

**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.)

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

The Right Reverend Mark J. Lawrence;)
The corporation currently calling itself)
“The Protestant Episcopal Church in the)
Diocese of South Carolina”; The Trustees of the)
Protestant Episcopal Church in South Carolina;)
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)

**[PROPOSED] SECOND
AMENDED COMPLAINT-IN-
INTERVENTION**

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. Barbados, 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;)
Atonement, Walterboro; and Does 1-10,)
))
Defendants.)
_____)

COUNT ONE

1. This count arises under the Lanham Act, 15 U.S.C. §§ 1051, et. seq. This Court has jurisdiction over this count pursuant to 15 U.S.C. § 1121(a) and 28 U.S.C. §§ 1331 and 1338.

2. Plaintiff the Rt. Rev. Charles G. vonRosenberg (“Bishop vonRosenberg”) was the Provisional Bishop of The Episcopal Church’s Diocese of South Carolina – an entity that has operated under the name The Episcopal Church in South Carolina – when this action was filed

on March 5, 2013. Plaintiff the Rt. Rev. Gladstone B. Adams, III (“Bishop Adams”) succeeded Bishop vonRosenberg as Provisional Bishop and remains in that position today.

3. Plaintiff-in-Intervention The Episcopal Church, also known as The Protestant Episcopal Church in the United States of America, is an unincorporated association headquartered in New York, New York.

4. Defendant Mark J. Lawrence is a former bishop of The Episcopal Church’s Diocese of South Carolina.

5. Upon information and belief, defendants John Does 1-10 are individuals connected to and associated with defendant Lawrence who are using marks that infringe upon and dilute marks owned by The Episcopal Church and whose identities are presently unknown to The Episcopal Church.

6. Defendant corporation currently calling itself “The Protestant Episcopal Church in the Diocese of South Carolina” (the “Lawrence Diocese” or the “corporation”) was originally formed by The Episcopal Church’s Diocese of South Carolina in 1973. Its original charter stated: “The purpose of the said proposed Corporation is to continue the operation of an Episcopal Diocese under the Constitution and Canons of The Protestant Episcopal Church in the United States of America.” In 2010, the charter was amended to state that the corporation’s purpose was “to continue operation under the Constitution and Canons of The Protestant Episcopal Church in the Diocese of South Carolina.” In 2012, defendant Lawrence announced that the corporation had dissociated from The Episcopal Church. Since that time, the corporation has been under the control of Bishop Lawrence, holds itself out as a diocese of which Lawrence is the bishop, and disclaims any affiliation with The Episcopal Church. On information and belief, the corporation holds no assets.

7. Defendant The Trustees of the Protestant Episcopal Church in South Carolina (the “Trustees Corporation”) was incorporated by the South Carolina General Assembly in 1902 “for the purpose of receiving and holding” property acquired by or for The Episcopal Church’s Diocese of South Carolina. The Trustees Corporation succeeded an earlier corporation, incorporated by the General Assembly in 1880, formed for the same purpose.

8. Upon information and belief, the following defendants are South Carolina non-profit corporations that until 2012 were affiliated with The Episcopal Church and its Diocese of South Carolina and since 2012 have claimed affiliation with the religious organization led by defendant Lawrence (the “Lawrence Parishes”):

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. Barbados, 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.

9. The following twenty-eight Lawrence Parishes (the "28 Trustee Parishes") have been found by the Supreme Court of South Carolina to hold their real and personal property in trust for The Episcopal Church:

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.

10. The Episcopal Church is a religious denomination founded in 1789, comprising 110 geographically-defined, subordinate entities known as "dioceses" and more than 6,500 worshipping congregations in the United States and other countries. The Episcopal Church is a hierarchical church. Its highest governmental body is its General Convention, which is composed of bishops, other ordained clergy, and laity from its dioceses. The Episcopal Church's governing rules are set forth in its Constitution and Canons, adopted by the General Convention, and binding on all the Church's dioceses, parishes and other congregations, bishops, other clergy, and laity.

11. One of the dioceses of The Episcopal Church is its Diocese of South Carolina.

12. The Episcopal Church has for many years used and maintained a series of trademarks that signify the work of The Episcopal Church itself, which marks have been federally registered (the “Episcopal Church Marks”).

13. The Episcopal Church owns a federal trademark registration for the mark THE EPISCOPAL CHURCH covering “[r]eligious services, namely, ministerial, evangelical, and missionary services.” Fed. Reg. No. 3195455 (Jan. 9, 2007). That registration has become incontestable due to The Episcopal Church’s use of the mark in commerce for at least five consecutive years after the date of registration.

