

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

The Right Reverend Charles G. vonRosenberg)
 et al.,)
)
 Plaintiffs,)
)
 The Episcopal Church,)
)
 Plaintiff-in-Intervention,)
)
 v.)
)
 The Right Reverend Mark J. Lawrence et al.,)
)
 Defendants.)
 _____)

Case No. 2:13-cv-00587-RMG

**MOTION OF THE EPISCOPAL
CHURCH TO AMEND ITS
AMENDED COMPLAINT-IN-
INTERVENTION TO JOIN
PARTIES AND CLAIMS**

Pursuant to Rules 15, 18, 19, and 20 of the Federal Rules of Civil Procedure, Plaintiff-in-Intervention The Episcopal Church (the “Church”) respectfully moves the Court for leave to amend its Amended Complaint-in-Intervention to join parties and claims, as follows:

1. The Church seeks to join as parties to the present action, alleging trademark infringement and dilution of the Church’s registered marks:
 - a. the religious organization under the direction and control of defendant Bishop Lawrence and holding itself out as an “Episcopal” “Diocese” (the “Lawrence Diocese”);
 - b. the Trustees of The Protestant Episcopal Church in the Diocese of South Carolina; and
 - c. the following parishes that are affiliated with the Lawrence Diocese, and which are South Carolina non-profit corporations:

All Saints Protestant Episcopal Church, Inc.;

Christ St. Paul’s Episcopal Church;

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. Bartholomew's Episcopal Church;
St. David's Church;
St. James' Church, James Island, S.C.;
St. Paul's Episcopal Church of Bennettsville, Inc.;
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 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;
Christ the King, Waccamaw;
St. Matthews Church;
St. Andrews Church-Mt. Pleasant Land Trust;
St. John's Episcopal Church of Florence, S.C.;
St. Matthias Episcopal Church, Inc.;
St. Paul's Episcopal Church of Conway;
The Vestry and Church Wardens of The Episcopal Church of The Parish of
Prince George Winyah;
The Vestries and Churchwardens of The Parish of St. Andrews;
Holy Apostles, Barnwell;
St. James Anglican, Blackville;
Berkeley County Strawberry Chapel;
St. Alban's Chapel, The Citadel;
St. Andrew's Mission;
St. John's Episcopal, Charleston;

St. Barnabas, Dillon;
Christ Church, Florence;
St. James, Goose Creek;
Holy Trinity, Grahamville;
Ascension, Hagood;
Church of the Advent, Marion;
The Well by the Sea, Myrtle Beach;
Church of the Resurrection, Myrtle Beach;
Grace Parish, North Myrtle Beach;
St. Paul's, Orangeburg;
St. Timothy's, Cane Bay; and
Atonement, Walterboro.

2. The Church seeks to join to the present action claims under South Carolina law governing trustees against the following twenty-eight of the Lawrence Parishes seeking replacement of trustees for breach of fiduciary duty:

All Saints Protestant Episcopal Church, Inc.;
Christ St. Paul's Episcopal Church;
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. Bartholomew's Episcopal Church;
St. David's Church;
St. James' Church, James Island, S.C.;
St. Paul's Episcopal Church of Bennettsville, Inc.;
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 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; and
Vestry and Church Wardens of The Episcopal Church of the Parish of St. John's,
Charleston County.

The Church offers its arguments in support of this motion in an accompanying
memorandum filed on this same date.

Respectfully submitted,

GIBBS & HOLMES

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March 1, 2018

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