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THE EPISCOPAL CHURCH ET AL.,)	
)	IN THE DISTRICT COURT OF
Plaintiffs,)	
)	
AND)	
)	
ANNE T. BASS ET AL.,)	
)	
Third-Party Defendants and)	
Counterclaimants,)	TARRANT COUNTY, TEXAS.
)	
v.)	
)	
FRANKLIN SALAZAR ET AL.,)	
)	
Defendants.)	141 st JUDICIAL DISTRICT

AFFIDAVIT OF THE REV. CANON CHARLES K. ROBERTSON

Before me, the undersigned authority, personally appeared **the Rev. Canon Charles K. Robertson**, who, being by me duly sworn, deposes and said:

1. My name is Charles K. Robertson. I am of sound mind, capable of making this Affidavit, and have personal knowledge of the facts herein stated.

2. I am a priest of The Episcopal Church, and I serve as Canon and Assistant to the Presiding Bishop of The Episcopal Church at the Church’s headquarters in New York, New York. I am familiar with the organization and maintenance of the records of the Presiding Bishop’s official actions and related correspondence. The documents referred to below and attached as exhibits to this affidavit are true and correct copies of documents obtained from the Presiding Bishop’s files where they have been maintained in the regular course of business.


3. Attached hereto as Exhibit 1 is a true and correct copy of the letter to The Most Rev’d Katharine Jefferts Schori from the Rt. Rev’d Dorsey F. Henderson, Jr. dated January 9, 2008, and regarding the Rt. Rev’d John-David Schofield (with attachment).

4. Attached hereto as Exhibit 2 is a true and correct copy of the Deposition of the Rt. Rev'd John-David M. Schofield dated March 12, 2008.

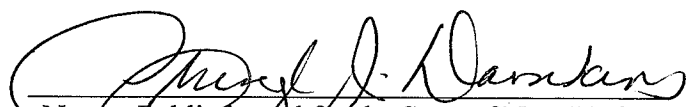
5. Attached hereto as Exhibit 3 is a true and correct copy of the letter to The Most Rev'd Katharine Jefferts Schori from the Rt. Rev'd Dorsey F. Henderson, Jr. dated December 17, 2007, and regarding the Rt. Rev'd Robert W. Duncan (with attachment).

6. Attached hereto as Exhibit 4 are true and correct copies of forms signed by Bishop Wallis C. Ohl (June 14, 2010 & July 17, 2010) consenting to the ordination and consecration of bishops.

7. Attached hereto as Exhibit 5 is a true and correct copy of the letter to six former members of the Standing Committee of the Diocese of Fort Worth from The Most Rev'd Katharine Jefferts Schori dated December 15, 2008.


The Rev. Canon Charles K. Robertson

SUBSCRIBED AND SWORN TO BEFORE ME on this 14th day of October, 2010.


Notary Public in and for the State of New York

1. D. # 2096002
NY 3/18/12

THE EPISCOPAL DIOCESE OF UPPER SOUTH CAROLINA

THE RT. REV'D DORSEY F. HENDERSON, JR., M.Div., J.D.
BISHOP

January 9, 2008
Wednesday after the Epiphany

The Most Rev'd Katharine Jefferts Schori
Presiding Bishop
Episcopal Church Center
815 Second Avenue
New York, NY 10017

The Rt. Rev'd John-David Schofield

Most Rev'd and dear Bishop:

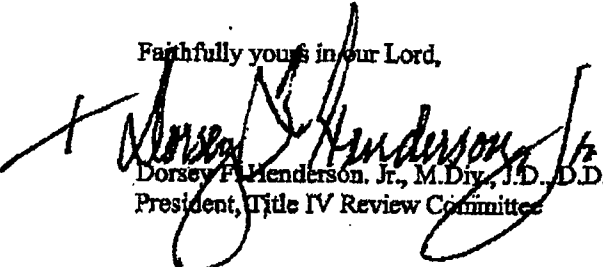
On December 17 of this year the Title IV Review Committee received a communication from the Chancellor, David Booth Beers, and Mary E. Kostel, Esquire, sent on your behalf, asking the Review Committee to determine whether the Rt. Rev'd John David Schofield, Bishop of San Joaquin, had abandoned the communion of The Episcopal Church under Title IV, Canon 9.

The Review Committee met on January 9, 2008, and found by a majority vote of its members that the information submitted to the Review Committee demonstrated that Bishop Schofield has abandoned the communion of this Church by an open renunciation of the Doctrine, Discipline or Worship of this Church.

As provided by Title IV, Canon 9.1, this letter constitutes the "certificate" of this abandonment. The "acts and declarations" which show such abandonment are fully set forth in the December 17 letter and enclosed information from Mr. Beers and Ms. Kostel. The December 17 letter and enclosed information are attached as an exhibit to this letter. Under separate cover, I will send you copies of the supporting documentation supplied by Chancellor Beers.