14. The Episcopal Church owns a federal trademark registration for the mark THE EPISCOPAL CHURCH covering “[i]nformational publications and educational materials covering religious and church-related topics, namely, books, magazines, pamphlets, and newsletters.” Fed. Reg. No. 3195454 (Jan. 9, 2007). That registration has become incontestable due The Episcopal Church’s use of the mark in commerce for at least five consecutive years after the date of registration.

15. The Episcopal Church owns a federal trademark registration for the mark THE EPISCOPAL CHURCH covering “[r]eligious instruction services.” Fed. Reg. No. 3379870 (Feb. 12, 2008). That registration has become incontestable due to The Episcopal Church’s use of the mark in commerce for at least five consecutive years after the date of registration.

16. The Episcopal Church owns a federal trademark registration for the mark THE PROTESTANT EPISCOPAL CHURCH IN THE UNITED STATES OF AMERICA covering “[r]eligious services, namely, ministerial, evangelical, and missionary services.” Fed. Reg. No. 3342725 (Nov. 27, 2007). That registration has become incontestable due to The Episcopal

Church's use of the mark in commerce for at least five consecutive years after the date of registration.

17. The Episcopal Church owns a federal trademark registration for the mark THE EPISCOPAL CHURCH WELCOMES YOU covering "[r]eligious services, namely, ministerial, evangelical, and missionary services." Fed. Reg. No. 3342677 (Nov. 27, 2007). That registration has become incontestable due to The Episcopal Church's use of the mark in commerce for at least five consecutive years after the date of registration.

18. The Episcopal Church owns a federal trademark registration for the mark LA IGLESIA EPISCOPAL (Spanish for "The Episcopal Church") covering "[r]eligious instruction services." Fed. Reg. No. 3378051 (Feb. 5, 2008). That registration has become incontestable due to The Episcopal Church's use of the mark in commerce for at least five consecutive years after the date of registration.

19. The Episcopal Church owns a federal trademark registration for the mark LA IGLESIA EPISCOPAL covering "[i]nformational publications and educational materials covering religious topics, namely, books, magazines, pamphlets, and newsletters." Fed. Reg. No. 3378049 (Feb. 5, 2008). That registration has become incontestable due to The Episcopal Church's use of the mark in commerce for at least five consecutive years after the date of registration.

20. The Episcopal Church owns a federal trademark registration for the Episcopal shield mark covering "[i]nformational publications and educational materials covering religious topics, namely, books, magazines, pamphlets, and newsletters." Fed. Reg. No. 3322456 (Oct. 30, 2007). That registration has become incontestable due to The Episcopal Church's use of the mark in commerce for at least five consecutive years after the date of registration.

21. The Episcopal Church owns a federal trademark registration for the Episcopal shield mark covering “[r]eligious services, namely, ministerial, evangelical, and missionary services.” Fed. Reg. No. 3310672 (Oct. 16, 2007). That registration has become incontestable due to The Episcopal Church’s use of the mark in commerce for at least five consecutive years after the date of registration.

22. The Episcopal Church Marks are famous marks, because they are widely recognized by the general consuming public of the United States and other countries as a designation of the source of The Episcopal Church’s goods and services.

23. The Episcopal Church authorizes its dioceses, bishops, clergy, parishes, and parishioners to use the Episcopal Church Marks, as well as related or similar marks, to advertise their authority in and/or affiliation with The Episcopal Church and with each other, provided that the nature and quality of their services are consistent with those prescribed and sanctioned by The Episcopal Church.

24. In 2008, defendant Lawrence was ordained and authorized by The Episcopal Church to act as the bishop of The Episcopal Church’s Diocese of South Carolina and served as such from 2008 to 2012.

25. In 2012, defendant Lawrence announced that the corporation of the Diocese of South Carolina had dissociated from The Episcopal Church.

26. Since defendant Lawrence’s announcement in 2012 described in paragraph 25, the Lawrence Parishes have indicated that they are no longer affiliated with The Episcopal Church and are affiliated with a diocese led by defendant Lawrence.

27. In 2012, defendant Lawrence renounced his affiliation with The Episcopal Church, and The Episcopal Church removed him from his office as a bishop in The Episcopal

Church. He was succeeded as bishop of The Episcopal Church's Diocese of South Carolina initially by plaintiff Bishop vonRosenberg and later by plaintiff Bishop Adams.

28. Since defendant Lawrence's removal as a bishop in The Episcopal Church in 2012, defendants Lawrence, Does 1-10, and the Lawrence Diocese, without authorization by The Episcopal Church, have represented to the public that Lawrence serves as a "Bishop" of an "Episcopal" "Diocese," and to use various names and marks in association with the services he provides, including without limitation the marks THE EPISCOPAL DIOCESE OF SOUTH CAROLINA and THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA.

