

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**EPISCOPAL DIOCESE OF FORT WORTH**

**Plaintiff,**

**VS.**

**THE RT. REV. JACK LEO IKER**

**Defendant.**

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**NO. 4:10-cv-00700-Y**

**PLAINTIFF THE EPISCOPAL DIOCESE OF FORT WORTH'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Plaintiff the Episcopal Diocese of Fort Worth (“the Episcopal Diocese”) submits this Motion for Partial Summary Judgment as to (1) Defendant’s liability for service mark infringement and (2) injunctive relief from Defendant’s service mark infringement. This motion for partial summary judgment does not seek judgment as to (1) damages in Plaintiff’s service mark infringement claim or (2) liability or damages in Plaintiff’s service mark dilution claim. Plaintiff the Episcopal Diocese respectfully reserves its right to pursue these remaining elements of the case in the course of this litigation. The statements required by Local Rule 56.3(a) are set forth in Plaintiff the Episcopal Diocese’s Brief in Support of Motion for Partial Summary Judgment, which is incorporated as if set forth herein.

Dated: December 13, 2010

Respectfully submitted,

/s Jonathan D. F. Nelson

Jonathan D. F. Nelson  
Texas Bar No. 14900700  
Jonathan D. F. Nelson, P.C.  
1400 W. Abrams Street  
Arlington, Texas 76013  
Tel: 817.261.2222  
Fax: 817.861.4685  
jnelson@hillgilstrap.com

/s William D. Sims, Jr.

William D. Sims, Jr.  
Texas Bar No. 18429500  
Thomas S. Leatherbury  
Texas Bar No. 12095275  
Allen W. Yee  
Texas Bar No. 24042201  
VINSON & ELKINS, LLP  
2001 Ross Avenue - Suite 3700  
Dallas, TX 75201  
Tel: 214.220.7700  
Fax: 214.220.7716  
bsims@velaw.com  
tleatherbury@velaw.com  
ayee@velaw.com

**ATTORNEYS FOR PLAINTIFF**  
**THE EPISCOPAL DIOCESE OF FORT WORTH**

**CERTIFICATE OF SERVICE**

I hereby certify that on December 13, 2010, I electronically filed Plaintiff The Episcopal Diocese of Fort Worth's Motion for Partial Summary Judgment with the clerk of the court for the United States District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to those attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

J. Shelby Sharpe, Esq.  
Sharpe Tillman & Melton  
6100 Western Place, Suite 1000  
Fort Worth, TX 76107

Geoffrey A. Mantooh, Esq.  
801 Cherry Street, Unit #46  
Fort Worth, TX 76102

s/ William D. Sims, Jr.