If you need any further information from me, please do not hesitate to ask.

Faithfully yours in our Lord,


Dorsey F. Henderson, Jr., M.Div., J.D., D.D.
President, Title IV Review Committee

GOODWIN PROCTER

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Goodwin Procter LLP
Counsellors at Law
901 New York Avenue N.W.
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December 17, 2007

Via Federal Express

The Rt. Rev. Dorsey F. Henderson, Jr.
Episcopal Diocese of Upper South Carolina
1115 Marion Street
Columbia, SC 29201

Re: Title IV Review Committee – Bishop of San Joaquin

Dear Bishop Henderson,

The Presiding Bishop has asked us to submit the attached materials to the Title IV Review Committee for its consideration as to whether the Rt. Rev. John-David Schofield, Bishop of the Diocese of San Joaquin, has abandoned the Communion of this Church under Canon IV.9. Specifically, she seeks the Review Committee's consideration of whether in his actions and substantive statements from 2005 to the present, as disclosed in the attached materials, Bishop Schofield has so repudiated the doctrine, discipline, and worship of the Episcopal Church as to have abandoned the Communion of the Church. The attached materials demonstrate that, after several years of preparation, Bishop Schofield has departed from the Episcopal Church, purporting to take his Diocese with him and into affiliation with the Province of the Southern Cone.

The Review Committee has in the past received two submissions regarding Bishop Schofield: (1) a June 29, 2006 letter from the Rt. Rev. William E. Swing, Bishop of California, the Rt. Rev. Jerry Lamb, Bishop of Northern California, the Rt. Rev. J. Jon Bruno, Bishop of

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Los Angeles, and the Rt. Rev. James R. Mathes, Bishop of San Diego, seeking a determination of whether Bishop Schofield had abandoned the Communion of the Church; and (2) a February 9, 2007 email, followed by an express mail package, from David Beers, seeking the same determination on behalf of the Presiding Bishop. In both instances, the Review Committee declined to certify that abandonment had occurred. Those submissions contained the following documents, which we do not re-attach here:

(a) A copy of the Constitution of the Diocese of San Joaquin, reflecting a 2005 amendment to Article II that was supported by Bishop Schofield. Prior to amendment, Article II constituted an "unqualified accession" as contemplated by Article V of the Church's Constitution. It stated:

The Church in the Diocese of San Joaquin accedes to the Constitution of that branch of the Holy Catholic Church known as the Episcopal Church in the United States of America and recognizes the authority of the General Convention of the same.

The 2005 amendment replaced Article II with the following language, removing the "unqualified accession":

The Diocese of San Joaquin accedes to and/or incorporates the terms and provisions of the Constitution of the Episcopal church in the United States of America to the terms and provisions of the Constitution of the Diocese of San Joaquin to the extent that such terms and provisions and any amendments thereto, adopted by the authority of the General Convention, are not inconsistent with the terms and provisions of the Constitution and Canons of the Diocese of San Joaquin, and ratified by any Diocesan Convention duly called and held.

(b) A copy of the Canons of the Diocese, reflecting a recent amendment to Canon XXV, entitled "The Bishop to be the Corporate Sole." The amendment of Section 25.06,

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supported by Bishop Schofield, purports to refute the national Church's "trust" canon, Canon

I.7.4, stating:

No ownership or proprietary interest in any real or personal property in which title and/or ownership is held by the Diocese of San Joaquin, its churches, congregations, or institutions, shall be imputed to any party other than the Bishop as a Corporation Sole (including a trust, express or implied) without the express written consent of the Bishop and the Standing Committee of the Diocese.

(c) A purported amendment to the Diocese's articles of incorporation, supported by Bishop Schofield, which altered the approvals required prior to the installation of a new bishop of that diocese. Prior to amendment, the articles of incorporation required the same approvals as those required by Article II of the national Church's Constitution. After amendment, the articles of incorporation required only that a bishop-elect be consecrated as "a Bishop in the Apostolic Succession."

(d) A joint resolution issued at the request of Bishop Schofield by the Standing Committee and Diocesan Council, petitioning "Primates and Provinces of the Anglican Communion who remain unreservedly committed to classic Anglican formularies" and the Archbishop of Canterbury for "affirmation of [the Diocese's] status as a legitimate Anglican diocese in the USA despite the current role of ECUSA." The petition "envisions the continued recognition of th[e] Diocese as a constituent member of the Anglican Communion . . . without relying on subsidiary recognition from or through ECUSA."

