matters related to the pleadings.

The Right Reverend Dorsey F. Henderson, Jr., who served in 2012 as President of The Episcopal Church's Disciplinary Board for Bishops, is expected to testify about the review and disposition of the Complaint against Bishop Lawrence that was filed in 2012 and was referred to, and was acted upon by, that Board.

The persons, whose identities are presently unknown but will be discovered, who were the authors or drafters of the Constitutional and Canonical amendments, or otherwise participated in the formulation or preparation of those amendments, that were considered by the

Diocesan Conventions during the tenure of Mark J. Lawrence as Bishop of the Diocese of South Carolina, are expected to testify about those purported amendments, the reasons that they were proposed, and the circumstances surrounding their formulation and preparation, in regard to both the substantive and the procedural aspects of those measures and the actions purportedly taken on them by the Diocesan Conventions.

The Reverend Jeffrey Miller, former President of the Standing Committee, is expected to testify as to matters that include the purported changes in the Constitution and Canons of the Diocese of South Carolina during his tenure as President of the Standing Committee, and the execution and delivery by the Diocese of quitclaim deeds that purport to release the interest of the Diocese in real property held by parishes in the Diocese, and the circumstances surrounding the issuance of such deeds, and other matters related to the pleadings.

The Reverend Paul Fuener, former President of the Standing Committee, is expected to testify as to matters that include the purported changes in the Constitution and Canons of the Diocese of South Carolina during his tenure as President of the Standing Committee; the execution and delivery by the Diocese of quitclaim deeds that purport to release the interest of the Diocese in real property held by parishes in the Diocese; the circumstances surrounding the issuance of such deeds; and other matters related to the pleadings.

The Reverend Doctor Kendall Harmon is expected to testify concerning the actions taken by the Diocese during the tenure of Bishop Lawrence, and other matters related to the pleadings.

Representatives of the banks, securities firms, and other entities, whose identities are presently unknown but will be discovered, that at any time were engaged in holding, managing, or acting as custodian of or for, assets of the Diocese of South Carolina or any entity affiliated therewith, during the period from the date of Bishop Lawrence's ordination as bishop to the

present, are expected to testify regarding the assets of the Diocese, and the use and application of those assets during the tenure of Bishop Lawrence; any requests made by any agent or officer of the Diocese to any of such entities; any agreements between the Diocese and any of such entities, regarding any requests, directions, or instructions received by any such entity from The Episcopal Church, or any agent or officer of the Church, concerning funds or assets held or managed by such entity for the Diocese; and other matters related to the pleadings.

Representatives of the accounting firms, whose identities are presently unknown but will be discovered, that provided accounting, consulting, management, or other services to the Diocese of South Carolina, or any entity affiliated therewith, are expected to testify regarding the assets of the Diocese, and the use and application of those assets, during the tenure of Bishop Lawrence and any audits of the financial condition of the Diocese

Representatives of all accounting firms, whose identities are presently unknown but will be discovered, that provided any services to any of the Plaintiff parishes are expected to testify regarding the assets of the parishes, and the use and application of those assets, during the tenure of Bishop Lawrence; any audits of any parish of the Diocese; and other matters related to the pleadings.

In regards to the late Eugene N. Zeigler, Jr., this Defendant refers Plaintiffs to his sworn testimony referenced in this Defendant's answer to Interrogatory Number One.

5. Do you contend that the St. Philip's Church is a member of the unincorporated association known as The Episcopal Church or The Episcopal Church in South Carolina, and if so, on what documents do you base your answer?

ANSWER: This Defendant states that members of The Episcopal Church in South Carolina are persons; it is this Defendant's contention that St. Philip's Church is a parish of The Episcopal Church in South Carolina but not currently in union with the Convention.

6. If you contend that St. Philip's Church is a member of the unincorporated association known as The Episcopal Church or The Episcopal Church in South Carolina, how did it become a member?

ANSWER: As stated above, members of The Episcopal Church in South Carolina are persons.

7. If you contend that St. Philip's Church is a member of the unincorporated association known as The Episcopal Church or The Episcopal Church in South Carolina, does it have a right to vote at the General Convention?

ANSWER: This Defendant states that persons, representing dioceses, may vote at the General Convention of The Episcopal Church; parishes do not vote at the General Convention of The Episcopal Church.

8. If answer to Interrogatory 7 is yes, identify all documents upon which you rely in support of your answer.

ANSWER: Not applicable.

9. Identify by date and amount all pledges, gifts, loans or other contributions of any kind made by The Episcopal Church in South Carolina to St. Philip's Church from 1780 to the present.

ANSWER: This Defendant does not possess the records necessary to respond to this interrogatory.

10. Identify those documents or any portions thereof which support your answer to Interrogatory 9.

ANSWER: See answer to Interrogatory Number Nine which is incorporated herein by reference.

11. As to any pledge, gift, loan or other contribution made to St. Philip's Church between 1780 and the present, identify any documents and witnesses whose testimony you will use to prove that the person or entity making the contribution intended to confer any benefit or right on The Episcopal Church in South Carolina.

ANSWER: This Defendant does not possess the records necessary to respond to this interrogatory.

12. Identify separately all documents in your possession that you contend constitute the written agreement between The Episcopal Church in South Carolina and St. Philip's Church creating any alleged trust of which The Episcopal Church in South Carolina is a beneficiary.

ANSWER: This Defendant relies upon the Constitution and Canons of the Diocese of South Carolina and of The Episcopal Church (see the Dennis Canon found in title I.7.4), the Book of Common Prayer, the laws of South Carolina, and the First Amendment of The Constitution of the United States. This Defendant will supplement this answer when more specific information becomes available.

13. Identify separately all witnesses with knowledge of any written agreement between the St. Philip's Church and The Episcopal Church in South Carolina pertaining to any trust identified in Interrogatory 12.

ANSWER: This Defendant objects to this interrogatory as premature. Without waiving this objection, this Defendant identifies testimony deposition of the Reverend Canon George I.

Chassey, former Canon to the Ordinary of the Diocese of South Carolina, now operating as The Episcopal Church in South Carolina in accordance with the provisions of an existing temporary injunction.

14. Do you contend that the St. Philip's Church was not, at the time this action was held, the owner in fee simple of all real and personal property held in its name? If so, identify those witnesses and the specific documents which support your contention.

ANSWER: This Defendant has no information to provide an opinion to as to the quality of the real estate title, but this Defendant contends that all parish property is subjected to a trust interest of Defendants.

15. Identify any documents or instruments recorded in the RMC Office for Charleston County, South Carolina which purport to grant The Episcopal Church in South Carolina any right, title, estate or interest in any real or personal property held in the name of St. Philip's Church.

ANSWER: This Defendant is unable to identify any such documents or instruments; however, this Defendant has no information as to what the public record may reflect in this regard.

16. Has any Presiding Bishop of The Episcopal Church or authority of The Episcopal Church in South Carolina other ever visited St. Philip's Church? If so, identify the names of such Presiding Bishops or authorities, the date(s) of any such visits, and the purpose of any such visit(s).

ANSWER: This Defendant objects to this interrogatory on the ground that it would be unduly burdensome to find the information responsive to this request, if such information is recorded at all. Furthermore, this Defendant is not in possession of any such records that would document the requested information.

17. Does The Episcopal Church in South Carolina own or claim any trademarks, tradenames or copyrights? If so, identify, all such tradenames, trademarks and copyrights, and provide all documentation supporting such claim.

ANSWER: Yes, this Defendant owns all registered and unregistered common law trademarks, tradenames, and copyrights relating to the Diocese and/or its corporate entities. All such supporting documentation is in the possession of the Plaintiffs.

Dated: October 9, 2013

Respectfully submitted,

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Counsel for Defendant The Episcopal Church in South Carolina

EXHIBIT 29

(TECSC Response to St Phillip's Request for Admission No. 3)

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE FIRST JUDICIAL CIRCUIT
COUNTY OF DORCHESTER	)	
	)	
THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA, ET AL.,	)	Case No.: 2013-CP-18-00013
	)	
Plaintiffs,	)	**DEFENDANT THE EPISCOPAL CHURCH IN SOUTH CAROLINA'S RESPONSES TO THE PROTESTANT EPISCOPAL CHURCH, OF THE PARISH OF SAINT PHILIP, IN CHARLESTON, IN THE STATE OF SOUTH CAROLINA'S FIRST REQUEST FOR ADMISSION**
	)	
v.	)	
	)	
THE EPISCOPAL CHURCH, ET AL.	)	
	)	
Defendants.	)	
	)	

Defendant The Episcopal Church in South Carolina (hereinafter "this Defendant"), pursuant to Rule 36 of the South Carolina Rules of Civil Procedure, by its undersigned authorized representative, hereby answers the First Request for Admissions of Plaintiff The Protestant Episcopal Church, of the Parish of Saint Philip, in Charleston, in the State of South Carolina as follows:

1. The Episcopal Church did not exist as a civil entity in 1778.

ANSWER: Denied, because this Defendant does not know what defines a "civil entity".