29. Since defendant Lawrence's announcement in 2012 described in paragraph 25, defendants Lawrence, Does 1-10, and the Lawrence Diocese, without authorization by The Episcopal Church, have represented to the public that the Lawrence Diocese is an "Episcopal" "Diocese," and used various names and marks in association with the services it provides, including without limitation the marks THE EPISCOPAL DIOCESE OF SOUTH CAROLINA and THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA.

30. Since defendant Lawrence's announcement in 2012 described in paragraph 25, the Trustees Corporation, without authorization by The Episcopal Church, has provided assets to defendants Lawrence, Does 1-10, and the Lawrence Diocese, including the use of historic buildings traditionally identified as "Episcopal Church" buildings, for their use in representing to the public that defendant Lawrence is a "Bishop" of an "Episcopal" "Diocese" and the Lawrence Diocese is an "Episcopal" "Diocese." The Trustees Corporation has taken these actions while at

the same time holding itself out as a corporation serving the interests of an “Episcopal” “Diocese.”

31. Defendants Lawrence, Does 1-10, and the Lawrence Diocese have adopted and continue to use marks, including, but not limited to, the marks THE EPISCOPAL DIOCESE OF SOUTH CAROLINA and THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA, in commerce in connection with the provision, sale, offering for sale, or distribution of goods and/or services, that are likely to cause confusion or mistake with, have caused confusion or mistake with, and infringe upon the Episcopal Church Marks.

32. Defendants Lawrence, Does 1-10, and the Lawrence Diocese have adopted and continue to use the infringing marks identified herein, including but not limited to THE EPISCOPAL DIOCESE OF SOUTH CAROLINA and THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA without the consent of The Episcopal Church.

33. Defendants Lawrence, Does 1-10, and the Lawrence Diocese have continually referred to many of the Lawrence Parishes as “Episcopal” churches, and they have likewise failed to instruct those churches to discontinue referring to themselves as “Episcopal” churches.

34. Since defendant Lawrence’s announcement in 2012 described in paragraph 25 and their subsequent actions described in paragraph 26, defendants the Lawrence Parishes have held themselves out as “Episcopal” churches and have referred to their being affiliated with an “Episcopal” “Diocese,” including by using in those contexts the infringing marks THE EPISCOPAL DIOCESE OF SOUTH CAROLINA and THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA without the consent of The Episcopal

Church, and by conducting their operations in buildings that have historically been identified as “Episcopal” churches connected to The Episcopal Church and its diocese.

35. As a result of defendants’ actions alleged in Paragraphs 28 through 34 above, members of the public, particularly consumers of religious goods and services, have been and are likely to be confused about the connection between the services that defendants Lawrence, the Lawrence Diocese, and the Lawrence Parishes provide and the goods and services offered by The Episcopal Church and protected by the Episcopal Church Marks, including, but not limited to, (a) whether defendants Lawrence, the Lawrence Diocese, or the Lawrence Parishes are providing goods and services in connection with The Episcopal Church, (b) whether defendant Lawrence holds any position of authority within The Episcopal Church, (c) whether defendants Lawrence, the Lawrence Diocese, or the Lawrence Parishes have any affiliation with The Episcopal Church (d) the identity of the leadership of The Episcopal Church’s Diocese of South Carolina, (e) the relationship between defendant Lawrence on the one hand and the plaintiff Bishops on the other, and (f) who is authorized to use the Episcopal Church Marks.

36. Defendants’ infringing activities constitute repeated violations of the Lanham Act, 15 U.S.C. §§ 1114 and 1125(a). The ongoing harm to The Episcopal Church from defendants’ actions is irreparable. Without an injunction, there will be no adequate way to correct and redress all of the public confusion and false perceptions that have taken hold in this State and across the country due to defendants’ infringement of the Episcopal Church Marks.

COUNT TWO

37. This count arises under the Lanham Act, 15 U.S.C. §§ 1051, et. seq. This Court has jurisdiction over this count pursuant to 15 U.S.C. § 1121(a) and 28 U.S.C. §§ 1331 and 1338.

38. The Episcopal Church incorporates paragraphs 2 through 36 as if set forth in full herein.

39. The Episcopal Church Marks are famous marks because they are widely recognized by the general consuming public of the United States as a designation of source of the goods or services of The Episcopal Church, including due to (a) The Episcopal Church's use of the Episcopal Church Marks for a long period of time, (b) the widespread extent of The Episcopal Church's use of the Episcopal Church Marks, (c) the Episcopal Church's use of the Episcopal Church Marks nationwide and around the world, (d) the use of the Episcopal Church Marks by third parties in reference to the goods or services provided by The Episcopal Church, (e) the widespread recognition of the Episcopal Church Marks as indicating The Episcopal Church as the source of the goods and services provided by The Episcopal Church, and (f) the registration of the Episcopal Church Marks on the principal trademark register, the long period during which those marks have been registered, and the incontestable status the marks have achieved.

