

COPY

NO. 141-237105-09

THE EPISCOPAL DIOCESE OF FORT WORTH, THE CORPORATION OF THE EPISCOPAL DIOCESE OF FORT WORTH, and THE EPISCOPAL CHURCH,

Plaintiffs

v.

FRANKLIN SALAZAR, JO ANN PATTON, WALTER VIRDEN III, ROD BARBER, CHAD BATES, JACK LEO IKER, and THE ANGLICAN PROVINCE OF THE SOUTHERN CONE’S “DIOCESE OF FORT WORTH,” holding itself out as “THE EPISCOPAL DIOCESE OF FORT WORTH,”

Defendants

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IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

141<sup>ST</sup> JUDICIAL DISTRICT

ORDER GRANTING RULE 12 MOTION

On 9<sup>th</sup> day of September, 2009, came on to be heard Defendants’ Motion Challenging the Authority of Attorneys to Prosecute This Suit on Behalf of The Episcopal Diocese of Fort Worth and The Corporation of The Episcopal Diocese of Fort Worth. Movants appeared by and through their counsel of record along with Jonathan D. F. Nelson and Kathleen Wells. All parties announced ready for the hearing, which began and recessed until September 16, 2009. Movants once again appeared by and through their counsel of record along with Jonathan D. F. Nelson and Kathleen Wells and announced ready for the resumption of the hearing. Upon conclusion of the hearing, the Court finds that the attorneys cited to appear have not discharged their burden of proof that they were hired by individuals holding positions at the time of the hiring within The Episcopal Diocese of Fort Worth and The Corporation of The Episcopal Diocese of Fort Worth *that are associated with Bishop Iker,*

**IT IS THEREFORE ORDERED** that Jonathan D. F. Nelson and Kathleen Wells are barred from appearing in this suit as attorneys for The Episcopal Diocese of Fort Worth and The Corporation of the Episcopal Diocese of Fort Worth <sup>that is associated with Bishop IKER</sup> ~~as plaintiffs and the pleadings of The Episcopal Diocese of Fort Worth and The Corporation of The Episcopal Diocese of Fort Worth as plaintiffs are struck from these proceedings.~~

SIGNED this 14 day of September, 2009.

  
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Judge Presiding