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We now submit additional materials, reflecting statements and actions by Bishop Schofield in 2007. The attached materials, of which we have enclosed nine copies, consist of the following:

Tab A: "Pastoral Letter to be Read in All Churches of the Diocese of San Joaquin, Sunday, November 18 and Sunday, November 25, 2007" (undated)

This item is a pastoral letter from Bishop Schofield to his Diocese on the eve of the recent Diocesan Convention, held on December 7-8, 2007. The letter has two parts: first, it describes a resolution adopted in November 2007 by Province of the Southern Cone, "welcom[ing] into membership of our Province on an emergency and pastoral basis, those dioceses of the Episcopal Church taking appropriate action to separate from the Episcopal Church."

Next, the letter sets out four proposed constitutional amendments, all supported by Bishop Schofield, to be considered on second reading by the December 7-8, 2007 Diocesan Convention. Bishop Schofield states that passage of these amendments "will mean that the Diocese is free to accept the invitation of the province of the Southern Cone." which he describes as a "sensible way forward." All four amendments were passed at the Convention, and are currently in effect.

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The first amendment inserted new language into Article I, entitled "Title and Territory." As amended, Article I states (newly added language is underlined):

This Diocese shall be known as the Diocese of San Joaquin. Its territory shall embrace but not be limited to all that portion of the State of California included in the counties of San Joaquin, Alpine, Stanislaus, Calaveras, Mono, Merced, Mariposa, Tuolumne, Madera, Fresno, Kings, Tulare, Kern, and Inyo.

The second amendment addressed Article II, the same constitutional provision that was previously amended to make the Diocese's accession to the national Church's Constitution and canons qualified rather than unqualified. (As described above, this prior change was previously submitted to the Review Committee.) The 2007 amendment renamed Article II and replaced its text in its entirety. The title of Article II was changed from "Accession and/or Incorporation of the Constitution of the Protestant Episcopal Church in the United States to the Constitution of the Diocese of San Joaquin" to "Anglican Identity."

The text of Article II now reads:

The Diocese of San Joaquin is constituted by the Faith, Order, and Practice of the One, Holy, Catholic, and Apostolic Church as received by the Anglican Communion. The Diocese shall be a constituent member of the Anglican Communion and in full communion with the See of Canterbury.

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The third amendment deleted a reference to "the National Canons" from Article III, entitled "The Authority of the Diocese." As amended, Article III, Section 2 states (deleted language is struck through):

The Ecclesiastical Authority of the Diocese is the Bishop. In the Bishop's absence ~~as defined by the National Canons~~ or inability to act, the Bishop Coadjutor shall be the Ecclesiastical Authority. If there is no Bishop Coadjutor or if the Bishop and the Bishop Coadjutor are absent or unable to act, or if the Episcopate becomes vacant, the Standing Committee shall be the Ecclesiastical Authority.

The fourth amendment changed Article XII, entitled "Trust Funds." Before amendment, Article XII, Section 1 provided that all Diocesan trust funds would "be vested in the Protestant Episcopal Bishop of San Joaquin a Corporation Sole." As amended, it now states:

All Diocesan trust funds now or hereafter created shall be vested in the Corporation Sole of which the Bishop of the Diocese is the incumbent.

Tab B: "Proposed Change to Canon XXXVIII (38)"

This item sets out a proposed new canon, supported by Bishop Schofield, that was considered by the December 2007 Convention. It states:

The Diocese of San Joaquin is a full member of the Anglican Province of the Southern Cone of South America.

This new canon was passed, and is currently in effect.

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Tab C: Item 1: Letter from Presiding Bishop to Bishop Schofield (November 30, 2007)
Item 2: Letter from Bishop Schofield to the Presiding Bishop (December 5, 2007)

The first item is a letter from the Presiding Bishop to Bishop Schofield, written in advance of the recent Diocesan Convention, noting Bishop Schofield's support of the proposed constitutional amendments and the transfer of the Diocese to the Province of the Southern Cone, and "urg[ing]" him to "reconsider and draw back from this trajectory." The second item is Bishop Schofield's response declining to do so.

Tab D: "The Bishop's Address: 48th Diocesan Convention" (December 7, 2007)

In his address to the recent Diocesan Convention, Bishop Schofield stated that "[t]oday we stand at a critical juncture in history," and noted that "what we are considering takes the Diocese of San Joaquin into unchartered [sic] waters."

Urging the Convention to pass the proposed constitutional amendments, Bishop Schofield stated that a vote against the amendments "would require my retirement in two years," while a "a YES vote . . . brings us into union with a faithful Province, places us under a real Archbishop and Primate who is a holy man of God, and keeps us in the mainstream of Anglicanism."