2. The Episcopal Church did not exist as a civil entity in 1785.

ANSWER: Denied, because this Defendant does not know what defines a "civil entity".

3. Parish churches are not members of The Episcopal Church in South Carolina.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied, the only members of The Episcopal Church in South Carolina are persons; however, there are parishes in The Episcopal Church in South Carolina some of which are in union with the Convention of this Defendant and some who are not.

4. There is no document giving notice of the purported assertion of a trust by The Episcopal Church in South Carolina filed with the Clerk of Court, the Register of Deeds or the RMC Office of any South Carolina county in which the real property of the any of the parish churches that are named Plaintiffs in this action (collectively, the "Parish Plaintiffs") is located.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied on the basis that this Defendant has no information at this time as to existence of any such document, but the same will properly be reflected by an examination of the public record.

5. The Episcopal Church in South Carolina has never communicated directly in writing with any Parish Plaintiff stating that it claimed an interest in the parish's property.

a. If you deny this request, in whole or in part provide a copy of the written communication sent to any of the Plaintiff parishes.

ANSWER: Denied, inasmuch as such claim is contained in the pleadings of this action.

6. The Episcopal Church in South Carolina has never insured, or purchased insurance for, any of the real property of the Parish Plaintiffs over which it asserts a trust interest.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied, this Defendant has not purchased any insurance for Parish Plaintiffs since the disaffiliation of Parish Plaintiffs from The Episcopal Church. Furthermore, this Defendant has no knowledge of such insurance or insurance purchase for Parish Plaintiffs prior to said disaffiliation due to this Defendant's lack of access to relevant records.

7. The Episcopal Church in South Carolina does not carry any of the Parish Plaintiffs' real property in which it claims a trust interest on its books as an asset contingent or otherwise.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Admitted.

8. Resolution D-24, offered at the 1979 General Convention of the Episcopal Church by Canon Walter Dennis, was not distributed in advance of the 1979 General Convention.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied, this Defendant has no knowledge as to whether Resolution D-24 was or was not distributed in advance of the 1979 General Convention.

9. The Episcopal Church in South Carolina did not publish the purported passage of the Dennis Canon.

a. If this request is denied in whole or in part, produce the documents that provide the basis for your denial.

ANSWER: Denied, this Defendant has no knowledge as to whether said passage was or was not published by The Episcopal Church in South Carolina.

10. Resolution D-24, offered by Canon Walter Dennis at the 1979 General Convention stated in its third paragraph the following:

Whereas, The Supreme Court of the United States, in the case of Jones v. Wolf, _ U.S._, 99 S.Ct. 3020 (1979) has suggested that such alienation might be legally possible, in the absence of an explicit recitation in the Constitution that an express trust exists in favor of the general church, concerning covering the property of local parishes.

ANSWER: Denied, as this Defendant does not have access to Resolution D-24.

11. Neither the 1979 General Convention nor any succeeding General Convention of The Episcopal Church voted to amend the Constitution of The Episcopal Church to provide for the express trust set forth in Resolution D-24.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied on the basis that this Defendant does not possess the records necessary to respond otherwise to this request.

12. The association known as The Episcopal Church in South Carolina does not hold legal title to any real property in the name of The Episcopal Church.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Admitted; however, this Defendant does have a beneficial interest in real property.

13. Neither The Episcopal Church in South Carolina nor the Domestic and Foreign Missionary Society of The Protestant Episcopal Church in the United States of America has any legal or beneficial ownership interest in the real property of any of the Plaintiffs.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied, as it is claimed that both Defendants have a beneficial interest in the property of Plaintiffs.

14. There is no written instrument executed by St. Philip's Church or any of the other Plaintiffs, manifesting or establishing an intention that the real property of St. Philip's Church or

any of the other Plaintiffs is, or that it be, held in trust for the benefit of The Episcopal Church in South Carolina or The Episcopal Church.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied on the basis that this Defendant does not possess the records necessary to respond otherwise to this request.

15. There is no written deed, trust agreement, note or other document or instrument granting The Episcopal Church in South Carolina any right, title, estate or interest whatsoever in any real property of St. Philip's Church that is signed by a duly authorized agent or representative of St. Philip's Church.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied on the basis that this Defendant does not possess the records necessary to respond otherwise to this request.

16. There is no written deed, trust agreement, note or other document or instrument granting The Episcopal Church in South Carolina any right, title, estate or interest whatsoever in any real property of St. Philip's Church that is signed by any agent or representative of St. Philip's Church.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied on the basis that this Defendant does not possess the records necessary to respond otherwise to this request.

17. The Episcopal Church in South Carolina has never contributed financially to St. Philip's Church or to any parish church known as "St. Philip's" or "St. Philip's Church" (or any similarly named parish church) located within the Parish of St. Philip's or the Parish of St. Michael's, South Carolina.

a. If this request is denied, in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied on the basis that this Defendant does not possess the records necessary to respond otherwise to this request.

18. St. Philip's Church is a duly organized, validly existing, legislatively chartered non-profit corporation, in good standing under the laws of the State of South Carolina, and operating under its governance documents.

a. If this request is denied in whole or in part, state the basis for your denial and produce the documents that provide the basis for your denial.

ANSWER: Denied, this Defendant does not know the legal status of St. Philip's Church, but the same will properly be reflected by an examination of the public record.

(Signature page to follow)

Dated: October 9, 2013

Respectfully submitted,

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Counsel for Defendant The Episcopal Church in South Carolina

EXHIBIT 30

(Affidavit of Lawrence J. Fox)

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas
Diane Schafer Goodstein, Circuit Court Judge

Appellate Case No. 2015-000622

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; All Saints Protestant Episcopal Church, Inc.; Christ St. Paul's Episcopal Church; Christ the King, Waccamaw; Church of The Cross, Inc. and Church of the Cross Declaration of Trust; Church of The Holy Comforter; Church of the Redeemer; Holy Trinity Episcopal Church; Saint Luke's Church, Hilton Head; St. Matthews Church; St. Andrews Church-Mt. Pleasant Land Trust; St. Bartholomews Episcopal Church; St. David's Church; St. James' Church, James Island, S.C.; St. John's Episcopal Church of Florence, S.C.; St. Matthias Episcopal Church, Inc.; St. Paul's Episcopal Church of Bennettsville, Inc.; St. Paul's Episcopal Church of Conway; The Church of St. Luke And St. Paul, Radcliffeboro; The Church of Our Saviour Of the Diocese of South Carolina; The Church of the Epiphany (Episcopal); The Church of the Good Shepherd, Charleston, SC; The Church of the Holy Cross; The Church of the Resurrection, Surfside; The Protestant Episcopal Church of the Parish of Saint Philip, in Charleston, in the State of South Carolina; 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; The Vestry and Church Wardens of St. Jude's Church of Walterboro; The Vestry and Church Wardens of the Episcopal Church of The Parish of Prince George Winyah; The Vestry and Church Wardens of The Church of The Parish of St. Helena And The Parish Church of St. Helena

AFFIDAVIT OF LAWRENCE J. FOX

Trust; The Vestry And Church Wardens of The Parish of St. Matthew; The Vestry And Wardens of St. Paul's Church, Summerville; Trinity Church of Myrtle Beach; Trinity Episcopal Church; Trinity Episcopal Church, Pinopolis; Vestry and Church Wardens of the Episcopal Church of the Parish of Christ Church; Vestry and Church Wardens of The Episcopal Church of The Parish of St. John's, Charleston County, The Vestries and Churchwardens of The Parish of St. Andrews,

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. /

Lawrence J. Fox, being duly sworn according to law deposes and says:

I am a lawyer duly admitted to practice in the Supreme Court of the Commonwealth of Pennsylvania, the Appellate Division, Second Department of the Supreme Court of New York, the Supreme Court of Connecticut, the United States Supreme Court and numerous federal circuit courts of appeal and district courts. Currently, I am the George W. and Sadella D. Crawford Visiting Lecturer in Law at Yale Law School teaching legal ethics and professional responsibility, where I have taught since 2009. I am also the Supervising Lawyer of the Ethics Bureau at Yale, a *pro bono* endeavor to provide ethics advice, counseling and support to those who cannot afford services.

