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FRANK GILSTRAP
BOARD CERTIFIED
CIVIL APPELLATE LAW

December 11, 2009

Via Hand Delivery

Ms. Debra Spisak, Clerk
Second Court of Appeals
401 West Belknap, Suite 9000
Fort Worth, Texas 76196

Re: No. 02-09-00405-CV
In re Franklin Salazar, Jo Ann Patton, et al.

Dear Ms. Spisak:

Enclosed please find the original and three copies of a Second Unopposed Motion to Extend Briefing Dates. Please return a file-marked copy to me via the courier. I am also enclosing a check in the amount of \$15 for the filing fee.

If you have any questions, please call.

Very truly yours,



Frank Gilstrap

FG/ar

c. Hon. John P. Chupp
Hon. Scott A. Brister
Kendall M. Gray
J. Shelby Sharpe

02-09-00405-CV

COURT OF APPEALS

SECOND DISTRICT OF TEXAS AT FORT WORTH

**In re Franklin Salazar, Jo Ann Patton, Walter Verdin, III,
Rod Barber, Chad Bates, Jack Leo Eicher;
Corporation for the Episcopal Diocese of Fort Worth;
and The Episcopal Diocese of Fort Worth,**

Relators

**Original proceeding from 141st Judicial District Court,
Tarrant County (No. 141-237105-09)**

SECOND UNOPPOSED MOTION TO EXTEND BRIEFING DATES

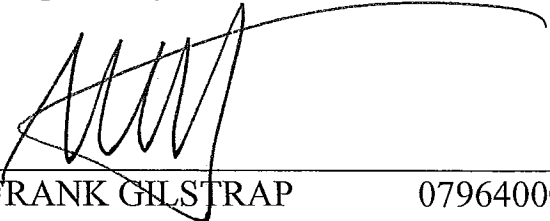
In this original proceeding, the Court has directed the Real Parties in Interest to file a response by Monday, December 21, 2009, and the Relators to file any reply by Monday, January 11, 2010. The parties have conferred, and they now ask the Court to extend these deadlines by 28 days, so that the response will be due by Monday, January 18, 2009, and any reply will be due by Monday, February 8, 2010. The Real Parties in Interest are seeking this extension for two reasons.

First, events in another case have left the undersigned attorney with inadequate time to prepare a response, which is presently due ten days from the date of this motion. Particularly, the undersigned attorney has been handling an ongoing summary judgment proceeding in a suit between a natural gas producer and a school district in the 48th District Court. The cross-motions for summary judgment in that case were finally heard yesterday, December 10, 2009.

Second, the issues in this original proceeding are complex and require additional time. The Relators are seeking to compel the trial court to grant their motion made under Rule 12, TEX.R.CIV.P. However, we must address more than Rule 12 in order to respond to the mandamus petition. The Rule 12 motion is seeking a decision on the merits of the underlying suit. Particularly, the Relators want the trial court to rule that they--and not us--represent the Episcopal Diocese of Fort Worth (the "Diocese") and the Corporation for the Episcopal Diocese of Fort Worth (the "Corporation"). If this Court reaches that issue, it will have to address underlying issues in the trial court proceeding, to-wit: who controls the Diocese and the Corporation, and who is entitled to their properties? To address these questions, we must address the merits of this case and that involves voluminous documents. Particularly important is the 62 page motion for partial summary judgment, filed by the Episcopal Church and the Real Parties in interest, together with the over 1,500 pages of supporting exhibits.

Accordingly, the Real Parties respectfully request that the briefing deadlines be extended as set forth above.

Respectfully submitted,



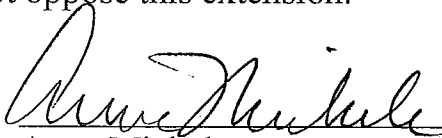
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(817) 261-2222
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ATTORNEYS FOR REAL
PARTIES IN INTEREST

CERTIFICATE OF CONFERENCE

On December 10, 2009, I conferred with Kendall Gray, Attorney for Relators, who stated that he would not oppose this extension.




Anne Michels

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing Agreed Motion to Extend was served, on December 11, 2009, on the Relators' counsel, as follows:

Kendall M. Gray
Andrews Kurth, LLP
600 Travis, Suite 4200
Houston, TX 77002



Anne Michels

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FRANK GILSTRAP
BOARD CERTIFIED
CIVIL APPELLATE LAW

December 14, 2009

Via Hand Delivery

Ms. Debra Spisak, Clerk
Second Court of Appeals
401 West Belknap, Suite 9000
Fort Worth, Texas 76196

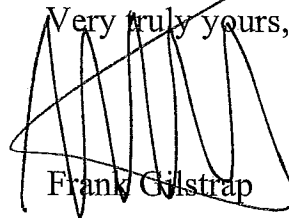
Re: No. 02-09-00405-CV
In re Franklin Salazar, Jo Ann Patton, et al.

Dear Ms. Spisak:

Enclosed please find the original and three copies of an Amended Certificate of Service, which pertains to our Second Unopposed Motion to Extend Briefing Dates, which we presented for filing on Friday, December 11, 2009.

Please advise if you have further questions.

Very truly yours,



Frank Gilstrap

FG/ar

c. Hon. John P. Chupp
Hon. Scott A. Brister
Kendall M. Gray
J. Shelby Sharpe

02-09-00405-CV

COURT OF APPEALS

SECOND DISTRICT OF TEXAS AT FORT WORTH

**In re Franklin Salazar, Jo Ann Patton, Walter Verdin, III,
Rod Barber, Chad Bates, Jack Leo Eicher;
Corporation for the Episcopal Diocese of Fort Worth;
and The Episcopal Diocese of Fort Worth,**

Relators

**Original proceeding from 141st Judicial District Court,
Tarrant County (No. 141-237105-09)**

AMENDED CERTIFICATE OF SERVICE

A true and correct copy of the Second Unopposed Motion to Extend

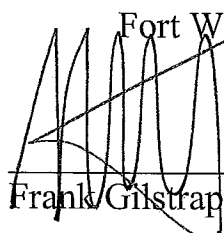
Briefing Dates was served, on December 11, 2009, on the following parties:

Kendall M. Gray
Andrews Kurth, LLP
600 Travis, Suite 4200
Houston, TX 77002

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

Hon. Scott A. Brister
Andrews Kurth LLP
111 Congress Ave., Ste. 1700
Austin, Texas 78701

The Honorable John P. Chupp
Judge, 141st District Court
Family Law Center
200 East Weatherford Street, 4th Floor
Fort Worth, TX 76196-0230



Frank Gilstrap