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Tab E: "Diocese of San Joaquin Votes to Disassociate with The Episcopal Church" (December 8, 2007)

This item, a News Release posted on the Diocese's website on the second day of the Diocese's Convention, states that the Diocese "took an historic step and voted to disassociate from The Episcopal Church," and "accepted an invitation from Archbishop Gregory Venables and the bishops of the province of the Southern Cone of South America to be welcomed into their membership." Bishop Schofield is quoted as saying that "[t]his is the first time in American Anglican history that a diocese has realigned with a like-minded province."

Tab F: "Pastoral Letter to be Read in All Churches, Sunday, December 16, 2007"

In this letter to the Diocese, Bishop Schofield states that the actions taken by the Convention "realign[ed] our Anglican identity through the Anglican Church of the Southern Cone of the Americas under the Most Rev. Gregory Venables, Archbishop and Primate." In his words, the Convention "wisely and prayerfully accepted the gracious invitation for sanctuary from the Southern Cone." Bishop Schofield also states that "[t]he orders of all Diocesan clergy have been recognized by the Anglican Church of the Southern Cone and appropriate certificates have already been issued." He notes that "[i]n the Prayers of the People, 'Gregory our Archbishop' is to appear where the Prayer Book offers intercession 'For N. our Presiding Bishop.'"

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Tab G: Item 1: "Diocese of San Joaquin" (undated)

Item 2: "Geography and History" (undated)

Item 3: "Staff" (undated)

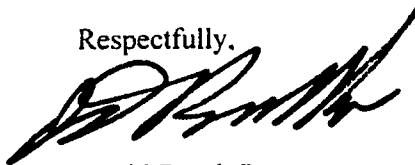
These items are current postings on the Diocese's website. The first is the website's homepage, which in its title describes the Diocese of San Joaquin as "an Anglican diocese of the Province of the Southern Cone."

The second item is a piece which describes the Diocese of San Joaquin as "one of now 8 Anglican dioceses of the Province of the Southern Cone (Provincia Anglicana del Cono Sur de America), along with the dioceses of Argentina, Northern Argentina, Bolivia, Chile,

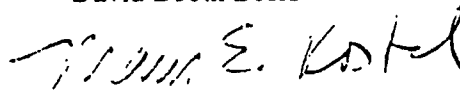
Paraguay, Peru and Uruguay." The third item is the Staff Directory of the Diocese, on which the first person listed is The Most Rev. Gregory Venables, the Archbishop of the Southern Cone and Bishop of Argentina.

The Presiding Bishop would appreciate consideration of this matter on an expedited basis.

Respectfully,



David Booth Beers



Mary E. Kostel

Attachments

cc: Jack W. Burtch, Esquire

A1248



THE EPISCOPAL CHURCH

The Most Reverend Katharine Jefferts Schori
Presiding Bishop and Primate

March 12, 2008

- To: The Secretary of the House of Bishops
- The Secretary of the General Convention
- The Bishops of the Episcopal Church
- The Recorder of Ordinations
- The Church Pension Fund
- The Church Deployment Board
- All Archbishops and Metropolitans
- All Presiding Bishops of Churches in Communion with The Episcopal Church

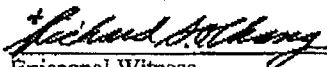
Deposition of a Bishop


The Title IV Review Committee having certified on 9 January 2008, pursuant to Canon IV.9.1 of the Episcopal Church, that the Right Rev. John-David Schofield, Bishop of the Diocese of San Joaquin, has abandoned the Communion of this Church, and a majority of the members of the House of Bishops entitled to vote having consented to this Deposition at a meeting of the House of Bishops at Camp Allen, Navasota, Texas, on 12 March 2008, I hereby depose

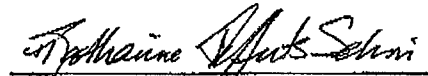
The Right Rev. John-David M. Schofield
Bishop of the Diocese of San Joaquin

and declare that from and after 12:01 a.m., Thursday, 13 March 2008, Bishop Schofield shall be deprived of the right to exercise the gifts and spiritual authority of God's word and sacraments conferred at ordination in this Church and further declare that all ecclesiastical and related secular offices held by Bishop Schofield shall be terminated and vacated at that time.

I hereby direct that this Deposition be served upon Bishop Schofield forthwith and that copies thereof be expeditiously sent to the Ecclesiastical Authority of every Diocese of this Church, to the Recorder of Ordinations, to the Church Deployment Office, to the Secretary of the House of Bishops, to all Archbishops and Metropolitans, and to all Presiding Bishops of Churches in Communion with this Church.