I have been asked to provide my expert opinion on the questions (a) whether Justice Kaye Hearn, Associate Justice, South Carolina Supreme Court, should have been recused from sitting

in the above-captioned case and (b) whether the Respondents waived their right to seek recusal by failing to move for the Justice's removal before this juncture. I have concluded to a reasonable degree of professional certainty that (a) Justice Hearn, on her own motion, should not have participated in this case because of her husband's and her prior conduct vis-à-vis the precise matters addressed in this litigation; (b) she should have been recused long before this motion was filed; and (c) Justice Hearn violated her disclosure obligation to the Respondents by disclosing none of the activities of her husband or her with respect to the parties and issues raised by this case and, as a result, Respondents could not have waived their right to seek recusal of Justice Hearn. Finally, to deny recusal now would reward Justice Hearn for her failure to disclose that involvement to the parties in a timely manner, a failure that continues until today.

Professional Background

I have regularly been consulted and testified about the ethics and professional responsibility of lawyers and judges in various proceedings in both state and federal courts throughout the United States. I have been appointed as a court selected expert on a half dozen occasions. I have spent my entire career as a trial lawyer, first at Community Action for Legal Services in New York City, from 1972 until 2017 at Drinker Biddle & Reath LLP, and now at Schoeman Updike & Kaufman in New York City. My specialties are general commercial litigation and the representation of and consultation with lawyers regarding their professional responsibilities.

I was a lecturer on law at Harvard Law School, teaching legal ethics and professional responsibility from 2007 through 2010. I was the I. Grant Irey, Jr. Adjunct Professor of Law at the University of Pennsylvania Law School from 2000 through 2008, teaching the same topic. I

have lectured on legal ethics at more than thirty-five law schools throughout the country, have been a visiting professor at Cornell University Law School and was the Robert Anderson Fellow at the Yale Law School in 1997. I have also lectured abroad in Russia, China, Argentina, Italy and Austria on legal ethics and professional responsibility.

I have produced and participated in more than 350 continuing legal education seminars, and I have written extensively in the professional responsibility field. I am the author of *Legal Tender: A Lawyer's Guide to Professional Dilemmas* (American Bar Association 1995); co-author (with Professor Susan Martyn) of *Traversing the Ethical Minefield* (Aspen 1st ed. 2004; 2d ed. 2008; 3d ed. 2012), a casebook on professional responsibility; *Red Flags: Legal Ethics for Lawyers* (ALI-ABA, 1st ed. 2005, 2d ed. 2010, Supplement 2009); *Your Lawyer, A User's Guide* (LexisNexis 2006); co-author (with Professors Susan Martyn and W. Bradley Wendel) of *The Law Governing Lawyers: National Rules, Standards, Statutes, and State Lawyer Codes* (Aspen annual editions from 2007-2008 until present); co-author (with Professor Susan Martyn) of *The Ethics of Representing Organizations: Legal Fictions for Clients* (Oxford University Press 2009); and author of several book chapters and almost 100 articles on legal ethics and related topics. I am the editor and contributing author of *Raise the Bar Real World Solutions for a Troubled Profession* (2007) and *Ethics Centennial* (2009), both published by the American Bar Association ("ABA").

I am a former member and Chair of the ABA Standing Committee on Ethics and Professional Responsibility and a former Chair of the ABA Section of Litigation, the largest section of the ABA representing almost 60,000 trial lawyers. I was an advisor to the American Law Institute's 12-year project, The Restatement of the Law Governing Lawyers. I am a Fellow

of the American College of Trial Lawyers, and I was the founder and a member of Ethics 2000, the ABA Commission established to rewrite the Model Rules of Professional Conduct. I served as a delegate in the ABA House of Delegates for more than 20 years, addressing in particular issues relating to judicial and lawyer ethical responsibilities.

Introduction

A battle royal roils the Episcopal community of South Carolina, turning congregant against congregant, clergy against clergy, over the legal effects of some Episcopal churches being part of the Episcopal Church in South Carolina and others part of the Protestant Episcopal Church in the Diocese of South Carolina, putting at issue some fundamental questions regarding ownership and control of the local churches. Sides were chosen, debate swirled and litigation in the courts commenced, just recently yielding a decision by the South Carolina Supreme Court, concluding by a vote of three to two, that all but eight of the Respondent churches have no control over certain real estate and personal property used by each congregation. But instead of putting these contentious issues to rest, the South Carolina Supreme Court now must address Justice Hearn's unethical conduct and fashion a remedy that cures the present state of play, in my view, striking Justice Hearn's participation and opinion.

How could this be? Because, in my view, Justice Hearn, a judge for 31 years, seven on the Supreme Court, violated the due process clause of the United States Constitution and the very canons of ethics her court had promulgated when she failed to disclose to her colleagues on the Court and the opposing parties to this litigation the intense long-term involvement of both her husband and herself in these issues, as a member of St. Paul's Conway, as an active participant in

The Episcopal Forum since 2007, as a founding member of St. Anne's Conway, and as an outspoken advocate for the proposition that the breakaway churches had no rights to the property the churches had occupied prior to the schism.

Having maintained silence when disclosure was required, Justice Hearn then compounded these ethical violations by participating in the oral argument, writing her own opinion and casting the deciding vote in a three to two decision. In so proceeding, the Justice echoed the opinions that citizen Hearn (and her husband) had expressed earlier not as a judge and judicial spouse but as lay leaders, demonstrating Justice Hearn's partiality and actual bias.

Indeed, this case presents this Court with a serious threat to the principles that judges, regardless of the Court on which they sit, must be independent, impartial and act with integrity. Preserving fair and impartial courts is so fundamental to our system of justice that it is guaranteed by the Due Process Clause of our Constitution and the South Carolina Canons of Judicial Conduct promulgated by this Court. *In re Murchison,* 349 U.S. 133, 136 (1955) ("A fair trial in a fair tribunal is a basic requirement of due process."). [1] The Due Process Clause of the Fourteenth Amendment protects this interest by requiring the recusal of judges who might have bias towards a party in the case. *Bracy v. Gramley,* 520 U.S. 899, 904 (1997). So too do the Judicial Canons promulgated by this Court which provide black letter rules on how judges must conduct themselves to uphold these important values. South Carolina Judicial Conduct, Preamble (2011) (explaining that the American judicial system is premised upon the "principle that an

[1] The provisions of the South Carolina Canons of Judicial Conduct at play here have been adopted by 49 of the 50 states, all based on the American Bar Association Model Code originally adopted in 2000. See State Adoption of Revised Model Code of Judicial Conduct, Am B. Ass'n (Nov. 2, 2015), http://www.americanbar.org/groups/professional_responsibility/resources/judicial_ethics_regulation/map.html.

independent, impartial and competent judiciary...will interpret and apply the law that governs our society."). Under their ethical obligations, judges must act in an impartial manner, untainted by personal bias or prejudice. Judges must avoid, not only impropriety, but the appearance of impropriety and every time a judge fails to meet these fundamental standards, he or she not only taints the proceedings, he or she also tarnishes the respect and confidence the judiciary must maintain if the rule of law is to be something more than an empty promise.

It is my opinion that the basic rights to a fair and impartial tribunal were denied Respondents because when Justice Hearn participated in this appeal she did so despite the fact that her past statements were clear demonstrations of her actual bias.

The Importance of Recusal

At its heart, the entire integrity of the legal system in America rests on the impartiality and the appearance of impartiality of those who are given the responsibility, the awesome responsibility, to decide the public's dispute is the impartiality of the judge. It is only if the public has confidence that judges are absolutely neutral and appear to be absolutely neutral that we can generate the respect and confidence in the courts that is essential for due process. For sure our judges must be learned. For sure they must be diligent. For sure they must be open-minded. But above all it is critical that judges be impartial and that, in all that judges undertake, the public looking on with interest observes a fair and balanced system.

Often what society expects from our judges is expressed in hortatory terms. But in evaluating judicial conduct we must do much more than describe what we hope will occur in some idealized world. Rather, we must insist on compliance by judges with the Supreme Court's carefully crafted Due Process standards as well this Court's own canons of conduct that, with precision, describe the requirements that must be met. Moreover, the failure to fulfill those

specific obligations must result in remedial action, in this case rearguing the appeal before a panel that does not include Justice Hearn.

Justice Hearn Violated Her Duty to Disclose Relevant Information

As this is being written, Justice Hearn still has not disclosed any of her activities or the content of the views she expressed on this topic before the case arrived in the South Carolina Supreme Court. Yet as soon as the possibility arose that Justice Hearn might hear this case, she was required, unprompted, to disclose that information to counsel because the duty to disclose and the duty to recuse operate in tandem, as "[d]isclosure is a necessary prerequisite to a waiver of disqualification." Leslie W. Abramson, Appearance of Impropriety: Deciding When a Judge's Impartiality "Might Reasonably Be Questioned." 14 Geo. J .Legal Ethics 55, n.34 (2000). Disclosure is imperative if courts are to have a full record upon which to review a judge's impartiality. *See Hall v Small Bus Admin*, 695 F.2d 175, 178 (5th Cir. 1983) (explaining that disqualification "focuses on what is revealed to the parties and the public"). My understanding, however, is that the information presented by Respondents' counsel in support of this application is solely the result of the initiatives and investigation by counsel for Respondents.