40. The Episcopal Church Marks are distinctive, which distinctiveness has been acquired through long-term and widespread use of the marks by The Episcopal Church, those it authorized to use the marks, and third parties in reference to the goods or services provided by The Episcopal Church.

41. Defendants' use of the marks THE EPISCOPAL DIOCESE OF SOUTH CAROLINA and THE PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA is likely to cause dilution by blurring and dilution by tarnishment of the Episcopal Church Marks.

42. Defendants' activities alleged above constitute repeated violations of the Lanham Act, 15 U.S.C. § 1125(c). This ongoing harm is irreparable, because there will be no fully adequate way for The Episcopal Church to correct and redress all of the public confusion and false perceptions that have taken hold in this State and across the country due to defendants' trademark dilution.

COUNT THREE

43. This count arises under S.C. Code § 62-7-706. This Court has jurisdiction over this count pursuant to 28 U.S.C. § 1367.

44. The Episcopal Church incorporates paragraphs 2 through 36 as if set forth in full herein.

45. The Supreme Court of South Carolina determined in *Protestant Episcopal Church in the Diocese of South Carolina v. The Episcopal Church*, 421 S.C. 211, 806 S.E.2d 82 (2017), that the 28 Trustee Parishes hold their property in trust for The Episcopal Church.

46. Since defendant Lawrence's announcement in 2012 described in paragraph 25 and their subsequent actions described in paragraph 26, the 28 Trustee Parishes have remained in possession and control of the real and personal property they hold in trust for The Episcopal Church, and have used that property in connection with a denomination other than The Episcopal Church.

47. The 28 Trustee Parishes have taken the actions set out above without the consent of The Episcopal Church or its diocese, and in direct violation of the rules of The Episcopal Church and its diocese.

48. By the actions described in paragraphs 46 and 47, the 28 Trustee Parishes have committed serious breaches of the trust they owe to The Episcopal Church and have

demonstrated their unfitness, unwillingness, and persistent failure to administer the trust effectively.

49. Use by the 28 Trustee Parishes of the property they hold in trust for The Episcopal Church – including the historic buildings traditionally identified as “Episcopal Churches” – to carry out their operations in affiliation with another denomination clearly violates their fiduciary duties to The Episcopal Church.

PRAYER FOR RELIEF

Plaintiff-in-Intervention The Episcopal Church prays that the Court award the following relief:

- a. Declare that defendants have committed trademark infringement in violation of 15 U.S.C. §§ 1114 and 1125(a);
- b. Declare that defendants have committed trademark dilution in violation of 15 U.S.C. § 1125(c);
- c. Enjoin defendants and those acting under their direction or control from using any mark that violates The Episcopal Church’s rights in the Episcopal Church Marks, including, but not limited to, any mark that includes the term “Episcopal” without a modifier connoting that defendants are not affiliated with The Episcopal Church;
- d. Declare that the 28 Trustee Parishes have committed a serious breach of the trust they owe to The Episcopal Church and have demonstrated their unfitness, unwillingness, and persistent failure to administer the trust effectively;
- e. Order the 28 Trustee Parishes to remove from their vestries any persons who cannot demonstrate to this Court’s satisfaction that they are capable of and willing to carry out

their fiduciary obligations to The Episcopal Church, and replace them with persons who can make such demonstration to the Court's satisfaction;

f. Award The Episcopal Church its costs of this action, including reasonable attorneys' fees and disbursements; and

g. Award such other and further relief as the Court deems appropriate.

Respectfully submitted,

GIBBS & HOLMES

By: S/Allan R. Holmes
Allan R. Holmes (Fed. ID# 1925)
Cheryl H. Ledbetter (Fed. ID# 11446)
Timothy O. Lewis (Fed. ID# 9864)
171 Church Street, Suite 110
Charleston, SC 29401
(843) 722-0033 (telephone)
(843) 722-0114 (facsimile)

Mary E. Kostel
Admitted *Pro Hac Vice*
Special Counsel
The Episcopal Church
c/o Goodwin Procter LLP
901 New York Ave., N.W.
Washington, D.C. 20001
Tel.: 202-346-4184
Fax: 202-346-4444
mkostel@goodwinlaw.com

March 1, 2018

ATTORNEYS FOR THE PLAINTIFF-IN-INTERVENTION