Episcopal Witness


Episcopal Witness


The Most Rev. Katharine Jefferts Schori
XXVI Presiding Bishop

THE EPISCOPAL CHURCH CENTER

THE EPISCOPAL DIOCESE OF UPPER SOUTH CAROLINA

The Rt. Rev'd Dorsey F. Henderson, Jr., M.Div., J.D.
BISHOP

"CONFIDENTIAL: FOR THE EYES OF THE PRESIDING BISHOP ONLY"

December 17, 2007
St. Antony, Abbot in Egypt, 356 AD

The Most Rev'd Katharine Jefferts Schori
Presiding Bishop
Episcopal Church Center
815 Second Avenue
New York, NY 10017

The Rt. Rev'd Robert Duncan

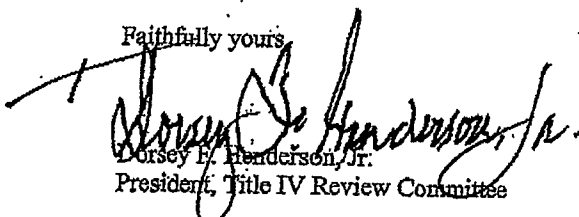
Most Rev'd and dear Bishop:

On November 19 of this year, the Title IV Review Committee received a communication from counsel representing certain individuals who are either clergy or communicants in the Diocese of Pittsburgh asking the Review Committee to determine whether the Rt. Rev'd Robert Duncan, Bishop of Pittsburgh, had abandoned the communion of the Episcopal Church under Title IV, Canon 9. On November 30 the Review Committee received a letter from your Chancellor, David Booth Beers, and Mary E. Kostel, Esquire, sent on your behalf asking the Review Committee to consider whether the information attached with the letter demonstrated an abandonment of communion by Bishop Duncan.

The Review Committee met on December 13, 2007, and found by a majority vote of its members that, taken together or separately, the information submitted to the Review Committee demonstrated that Bishop Duncan has abandoned the communion of this Church by an open renunciation of the Doctrine, Discipline or Worship of this Church.

As provided by Title IV, Canon 9.1, this letter constitutes the "certificate" of this abandonment. The "acts and declarations" which show such abandonment are fully set forth in the Addendum to the November 19 letter from Mr. DeForest, counsel to certain clergy and communicants of the Diocese of Pittsburgh, and the November 30 letter from Chancellor Beers and Ms. Kostel. The November 19 addendum and November 30 letter are attached as exhibits to this letter. I am sending, under separate cover, copies of the supporting documentation supplied by Mr. DeForest and Chancellor Beers.

Faithfully yours,



Dorsey F. Henderson, Jr.
President, Title IV Review Committee

"CONFIDENTIAL: FOR THE EYES OF THE PRESIDING BISHOP ONLY"

1115 MARION STREET • COLUMBIA, SOUTH CAROLINA 29201 • (803) 771-7800 • Fax (803) 799-5119

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November 30, 2007

Via Federal Express

The Rt. Rev. Dorsey F. Henderson, Jr.
Episcopal Diocese of Upper South Carolina
1115 Marion Street
Columbia, SC 29201

Re: Title IV Review Committee – Bishop of Pittsburgh

Dear Bishop Henderson,

The Presiding Bishop has asked us to submit the attached materials to the Title IV Review Committee for its consideration as to whether the Rt. Rev. Robert W. Duncan, Bishop of the Diocese of Pittsburgh, has abandoned the Communion of this Church under Canon IV.9. Specifically, she seeks the Review Committee's consideration of whether in his actions and substantive statements from September 2003 to the present, as disclosed in the attached materials as well as others submitted to you by representatives of the Diocese of Pittsburgh, Bishop Duncan has so repudiated the doctrine, discipline, and worship of the Episcopal Church as to have abandoned the Communion of the Church. The Presiding Bishop finds the attached materials particularly problematic, because they reveal concrete steps taken by Bishop Duncan that demonstrate (1) his persistent position that the Diocese may choose whether or not to remain a constituent part of the Episcopal Church, a choice that it does have the authority to make under the Church's Constitution; (2) his intention to lead the Diocese out of the Church and into affiliation with some other entity within the Anglican Communion, while retaining diocesan and

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parish property; (3) his commitment to establishing an "ecclesiastical structure in North America" that is "separate" from the Episcopal Church; and (4) his determination to confine any discussions with the Presiding Bishop to a mediated separation rather than reconciliation or healing within the Church.

The Presiding Bishop would appreciate consideration of this matter on an expedited basis.