The ethical rules place an affirmative duty on judges to disclose all information that might call into question their impartiality. *See* South Carolina Code of Judicial Conduct ("A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to a possible motion for disqualification, even if the judge believes there is no basis for disqualification."). Indeed, this duty to disclose is often viewed as more capacious than the duty to recuse. *See, e g, In re Frank*, 753 So. 2d 1228, 1239

(Fla. 2000). And the standard at least attempts to overcome the fact that the affected justice might not be the fairest judge of what should be disclosed by establishing an objective test for determining whether the judge's disclosure meets the standard.

The reasons for this affirmative obligation are manifest. First, a judge's duty to disclose relieves the parties of the burden of conducting probing investigations into a judge's personal life and private activities, investigations that could, at best, be damaging and, at worst, infusing the overall judicial process with suspicion. *See, e g , Listecki v. Official Comm. Of Unsecured Creditors*, 780 F.3d 731, 750 (7th Cir.), *cert dismissed*, 136 S. Ct. 581 (2015); *Porter v. Singletary,* 49 F.3d 1483, 1489 (11th Cir 1995) ("We conclude that both litigants and attorneys should be able to rely upon judges to comply with their own Canons of Ethics."), N. Gregory Smith, Louisiana Judicial Conduct 94-95 (2006) (quoting Jeffrey M. Shaman et al., Judicial Conduct and Ethics § 4.26 (3d ed. 2000) (footnotes omitted)("[I]t is the obligation of a judge to disclose all facts that might be grounds for disqualification. It is not the duty of the parties to search out disqualifying facts about judges.").

Second, if a judge fails to disclose on the record potentially disqualifying information litigants are denied the opportunity to bring a recusal motion at a time when duplicative proceedings can be avoided. *See e.g., Liljeberg v. Health Servs Acquisition Corp* , 486 U.S. 847, 867 (1988) ("[B]y this silence, [the judge] deprived respondent of a basis for making a timely motion for a new trial and also deprived it of an issue on direct appeal.").

Finally, a judge's failure to disclose potentially disqualifying information not only prevents litigants from making informed decisions regarding possible recusal, but also undermines the public's confidence in the judicial system at large. *See, e g , Potashnick*, 609

F.2d at 1111 ("Any question of a judge's impartiality threatens the purity of the judicial process and its institutions."). Instructively, courts have found a judge's failure to disclose in and of itself is suggestive of bias or an appearance of bias. *See, e.g., Liljeberg*, 486 U.S. at 867-69. Yet to this day, Justice Hearn has not disclosed any of her past activities or statements relating to the matter brought to the fore by this case.

The Impartiality Standard is Objective, So Any Claim of Subjective Impartiality is Inapposite

Justice Hearn might assert that, despite the foregoing, she could be and, in fact, was impartial, when she decided this case. But any claim of impartiality here has to be rejected on the merits, a result that is confirmed by her intense involvement in these matters long before the case arrived in the South Carolina Supreme Court, by her standard of review that allowed her to "find" facts based on her personal knowledge of disputed factual issues, and by the facts identified by the Respondents that Justice Hearn cited in her opinion, but that are not found in the record of the case.

Her views, however, are irrelevant to the recusal analysis for multiple reasons. The proper question is not what Justice Hearn thinks. In evaluating claims of unconstitutional judicial bias, the Supreme Court "asks not whether a judge harbors an actual, subjective bias, but instead whether, as an objective matter, 'the average judge in his position is likely to be neutral, or whether there is an unconstitutional potential for bias.'" *See Williams*, 136 S. Ct. 1899, 1905 (2016) (quoting *Caperton*, 556 U.S. at 881). Based on several prior decisions, *Caperton* mandated an objective standard to guarantee this right – "whether, 'under a realistic

appraisal of psychological tendencies and human weakness,' the interest 'poses such a risk of actual bias or prejudgment that the practice must be forbidden.'" Id. At 883-84 (quoting Withrow, 421 U.S. at 47). This high standard is necessary to maintain public confidence in the integrity of the judicial system. "A multimember court must not have its guarantee of neutrality undermined, for the appearance of bias demeans the reputation and integrity not just of one jurist, but of the larger institution of which he or she is a part...Both the appearance and reality of impartial justice are necessary to the public legitimacy of judicial pronouncements and thus to the rule of law itself." *Id.* at 1909. In light of Justice Hearn's prior activities, she is objectively biased and her position as one judge in a multimember panel undermines the credibility of the Court and the judicial system at large.

Second, the objective standard obviates the need to make unreliable subjective evaluations of bias. Very few, if any of us, can be objective about our own impartiality. Thus, an objective recusal standard is designed to protect "against a judge who simply misreads or misapprehends the real motives at work in deciding the case." *Caperton v Ka T Massey Coal Co.,* 556 U.S. 868 at 883 (2009). For, as the Supreme Court understands, a "judge's own inquiry into actual bias ... is not one that the law can easily superintend or review." *Id.*

We also know that once any lawyer or judge picks a side, it is extremely hard, if not impossible, to then become objective. This insight is supported by psychological research on cognitive biases like confirmation bias. After forming "a preconception or hypothesis about a given issue ...[people]tend to favor information that corresponds with their prior beliefs and disregard evidence pointing to the contrary." Eyal Peer & Eyal Gamliel, Heuristics and Biases in Judicial Decisions, 49 Ct. Rev. 114, 14-15 (2013) (evaluating confirmation bias among

judges). People who are rewarded for their success in persuading others of the correctness of a position become particularly committed to that position and will continue to justify their views. E.g., Philip E. Tetlock et al., Social and Cognitive Strategies for Coping with Accountability: Conformity, Complexity, and Bolstering, 57 J. Personality & Soc. Psychol. 632, 633 (1989),

Justice is not an outcome but a process. Judges must act in a manner that protects litigants' fundamental right to a fair trial and maintains public trust. For this reason, the United States Constitution and the South Carolina Code require an objective test to assess the appearance of impropriety. In this case, Respondents had a right to a court unburdened by any "possible temptation ... not to hold the balance nice, clear, and true between the State and the accused." *Tumey v Ohio*, 273 U.S. 510, 532 (1927).

Justice Hearn Generated Her Own Disqualification

It would not surprise me to learn that Justice Hearn's conduct would be characterized as activity in which she was entitled, even privileged, to participate under the Constitution. Respondents, in part, do not contest Justice Hearn's right to get involved in public issues of the day. She certainly was privileged to be one of the lay leaders who, along with her husband, advocated on behalf of the Episcopal churches that wanted to remain in the national church diocese. And I have reviewed an outsized quantity of documentation of the fact that, long before this litigation began, Justice Hearn had staked out an advocate's position attacking those Episcopal churches and both clergy and lay leaders who had chosen a different path.

But having exercised that right Justice Hearn gave up something very important. She could not sit on this case. The construct often used is that "no man can be a judge in his own case." *In re Murchison*, 349 U.S. 133, 136 (1955). That, of course, means that no man has the capability

of being neutral when his own interests are on the line. It is for this reason that participation by Justice Hearn as a judge in this proceeding was strictly prohibited. It was up to Justice Hearn to recuse herself. But the fact that she did not begin to recognize how compelled the recusal route was only provides further proof of the fact that Justice Hearn was predisposed to the views she was entitled to express, but that same predisposition guaranteed she should have been disqualified from participation here.

One should not permit the fact that this case involves an ecclesiastical overlay to confuse the analysis of the Judge's conflicts of interest. This dispute could just have easily been one among members of a condominium association or lawyers in a law firm or any similar dispute. The question is whether once the dispute reaches the courthouse can one of the members of the condominium association or one of the partners in the partnership act as judge for an adjudication of the issues relating to that dispute. For sure those "judges" would be free to participate in these activities advocating for whatever decision they wish the group to make. In any of these cases the member or partner is privileged to get as involved as he or she wishes, but that involvement precludes any involvement as a judicial officer adjudicating the dispute.

This Motion to Recuse is Timely

The Respondents filed a Motion to Recuse in this matter after the Supreme Court issued its opinion, including, of course, that of Justice Hearn who, in fact, cast the deciding vote in favor of Appellants. As a result, some may suggest that this request for this relief comes too late. But the actual impropriety that infects these proceedings -- caused by the active

participation by a biased judicial officer -- is far too serious to let the original adjudication stand.

First, assuring the integrity of the proceedings is far more important than simply stating that judicial economy should prevail. If these proceedings were flawed by Justice Hearn's participation then they remain just as flawed, even if the recognition of the failure to recuse arises later.

Second, it is clear that the burden of disclosure was solely on Justice Hearn who was obligated to disclose the facts, some, but not likely all, of which are now before the Court to the parties. She could not transfer that burden to the parties. Rather, it was Justice Hearn's obligation to come forward and describe to the parties her role in the very issues that are at stake in this proceeding as a member of one of the affected churches and, in fact, a lay leader of that parish church.

Third, to reward Justice Hearn's side of the controversy with the benefit of Justice Hearn's vote would be a serious miscarriage of justice. To strike Justice Hearn's opinion would certainly be a fair resolution. To give this Court an opportunity to revisit the important questions raised, absent the participation of Justice Hearn, would also guarantee that justice was served. Without one or the other fundamental due process has been denied Respondents.

Conclusion

This is not a close case. Indeed, it is rare to find a situation in which a judge participates as an impartial judicial officer in a matter in which the judge was previously involved as a lay person. The only way to rectify this unfortunate situation is to fashion a remedy that does not include Justice Hearn's prior opinion or her further participation in this matter.

FURTHER AFFIANT SAYETH NOT.

Lawrence J. Fox

State of Connecticut :
SS
County of New Haven

Before me, the undersigned notary public, this day personally appeared Lawrence J. Fox **to me known, who being duly sworn according to law, deposes the following:**

_____ **(Signature of Affiant)**

Subscribed and sworn to before me this 30 **day of August, 2017.**

Notary Public

My Commission Expires: BETH BARNES
NOTARY PUBLIC
MY COMMISSION EXPIRES OCT. 31, 2021

EXHIBIT 31

(Affidavit of Nathan M. Crystal)

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
Appellate Case No. 2015-000622

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.

Expert Affidavitsp of Nathan M. Crystal in Support of
Plaintiffs'/Respondents' Motion to Disqualify Justice Kaye G. Hearn

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Personally appeared before me, Nathan M. Crystal, who being duly sworn, deposes and says:

My qualifications to give expert testimony include the following: I am Class of 1969 Professor of Professional Responsibility and Contract Law Emeritus at the University of South Carolina School of Law and Adjunct Professor of Professional Responsibility at NYU School of Law. I have taught professional responsibility and related subjects for almost 40 years. I am the author or coauthor of three books on Professional Responsibility and Legal Ethics, along with numerous articles in this field. One of my books is THE ANNOTATED SOUTH CAROLINA RULES

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OF PROFESSIONAL CONDUCT (2016 ed.) (with Dean Robert Wilcox), a comprehensive treatment of professional ethics in this state. I write a bimonthly column on legal ethics for the *South Carolina Lawyer* entitled "Ethics Watch." I was a member of the South Carolina Bar's Ethics Advisory Committee for more than 15 years and have authored a number of opinions that were adopted by the Committee on issues of legal ethics. I was appointed by the President of the South Carolina Bar as chair of the committee from 2002-2003. I also represented the South Carolina Bar in its petition to the Supreme Court in 1990 to adopt the South Carolina Rules of Professional Conduct. I have delivered more than 100 speeches, presentations, and continuing legal education programs to law firms, bar organizations, and other groups, both in South Carolina and nationally. I serve as a member of the New York City Bar Ethics Advisory Committee. I have appeared as an expert witness by way of testimony, deposition, or affidavit in more than 100 cases involving questions of professional responsibility and legal ethics, including cases involving judicial disqualification. I have served as an ethics consultant to and expert witness for lawyers and law firms in South Carolina and nationally for more than 40 years. I am one of the founding members of Crystal & Giannoni-Crystal, LLC, a law firm with offices in Charleston, New York City, Washington, DC, and Savannah. In 2014 I was recognized by the *South Carolina Lawyers Weekly* for one of its "Leadership in Law" awards. I have been selected by my peers for inclusion in *The Best Lawyers in America*© 2015, 2016, 2017 in the fields of Ethics and Professional Responsibility Law. My complete resume is available at www.cgcfirm.com. Information about my scholarship is available at www.nathancrystal.com.

SUMMARY OF OPINION

In this affidavit I offer three opinions:

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I. Justice Kaye G. Hearn is disqualified from participation in this case under the South Carolina Code of Judicial Conduct. In particular, Justice Hearn is deciding a case in which her impartiality might reasonably be questioned, in which she and her husband have personal bias or prejudice based on substantial personal interests in the case, and in which she has personal knowledge of disputed factual matters.

II. Justice Hearn's participation in this case violates the Due Process rights of the Plaintiffs under the United States Constitution.

III. Plaintiffs have not waived their right to seek Justice Hearn's disqualification by failing to raise the issue until now because (A) Justice Hearn failed to follow the procedure for Remittal (Waiver) of Disqualification required by the Code of Judicial Conduct and (B) under decisions of the United States Supreme Court, Justice Hearn's participation is a structural error.

I conclude that Justice Hearn should immediately recuse herself from further participation in this case so that the Court, without her participation, can decide how to proceed consistent with Due Process.

FACTUAL BASIS OF OPINION

Justice Kaye G. Hearn and her husband, George M. Hearn, Jr., were members of St. Paul's Episcopal Church of Conway ("St. Paul's") from 1982 until 2014 when they left St. Paul's (Hearn depo. at 15). In late 2012 they began worshiping with the St. Anne's group, which became the St. Anne's Episcopal Church in 2013. (Hearn depo. at 17-18). Justice Hearn's former church, St. Paul's, is one of the plaintiffs in this case. St. Anne's is a member of the Protestant Episcopal Church in the United States of America ("TEC") (Hearn depo. at 20) and the Episcopal Church in South Carolina (Hearn depo. at 30), both of which are defendants in this case. I am informed by plaintiffs' counsel that if the defendants prevail in this case in

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accordance with the concurring opinion of Justice Hearn, it is highly likely that St. Anne's, Justice Hearn's current church, would receive from TEC either title or the right to use the church property formerly owned by St. Paul's, Justice Hearn's former church. Thus, Justice Hearn is ruling in a property dispute between her former and current churches deciding which church will have the property on which the congregants worship and carry on other church-related activities.

Justice Hearn's husband, George, was on the steering committee that organized St. Anne's (Hearn depo. at 25, 32), and he serves on the mission committee of St. Anne's, which is its governing board. (Hearn depo. 18-19). He previously served in leadership roles at St. Paul's. (Hearn depo. at 18).

When the schism between the plaintiff diocese with its associated churches and TEC occurred in 2012-2013, Justice Hearn was publicly associated with a group in opposition to disaffiliation and she publicly opposed various actions taken by St. Paul's rector, with whom she disagreed. Affidavit of Julian "Tripp" Jeffords, Rector at St. Paul's, dated August 17, 2017. She contributed her views to the organizers who wished to remain with TEC. See email from Walker Humphrey, Justice Hearn's former law clerk and an attorney of record for TECSC, to William Tate dated October 27, 2012, in which he states: "Justice Hearn forwarded me an e-mail with some scary anecdotes about those who follow the National Church essentially being labeled as out-casts from their parishes." (D010770).

George Hearn was a delegate to Defendant TECSC's two conventions in January and March (after the lawsuit began) where he voted on resolutions that were in issue in this litigation. At those conventions, George Hearn voted as a delegate for St. Paul's Conway, a plaintiff in the present lawsuit, even though he no longer attended St. Paul's and was on the mission committee for St. Anne's. See Depo. of George Hearn at p. 25-26, 28, 43-49.

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The Episcopal Forum ("Forum") is a group of people in South Carolina who advocate for stronger ties with The Episcopal Church, take positions on the governance structure of TEC, and uphold the Constitution and Canons of TEC. (See Forum Newsletter.) The Forum has been opposed to Bishop Lawrence and his leadership regularly since 2007. (See Forum letter dated September 14, 2007.) The Forum took public positions on the structure of TEC, the authority of bishops, and the disassociation of dioceses from TEC as early as 2007. (See newsletter dated September 17, 2007; see also Memorandum of August 24, 2010, which was sent to the Executive Council of TEC, the House of Bishops, and to the general membership of the Forum.) Today, the Forum continues to have the mission to support TEC and TECSC, both parties to the case. (See mission statement on the website of the Forum June 25, 2017). The Forum had reserved seating at TECSC's March 2013 Convention. (See the Affidavit of Karen Kusko.)

Justice Hearn was a member of the Forum for at least ten years and allowed her name to be included on published membership lists. (See, e.g., membership lists dated March 15, 2007, March 16, 2010, April 7, 2014, and April 21, 2017.) She was still a member when the Forum last published its list of members in the summer of 2017. As a member, Justice Hearn is publicly associated with the primary positions and purposes of the Forum.