The attached materials, of which we have enclosed nine copies, trace the course of Bishop Duncan's actions from the meeting of the General Convention in 2003 through the most recent Annual Convention of the Diocese earlier this month. The materials, which are arranged in chronological order, include the following:

Tab A: Item 1: "A Report, A Call and A Teaching for the Leadership" (September 2003)

Item 2: "Proposed Resolutions; Special Diocesan Convention in the Aftermath of the 74th General Convention" (September 22, 2003)

Item 3: "Brief Commentary on Resolution Six" (undated)

In the first item, a letter to the Diocese, Bishop Duncan called for a special convention of the Diocese to consider its response to the 74th meeting of the General Convention, including an attempt to repudiate the Church's "Dennis" or "trust" canon, Canon I.7.4. Item 2 sets out the six proposed resolutions considered at the Special Convention, including Resolution 6 which expressly rejects the principle set out in Canon I.7.4 that "[a]ll real and personal property held by or for the benefit of any Parish, Mission or Congregation is held in trust for this Church and the Diocese thereof in which such Parish, Mission or

GOODWIN PROCTER

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Congregation is located.” In Item 3, Bishop Duncan argues in favor of Resolution 6, noting that the proposal would “refute” the Church’s claim to parish property.

Tab B: Item 1: “Resolutions Presented before Convention” (November 2003)

Item 2: “Resolutions Presented before Convention” (November 2004)

Items 1 and 2 reflect the first and second readings of a proposed amendment to Article I, Section 1, of the Diocese’s Constitution that was supported by Bishop Duncan in 2003 and 2004. The amendment was added to the Constitution after it passed on the second reading in November 2004. Prior to the addition of this amendment, that provision of the Diocese’s Constitution simply stated:

“The Church in the Diocese of Pittsburgh, being a constituent part of the Protestant Episcopal Church in the United States of America, accedes to, recognizes, and adopts the Constitution and Canons of that Church, and acknowledges its authority accordingly.”

That statement constituted an “unqualified accession” as contemplated by Article V of the Church’s Constitution. The 2004 amendment, however, added the following sentence removing the “unqualified accession”:

“In cases where the provisions of the Constitution and Canons of the Church in the Diocese of Pittsburgh speak to the contrary, or where resolutions of the Convention of said Diocese have determined the Constitution and Canons of the Protestant Episcopal Church in the United States of America, or resolutions of its General Convention, to be contrary to the historic Faith and Order of the one holy catholic and apostolic church, the local determination shall prevail.”

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Tab C: Item 1: “Full Text of the Request to the Global South Primates”

(November 6, 2006)

Item 2: “Diocesan Standing Committee Outlines Request to Global South Primates” (January 29, 2007)

Item 3: “A Pastoral Letter from Bishop Robert Duncan” (January 29, 2007)

At a meeting in Virginia with certain Anglican Primates from the “Global South” in November 2006, Bishop Duncan and the Standing Committee of the Diocese of Pittsburgh issued a written plea to the Primates for “alternative Primatial oversight and pastoral care.” Item 1 is that written plea. It asks for “immediate” oversight “[d]uring the period in which a ‘separate ecclesiastical structure’ can be worked out” and “until a permanent and constituent Anglican Communion entity is in place in the United States.”

The letter to the Primates was made public by the Standing Committee on January 29, 2007, as reflected in Item 2, a news posting from the Diocese’s website. On that same date, Bishop Duncan posted Item 3, a letter to the Diocese, discussing the request to the Global South Primates and related matters in the Diocese. He noted that “[i]t is our continued commitment to protect the interest the diocese has in its property – indeed to protect all that it is steward over – against any who

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would attempt to usurp that role, either from below (minority parishes) or above (national church).”

The letter to the Primates also reports that in November 2006, the Diocese voted to “withdraw from the . . . Province of Washington” (Province III of the Episcopal Church).

Tab D: “Bishop Robert Duncan’s Pre-Convention Report” (September 11, 2007)
In this letter to the Diocese leading up to the November 2-3, 2007 Diocesan Convention, Bishop Duncan states that the “time has come to begin the process of realignment within the Anglican Communion.” Thus, constitutional amendments to be considered at the Convention “would begin the process to exercise our right to end the accession of the [Diocese] to the constitution and canons of the Episcopal Church,” “would make clear the right to end any claim of spiritual or canonical authority of the General Convention over the [Diocese],” and “would allow the [Diocese] to realign it self with another Province of the Anglican Communion.” According to Bishop Duncan, the proposed changes “are written in such a way . . . that continuing membership in the Episcopal Church remains a possibility if the Episcopal Church were to reverse its ‘walk apart’ from the Anglican Communion.”

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Tab E: Letter from Bishop Duncan to the Presiding Bishop (September 11, 2007)

In this letter, Bishop Duncan seeks to “open a dialogue” with the Presiding Bishop leading to mediation “as an alternative to litigation.” This “invitation” purports to result from a resolution by the Anglican Communion Network “supporting mediation” and directing that such an invitation issue to the Presiding Bishop. The letter makes clear that the purpose of the proposed mediation would be to begin now to resolve disputes arising out of departures from the Church: In Bishop Duncan’s words, where “matters of faith and practice . . . have become irreconcilable” professing Christians will “disengage[e] from one another.” There is no indication that any sort of reconciliation or healing within the Church is contemplated by such mediation.