In her concurring opinion in this case Justice Hearn agreed with the lead opinion of Justice Pleicones that the case was equitable rather than legal, allowing the Court to take its own view of the facts. (Opinion at 4, n.1) Based on her personal experience Justice Hearn has knowledge of disputed evidentiary facts. In particular, in her opinion she concludes that this case was actually a religious dispute masquerading as a property dispute. (Opinion at 22-25). This factual conclusion leads inevitably to a decision favorable to the defendants. The opinion also refers to factual matters not found in the record, including that

- it was "clear from the record that doctrinal issues concerning . . . the role of women were the trigger" for the disassociation. (See Opinion p. 37); and
- Bishop Lawrence had joined an effort to lead his prior diocese, San Joaquin, out of TEC. See fn. 23.

I am informed that the record on appeal and trial transcript are devoid of such information. In fact, the published opinions on the San Joaquin case never mention Bishop Lawrence at all. In his deposition, which was not part of the record, Lawrence testified that he left San Joaquin before taking any position on their disassociation. (Lawrence depo. at 177-79, 183-84).

Justice Hearn's opinion also went outside the record with regard to the status of parishes in TEC. Even though TEC admitted that parishes are not members of TEC[1], Justice Hearn made the opposite conclusion. (See footnote 14 of her opinion).

The propriety of Justice Hearn's sitting on this case has been the subject of public commentary and criticism in both newspaper articles and blogs. See Jennifer Berry Hawes, *Questions Arise Over Justice's Impartiality in Episcopal Suit*, Post & Courier, September 27, 2015; Anglican Curmudgeon, *Massive Conflict of Interest Taints South Carolina Ruling*, August 3, 2017, http://accurmudgeon.blogspot.com/2017/08/massive-conflict-of-interest-taints.html; FITNews, *Conflicted Judge Advocates in SC Religious Freedom Case,* September 28, 2015, https://www.fitsnews.com/2015/09/28/huge-conflict-in-sc-religious-freedom-case/. Moreover, Justice Hearn's perceived favoritism to the defendants' position has been publicly disseminated in Episcopalschismsc.blogspot.com where her position was described as follows"

"The Episcopal Church could not have had a better champion," blog of December 29, 2015;

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[1] See TEC's response to Church of Our Savior, et al. Request for Admission No. 2..

"obviously resolved to defend the Church's claims," post of October 2, 2015;

"intrepid advocate, doing, in my opinion, a better job of it than the lawyer," post of September 28, 2015.

OPINION

I. Justice Kaye G. Hearn is disqualified from participation in this case under the South Carolina Code of Judicial Conduct.

Canon 3(E) of the South Carolina Code of Judicial Conduct (SCACR 501) provides as follows:

E. Disqualification.

(1) A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to instances where:

> **(a) the judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge*[2] of disputed evidentiary facts concerning the proceeding;**
>
> **(b) the judge served as a lawyer in the matter in controversy, or a lawyer with whom the judge previously practiced law served during such association as a lawyer concerning the matter, or the judge has been a material witness concerning it;**
>
> **(c) the judge knows* that he or she, individually or as a fiduciary, or the judge's spouse, parent or child wherever residing, or any other member of the judge's family residing in the judge's household,* has an economic interest* in the subject matter in controversy or in a party to the proceeding or has any other more than de minimis* interest that could be substantially affected by the proceeding;**
>
> **(d) the judge or the judge's spouse, or a person within the third degree of relationship* to either of them, or the spouse of such a person:**
>
> > **(i) is a party to the proceeding, or an officer, director or trustee of a party;**
> >
> > **(ii) is acting as a lawyer in the proceeding;**
> >
> > **(iii) is known* by the judge to have a more than de minimis* interest that could be substantially affected by the proceeding;**

[2] * indicates term defined in the Code of Judicial Conduct.

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(iv) is to the judge's knowledge* likely to be a material witness in the proceeding.

(2) A judge shall keep informed about the judge's personal and fiduciary* economic interests,* and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse and minor children residing in the judge's household.

F. Remittal of Disqualification. A judge disqualified by the terms of Section 3E may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, out of the presence of the judge, whether to waive disqualification. If following disclosure of any basis for disqualification other than personal bias or prejudice concerning a party, the parties and lawyers, without participation by the judge, all agree that the judge should not be disqualified, and the judge is then willing to participate, the judge may participate in the proceeding. The agreement shall be incorporated in the record of the proceeding. (emphasis added).

In my opinion, Justice Hearn violated multiple provisions of Canon 3, reflected in the underlined language. In expressing these opinions I rely on objective facts and appearances without reaching any conclusions about Justice Hearn's motivation. Nonetheless, the integrity of the judicial process and due process rights discussed more fully below are fundamental principles, and I hold these opinions to a reasonable degree of professional certainty.

(A) ***Justice Hearn's impartiality is reasonably subject to question.*** Justice Hearn has participated in and decided a case involving religious and property interests of her former and current churches. She participated personally in the events leading up to the litigation. Her participation in this case has been publicly discussed and criticized in newspapers and blogs. She has been publicly associated with the position of the defendants through her membership in the Episcopal Forum for more than 10 years. It seems to me self-evident that this is a case in which reasonable people would have doubts about her impartiality.

(B) ***Justice Hearn has a personal bias in favor of defendants***. Based on the factual background set forth above, Justice Hearn's and her husband's personal and religious interests

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rest with the defendants. Her questioning at oral argument was adversarial on behalf of the defendants. She has authored a strong opinion finding for the defendants.

(C) ***Justice Hearn has personal knowledge of disputed evidentiary facts.*** A basic question in this litigation was whether the dispute was fundamentally over religious doctrine or over property right rights. Justice Hearn had personal knowledge of the religious background leading to this dispute, and not surprisingly found that it was essentially a dispute over religious doctrine, a finding that was favorable to the defendants and to her and her husband's personal and religious interests.

(D) ***Justice Hearn and her husband have an economic interest in the subject matter in controversy.*** While the case involves 36 parishes, one of those parishes is the one where Justice Hearn and her husband worship. They formerly worshiped at St. Paul's but left and joined St. Anne's after St. Paul's broke away from the national Episcopal Church (TEC). Her opinion in this case would likely have resulted in her new church, St. Anne's, obtaining the church property formerly owned by St. Paul's.[3] She and her husband have an economic interest in this result because without the church property St. Anne's and its members will need to make arrangements for a permanent home, which will almost certainly require contributions from St. Anne's members. This relationship amounts to an economic interest under the Code of Judicial Conduct, which states:

> "Economic interest" denotes ownership of a more than de minimis legal or equitable interest, or a relationship as officer, director, advisor or other active participant in the affairs of a party, except that: . . . (emphasis added)

[3] That will not occur under the Court's decision as it now stands prior to rehearing because St. Paul's is one of the 8 parishes that are allowed to keep their property because they did not agree to the Dennis Canon.

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(E) ***Justice Hearn and her husband have more than a "de minimis" interest in this case that would be substantially affected by the proceeding.*** The Code defines this interest as follows:

> "De minimis" denotes an insignificant interest that could not raise reasonable question as to a judge's impartiality.

Given the significance of this case from both a religious and personal perspective, the involvement of Justice Hearn and her husband in central aspects of the dispute, the public commentary about her involvement, the central role her decision plays in the outcome of the case, in my opinion it is impossible to conclude that she has an "insignificant interest" in the case.

(F) ***Justice Hearn failed to attempt to comply with the remittal provisions of Canon 3(F).*** Canon 3(F) provides a procedure where a judge who believes that his or her impartiality might reasonably be questioned may nonetheless hear the case. This provision is inapplicable to this case because it only applies when the judge's disqualification is not based on personal bias or prejudice concerning a party. As discussed above, in my opinion Justice Hearn does have personal bias or prejudice in favor of the defendants and against the plaintiffs. Therefore, in my opinion disqualification in this case is not subject to remittal (waiver). However, even of the section applies, Justice Hearn failed to comply with its specific requirements. The section requires her to disclose on the record the basis for her disqualification and to ask the parties, outside of her presence, to discuss with each other whether they are willing to waive the disqualification. If the parties, outside of the judge's presence are willing to waive the disqualification and the judge is willing to participate, the judge may do so with the agreement being included in the record of the proceedings.

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Justice Hearn violated the most fundamental aspect of this rule, by failing to disclose on the record the basis for her disqualification. In addition, she failed to give the parties the opportunity to discuss and decide whether to agree to allow her to hear the case. As more fully discussed in the next section, her multiple failures to recuse herself have resulted in a due process violation.

I understand that plaintiffs contend that Justice Hearn was a "party" to this case in violation of Canon 3(E)(1)(d)(iii). This argument turns on application of the law of unincorporated associations, which provides that members of such associations are responsible for any judgment against the association. See, e.g., *Patterson v Witter,* 418 S.C. 66, 791 S.E.2d 294 (Ct. App. 2016) (citing authorities including Code section 15-35-170). I do not express an opinion on this claim because it involves questions of law. However, I note that the possibility that Justice Hearn and her husband could be exposed to financial liability in the case is another reason supporting disqualification.

II. Justice Hearn's participation in this case violates the Due Process rights of the Plaintiffs under the United States Constitution.

The Fifth Amendment to the United States Constitution as applied to the states through the Fourteenth Amendment provides that no person shall "be deprived of life, liberty, or property, without due process of law." The United States Supreme Court has decided a number of cases involving the question of when a judge's participation in a case while the judge has a conflict of interest violates Due Process.

In *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), the Supreme Court established modern standards for when due process requires judicial disqualification. In *Caperton* a West Virginia jury had awarded the plaintiffs $50 million in damages for fraud and tortious interference with contractual relationships. After the verdict but before the appeal, West

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Virginia held its 2004 elections. Massey Coal Co.'s chairman and principal officer contributed $3 million to the challenger for one of the seats on the state supreme court. This contribution exceeded the total amount spent by all the candidate's other supporters and by his campaign committee. The challenger won a close election. Caperton moved to disqualify the new justice supported by Massey from hearing the case on appeal, but the justice denied the motion. Subsequently, the West Virginia Supreme Court reversed the award against Massey.

The U.S. Supreme Court held that based on the facts and circumstances of the case, due process required the newly elected justice's disqualification. The Court held that recusal is required when "the probability of actual bias on the part of the judge or decision maker is too high to be constitutionally tolerable." Id. at 872. It is unnecessary to show actual bias and the judge's own determination that no bias exists is not determinative:

> The difficulties of inquiring into actual bias, and the fact that the inquiry is often a private one, simply underscore the need for objective rules. Otherwise there may be no adequate protection against a judge who simply misreads or misapprehends the real motives at work in deciding the case. The judge's own inquiry into actual bias, then, is not one that the law can easily superintend or review, though actual bias, if disclosed, no doubt would be grounds for appropriate relief. In lieu of exclusive reliance on that personal inquiry, or on appellate review of the judge's determination respecting actual bias, the Due Process Clause has been implemented by objective standards that do not require proof of actual bias. Id. at 883.

In *Williams v. Pennsylvania*, 136 S. Ct. 1899 (2016), the Supreme Court applied the principles set forth in *Caperton*. In *Williams*, the defendant had been convicted of murder. The state's decision to seek the death penalty was approved by the district attorney for Philadelphia, Ronald Castille. Over a 26-year period, Williams's conviction was upheld on direct appeal, state post-conviction relief, and federal habeas corpus proceedings. In 2012 Williams filed an additional claim for state post-conviction relief based on newly discovered evidence; the trial court ordered a stay of execution and a new sentencing hearing. The state filed an emergency

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appeal to the state supreme court seeking to vacate the trial court's stay of execution. By this time, Mr. Castille had been elected to the state supreme court and was serving as chief justice. Williams filed a motion for Justice Castille to either recuse himself or refer the recusal issue to the full court. Chief Justice Castille denied these motions. The full state supreme court heard the case and vacated the trial court's decision to stay the execution by unanimous vote with Chief Justice Castille writing a concurring opinion.

The US Supreme Court granted certiorari and by 5-3 vote vacated the decision of the Pennsylvania Supreme Court and remanded for further proceedings. The Court held that there was no specific test of when a judge must recuse himself from a case because of prior involvement as a prosecutor. However, the Court went on to hold that "under the Due Process Clause there is an impermissible risk of actual bias when a judge earlier had significant, personal involvement as a prosecutor in a critical decision regarding the defendant's case." Id. at 1905. The Court reasoned that there was a risk that a justice who was involved in a significant decision as a prosecutor would, consciously or unconsciously, seek to avoid the appearance of having erred or changed positions. Further, the justice would be more likely to give weight to his personal knowledge than the arguments of the lawyers in the case. Id. at 1906. The Court concluded that these principles were applicable even though multiple prosecutors were involved in the case and despite the long passage of time. Id. at 1907.

The Court went on to hold that Justice Castille's approval of the trial prosecutor's request to seek the death penalty was a significant personal involvement. Id. at 1907-1908. The Court also ruled that Justice Castille's participation was a structural error that precluded application of the harmless error doctrine because the decision of the Pennsylvania Supreme Court was a collective ruling in which there was a substantial risk that Justice Castille's participation would

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affect the result. Id. at 1909-1910.[4]

These cases establish several principles applicable to the current case:

- First, an objective standard determines if a due process violation occurs when a justice with a conflict of interest participates in a decision. The fact that the justice may personally believe and conclude that the justice can fairly decide the case is not determinative. *Caperton* at 883.
- Second, the applicable standard is whether based on the circumstances of the case "the probability of actual bias on the part of the judge . . . is too high to be constitutionally tolerable." *Caperton* at 872.
- Third, both decisions and especially *Caperton* make clear that actual bias and an actual effect of that bias on the decision in the case are not requirements for disqualification. *Caperton* at 883, *Williams* at 1909-1910.
- Fourth, a justice's significant personal involvement in prior aspects of a matter is sufficient to require disqualification because a significant risk exists that the justice will, consciously or unconsciously, be influenced by the justice's prior involvement and is more likely to give weight to his or her personal knowledge rather than the arguments of the lawyers. *Williams* at 1905.
- Fifth, a justice's participation in a decision when the risk of bias was high is a structural error that precludes harmless error analysis because the decision of an appellate court is a collective decision and the disqualified justice's participation creates a substantial risk

[4] In the opinion the Court noted that the due process clause set the "outer boundaries" of disqualification. Most states have more stringent ethical rules. The Court cited the ABA Model Code of Judicial Conduct to that effect. Id. at 1908.

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that the justice's participation affected the result. Id. at 1909-1910.

Based on these principles, in my opinion Justice Hearn's participation in the Episcopal Church litigation violates the due process rights of the respondents. As set forth in the Factual Basis of this opinion, Justice Hearn and her husband have had substantial personal involvement in the situation that resulted in the litigation before her. Her personal and religious interests are aligned with the defendants, and she has taken public positions on behalf of the defendants. Because of this substantial involvement the probability that she has an actual bias in the case is very high. This is enough according to *Caperton.* It is unnecessary and impossible to inquire into whether Justice Hearn did in fact have "actual bias".[5] However, her questioning at oral argument and her fervent opinion provide evidence of not only the risk of bias, but bias in fact. Moreover, several bloggers who undoubtedly influenced the thinking of many others strongly expressed the view that Justice Hearn was biased on in favor of the defendants.

In addition, when compared to the facts of *Williams v Pennsylvania,* in my view, this is a much stronger case for Justice Hearn's disqualification. In *Williams*, Justice Castille's involvement in the case as a prosecutor was minimal compared to Justice Hearn's involvement in the Episcopal dispute. Justice Castille signed off on his assistant's request to seek the death penalty, but he had no further involvement in the case. Here, Justice Hearn and her husband were personally involved with the entire schism and were still involved at the inception of this litigation; their interest and involvement as members of the St. Anne's Church continues even now. In addition, Justice Castille was not the deciding vote in *Williams*; in fact the Pennsylvania

[5] Justice Hearn might have felt, in good faith, that she did not have a bias in favor of the national church. Her feeling of being unbiased, however, is not the standard according to the U.S. Supreme Court. "The difficulties of inquiring into actual bias, and the fact that the inquiry is often a private one, simply underscore the need for objective rules." *Caperton* at 883.

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Supreme Court's decision was unanimous. In this case, Justice Hearn's vote is the deciding vote on whether the plaintiffs or defendants prevail. Under these circumstances, the probability of actual bias – and the consequence thereof - are "too high to be constitutionally tolerable."

III. Plaintiffs have not waived their right to seek Justice Hearn's disqualification by failing to raise the issue until their motion for rehearing.

I anticipate that the defendants will contend that plaintiffs have waived their right to claim that Justice Hearn should be disqualified because they have known about her conflict of interest for years but have failed to make a disqualification motion. In my opinion plaintiffs are not precluded from moving to disqualify Justice Hearn for several reasons.

First, Justice Hearn failed to follow the procedure for Remittal (Waiver) of Disqualification required by the Code of Judicial Conduct. Canon 3(F) of the Code, quoted above, establishes a procedure for Waiver of Disqualification, referred to in the Code as "Remittal." Under this procedure initiation of the waiver process begins with the judge or justice, not the parties. The judge/justice places on the record the basis of the justice's disqualification and asks the parties and their lawyers to consider outside the presence of the justice, whether to waive disqualification.