Tab F: “Anglican Bishops Take First Steps to New Structure” (September 29, 2007)

This news item posted on the Diocese’s website names Bishop Duncan as the “convener” of the first Common Cause Council of Bishops in Pittsburgh on September 25-28, 2007. The bishops of the Council, including Bishop Duncan, issued a joint statement that, among other things, “declare[s] clearly that we are taking this as a first step in the formation of the ‘separate ecclesiastical structure’ in North America.”

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Tab G: Item 1: "Proposed Constitutional Amendments" (undated)

Item 2: "FAQ Outlines Purpose, Reasons for Resolution One" (October 17, 2007)

Item 3: "Frequently Asked Questions: Resolution One" (undated)

These items, posted on the Diocese's website in October 2007, set out and discuss proposed amendments to the Diocese's Constitution to be considered at the November 2-3, 2007 Diocesan Convention. These proposed amendments, set out in Item 1 and described below, were supported by Bishop Duncan and, as shown below, were approved by the Convention on first reading.

The first proposed amendment addresses the same constitutional provision that was amended on second reading in November 2004. See Tab B. As discussed above, the November 2004 version, which is the version in effect today, no longer contains an "unqualified accession" to the Constitution and canons of the Episcopal Church. The 2007 proposal would delete the amended Section 1 entirely and replace it with the language set out in Item 1. This change would remove all reference to the Episcopal Church; instead of stating that the Diocese is a constituent part of the Episcopal Church (whose Constitution in turn states that it is a constituent part of the Anglican Communion), the proposed language states only that the Diocese is a constituent part of the Anglican Communion.

The second proposed amendment would add a new Section 2 to Article I, declaring that the Diocese "shall have membership in such Province of the Anglican Communion as is by diocesan Canon specified." This provision incorrectly presumes that the Diocese has the authority to decide whether to be

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part of the Episcopal Church or some other Province of the Anglican Communion.

The third proposed amendment would renumber existing Section 2 of Article I as Section 3, and would permit "parishes outside of the [geographic] boundaries" of the Diocese to be added to the Diocese, notwithstanding the provisions of Article V of the Church's Constitution and the Church's Canon I.10 that only the General Convention may alter the geographic boundaries of a Diocese.

The fourth proposed amendment would change Article XII of the Diocesan Constitution, currently entitled "Deputies to General Convention." The proposed amendment would change the title to "Deputies to Extra-Diocesan Conventions or Synods" and strip all references to the Episcopal Church's General Convention from the Article.

Item 2 states that the Diocesan office prepared a "document outlining answers" to questions about these amendments. Item 3 is that document. It states that amendments would "secure for the Diocese the right to seek an alternative Provincial affiliation." After the proposals pass their first reading, "a discussion would be undertaken about which Anglican Province to affiliate with upon dis-affiliation from the Episcopal Church."

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Tab H: "Report of the Committee on Constitutions and Canons: Recommendations of Constitutional and Canonical Changes for Adoption at the 142nd Annual Convention"

This item sets out a list of proposed canonical changes that were supported by Bishop Duncan and considered by the recent Annual Convention. Two proposals in particular are of note, both of which passed and are currently in effect: Proposal number 2 deletes from diocesan Canon III.2a the requirement that parochial reports be made "upon forms prepared by the Executive Council of the Church," in violation of Episcopal Church Canon I.6.1 which requires that such reports be made "in the form authorized by the Executive Council and approved by the Committee on the State of the Church." Proposal number 20 amends diocesan Canon XXVI.1, which sets out the procedure for electing deputies to the Provincial Synod. The amendment changes the phrase "Deputies to the Provincial Synod of the Province of Washington . . ." to "Deputies to a Provincial Synod in which the diocese shall be a participating member . . .," thus attempting to pave the way for the election of deputies to a Synod of a Province other than one that is part of the Episcopal Church.

Tab I: Item 1: Letter from the Presiding Bishop to Bishop Duncan (October 31, 2007)

Item 2: Letter from Bishop Duncan to the Presiding Bishop (November 1, 2007)

The first item is a letter from the Presiding Bishop to Bishop Duncan, written in advance of the recent Diocesan Convention, asking that Bishop Duncan "lead [his] diocese on a new course that recognizes the interdependent and hierarchical

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relationship between the national Church and its dioceses and parishes," and that he "change [his] position and urge [his] diocese at its forthcoming convention not to adopt the resolutions" that would violate the national Church's Constitution and canons. Item 2 is Bishop Duncan's response, which states as follows:

"Here I stand. I can do no other. I will neither compromise the faith once delivered to the saints, nor will I abandon the sheep who elected me to proceed."