The drafters of the Code of Judicial Conduct made a sound decision in placing the responsibility for initiation of the waiver process on the judge or justice. In many cases the judge or justice may be aware of circumstances raising an issue of disqualification that are unknown to the parties. Even when some of the circumstances are known, the parties and their lawyers may not have complete information about the basis for disqualification or the effect that the circumstances may have on the judge. In addition, if the circumstances create reasonable doubt about the propriety of a judge's participation, as is the case here, it is unfair to place the burden on the parties to initiate the process of either waiver or disqualification. When a party thinks that

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a judge or justice may not be able to decide the case fairly, the party may still be reluctant to raise the issue or to file a disqualification motion. If the judge or justice continues in the case, either consciously or subconsciously, he or she may be less receptive to that party's arguments.

Justice Hearn's failure to follow the procedures for remittal of disqualification are significant in at least two respects. First, the Supreme Court has held that a motion to disqualify could be untimely when a long delay occurs between the time the judge discloses the circumstances giving rise to disqualification and the filing of the motion. See *Davis v. Parkview Apts.*, 409 S.C. 266, 289, 762 S.E.2d 535, 547 (2014) (finding disqualification motion untimely when filed two years after judge's disclosure of relationships). In this case, unlike *Davis,* Justice Hearn failed to make a full disclosure of her relationships with the defendants and her interest in the case. Second, in *Davis* the Court denied the motion to disqualify because the bases of the motion were social relationships; in this case as set forth in Part I, the grounds for Justice Hearn's recusal go far beyond social relationships.

In summary, the argument that plaintiffs have waived their right to move for disqualification or that the motion is untimely is inconsistent with the procedure for remittal of disqualification found in Canon 3(F) of the Code of Judicial Conduct, which places the responsibility on the judge or justice to raise the issue on the record. The waiver/untimeliness argument unfairly attempts to shift the responsibility of raising an issue of disqualification from the judge or justice to a party which has doubts about the judge or justice's ability to decide the case impartially.

Second, as discussed in Part II, Justice Hearn's participation in this case violates the defendants' rights to due process because of the high probability that her decision in the case was affected by bias. *Williams v. Pennsylvania* holds that such participation is a structural error not

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subject to harmless error review. 136 S. Ct. 1899, 1909-1910. Structural errors go to the essential fairness of the procedure; when such an error occurs, the result is so profoundly unfair that it cannot stand.

In *Fowler v. Butts,* 829 F.3d 788 (7th Cir. 2016), the Seventh Circuit addressed the question of whether the failure to make a motion to disqualify a federal judge amounts to a waiver of the right to later raise the issue of disqualification. The court's answer was "No" for two reasons. First, waiver of a judge's disqualification is a personal right of the litigant that can be raised at any time. Second, the federal disqualification statute, 28 U.S.C. §455, like the South Carolina Code of Judicial Conduct, places the responsibility of raising the issue of disqualification on the judge or justice:

> Section 455(e) clears up any doubt on that score. It says that a judge may accept a waiver of disqualification under subsection (a), but only if "it is preceded by a full disclosure on the record of the basis for disqualification." The statute does not permit an otherwise-disqualified judge to serve just because the litigant fails to make the appropriate motion. Instead the judge must take the initiative and make a "full disclosure on the record"—and even then only a waiver by the litigant allows the judge to continue in an adjudicatory capacity. If a litigant's silence after a judge's disclosure does not remit the disqualification imposed by §455(a), a litigant's silence without full disclosure cannot do so. (The fact that remittal of disqualification under §455(a) is possible, but only with a litigant's waiver, also reinforces the conclusion stated earlier that §455(a) creates personal rights, which implies that they can be vindicated on appeal.)
>
> The Supreme Court has allowed litigants to seek disqualification despite the absence of a protest in the court where the disqualified judge sat. See Nguyen v. United States, 539 U.S. 69 (2003). Both *Nguyen* and the recent Williams v. Pennsylvania, 136 S. Ct. 1899 (2016), treat the participation of a disqualified judge as a form of structural error, which may be noticed at any time. In both *Nguyen* and *Williams* the disqualified judge participated in an appellate court that decided the case unanimously. The Supreme Court reversed both judgments even though both cases likely would have come out the same way with a different complement of judges. Id. at 794. (emphasis added)

South Carolina precedent is consistent with *Fowler.* In *In re Underwood*, 417 S.C. 433, 790 S.E.2d 761 (2016), the Court administered a sanction of a public reprimand to a magistrate who

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heard cases after making a disclosure on the record of grounds for disqualification because she felt that she could ethically proceed with hearing cases when no party had objected to the judge's participation. The judge was guilty of misconduct because Canon 3(F) requires the parties to meet and agree to the judge's participation after the judge makes full disclosure on the record of the disqualifying circumstances. Party acquiescence in the judge's participation is not sufficient.

I note two other points about the waiver/timeliness argument:

- Under Canon 3(F) of the South Carolina Code of Judicial Conduct the waiver provisions do not apply when the ground for disqualification is based on personal bias or prejudice, as is the case here. When this situation is the basis of disqualification, the participation of the judge or justice would be so fundamentally unfair that it is not subject to waiver.
- Cases in which waiver arguments are made typically involve failure to raise the issue before the lower court. In other words, they are "failure to preserve" cases. This case is not a failure to preserve case because it is still pending before the Supreme Court where Justice Hearn sits. Her disqualification can be remedied by her recusal and decision by the Court either with or without the appointment of a replacement Justice.

CONCLUSION

In my opinion Justice Hearn is disqualified from participation in the Episcopal litigation case both under the South Carolina Code of Judicial Conduct and the Due Process clause of the United States Constitution. She should immediately recuse herself so that the Court without her participation can take whatever action it considers appropriate consistent with Due Process.

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Further the affiant sayeth not.

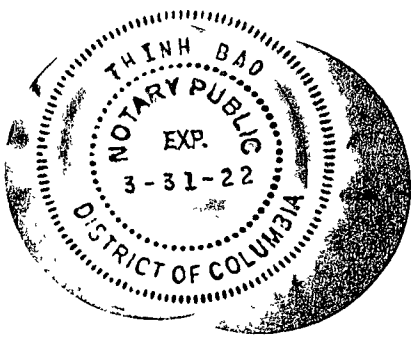
Nathan M. Crystal

Nathan M. Crystal

Washington, DC
August 29, 2017

District of Columbia: SS
Subscribed and Sworn to me, in my presence
this 29 day of Aug, 2017, by
Nathan M Crystal
Notary Public, D.C.
My Commission Expires 03/31/2022

NOTARIZATION



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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas
Diane Schafer Goodstein, Circuit Court Judge

Appellate Case No. 2015-000622

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; All Saints Protestant Episcopal Church, Inc.; Christ St. Paul's Episcopal Church; Christ the King, Waccamaw; Church of The Cross, Inc. and Church of the Cross Declaration of Trust; Church of The Holy Comforter; Church of the Redeemer; Holy Trinity Episcopal Church; Saint Luke's Church, Hilton Head; St. Matthews Church; St. Andrews Church-Mt. Pleasant Land Trust; St. Bartholomews Episcopal Church; St. David's Church; St. James' Church, James Island, S.C.; St. John's Episcopal Church of Florence, S.C.; St. Matthias Episcopal Church, Inc.; St. Paul's Episcopal Church of Bennettsville, Inc.; St. Paul's Episcopal Church of Conway; The Church of St. Luke and St. Paul, Radcliffeboro; The Church of Our Saviour of the Diocese of South Carolina; The Church of the Epiphany (Episcopal); The Church of the Good Shepherd, Charleston, SC; The Church of The Holy Cross; The Church of The Resurrection, Surfside; The Protestant Episcopal Church of The Parish of Saint Philip, in Charleston, in the State of 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 St. Jude's Church of Walterboro; The Vestry and Church Wardens of The Episcopal Church of The Parish of Prince George Winyah; The Vestry and Church Wardens of The Church of The Parish of St. Helena and The Parish Church of St. Helena Trust; The Vestry and Church Wardens of The Parish of St. Matthew; The Vestry and Wardens of St. Paul's Church, Summerville; Trinity

Church of Myrtle Beach; Trinity Episcopal Church; Trinity Episcopal Church, Pinopolis; Vestry and Church Wardens of the Episcopal Church of The Parish of Christ Church; Vestry and Church Wardens of The Episcopal Church of the Parish of St. John's, Charleston County, The Vestries and Churchwardens of The Parish of St. Andrews,,..... 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.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Respondents, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by U.S. mail to the following address(es):

Pleadings: **Motion to Recuse The Honorable Justice Kaye G. Hearn from Participation in the Rehearing Petition; Motion for Vacatur of Opinion of Justice Hearn and, Failing That, Motion by Non-Prevailing Parishes and the Diocese to Vacate All Opinions in this Matter; and Motion for Consideration of this Motion by the Full Court and for Other Relief**

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