Tab J: "Bishop Robert Duncan Addresses the 142nd Convention to the Diocese"
(November 2, 2007)

This item contains the text of Bishop Duncan's address to his Diocesan Convention on November 2, 2007. In it he makes clear his view that there is no hope for reconciliation or healing within the Episcopal Church, but that separation from it is unavoidable. In his words, the Diocese has "come to a fork in the road" where different groups' "understandings [of the Gospel] are . . . mutually exclusive, even destructive to one another." Thus, "[o]ur differences are presently irreconcilable." As to disagreement within the Episcopal Church, "there is no prospect of resolution, only of a mediated separation."

Further, in Bishop Duncan's view, "[n]ational actions have now dictated that we must [choose between the national Church or the Diocese]." He reports that, for the majority of his Diocese, the choice of "realignment of the diocese with another Province of the Communion . . . would be preferable" to continuing

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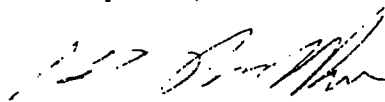
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what he describes as “the fruitless effort at continued federation with the Episcopal Church.”

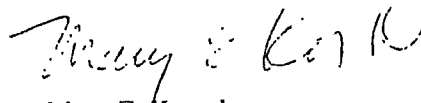
Tab K: “Resolution One Approved” (November 2, 2007)

This news item posted on the Diocese’s website reports that the proposed constitutional amendments supported by Bishop Duncan passed the first reading at the November 2-3, 2007 Diocesan Convention. While Bishop Duncan is quoted as saying that “[t]his vote does not change the diocese’s current affiliation with The Episcopal Church,” Bishop Duncan also reportedly set out plans for the diocese in the next year to (in the words of the reporter) “determine which province it might realign with, develop acceptable options for congregations unwilling to realign, and negotiate with the Episcopal Church nationally and others locally about a mediated alternative to continuing or escalating legal battles.”

Respectfully,



David Booth Beers



Mary E. Kostel

Attachments

cc: Jack W. Burtch, Esquire

To: The Presiding Bishop

I do do not give my canonical consent to the Ordination and Consecration of

Terry Allen White

To be Bishop Diocesan of the Diocese of Kentucky

Date: 7/17, 2010

Signed [Signature]
Diocese of [Signature]

THE EPISCOPAL CHURCH IN KENTUCKY

1000

To: The Presiding Bishop

I do do not give my canonical consent to the Ordination and Consecration of

Mark A. Lattime

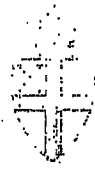
To be Diocesan Bishop of the Diocese of Alaska

Date: 6/14, 2010

Signed [Signature]
Diocese of [Signature]

THE EPISCOPAL CHURCH IN ALASKA

1000



THE EPISCOPAL CHURCH

The Most Reverend Katharine Jefferts Schori
Presiding Bishop and Primate

December 15, 2008

The Rev. Christopher Cantrell
3900 Longvue
Fort Worth, Texas 76126

The Rev. Timothy Perkins
2024 S. Collins
Arlington, TX 76010

The Rev. Thomas Hightower
3900 Morris Lane
Arlington, Texas 76016

Frank Salazar
1505 Wright Street
Arlington, Texas 76012

Judy Mayo
3862 Tamworth
Fort Worth, Texas 76116

Walter Virden
1803 Bois d'Arc Drive
Arlington, Texas 76013

Dear Sirs and Madam,

I am writing to you because I have been informed that you constitute a group holding itself out as the Standing Committee of the Episcopal Diocese of Fort Worth. It has come to my attention that recently you have taken actions in support of an attempt to take the Episcopal Diocese of Fort Worth out of the Episcopal Church and into affiliation with the Province of the Southern Cone. I understand that these have included meeting as the purported Standing Committee of an entity that identifies itself as a diocese in union with the Province of the Southern Cone, and electing officers of such a purported Committee. These actions directly conflict with the Constitution and canons of the Episcopal Church.

Canon I.17.8 of the Episcopal Church provides that "[a]ny person accepting any office in this Church shall well and faithfully perform the duties of that office in accordance with the Constitution and Canons of this Church and of the Diocese in which the office is being exercised." Your recent actions demonstrate that you have been and are unable to well and faithfully fulfill your duties as members of the Standing Committee of the Episcopal Diocese of Fort Worth under Canon I.17.8. Accordingly, with this letter I inform you that I do not recognize you as the Standing Committee of the Episcopal Diocese of Fort Worth.

I regret the decisions that you have made to attempt to take the Diocese out of
The Episcopal Church and the necessary consequences of these actions. I give thanks for
your service in the past, and pray that it may once again be a blessing to this Diocese. I
remain

Your servant in Christ,

Katharine Jefferts Schori

Katharine Jefferts Schori