

<p>THE EPISCOPAL CHURCH, et al.</p> <p>v.</p> <p>FRANKLIN SALAZAR, et al.</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>IN THE DISTRICT COURT</p> <p>TARRANT COUNTY, TEXAS</p> <p>141<sup>ST</sup> JUDICIAL DISTRICT</p>
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**ORDER GRANTING DEFENDANTS'  
MOTION TO SEVER AND TO STAY PROCEEDINGS**

On this day came on to be considered Defendants' Motion To Sever and To Stay Proceedings. The Court, after reviewing the motion and the opposition, and having heard the argument of counsel, finds that Defendants' Motion To Sever and To Stay Further Proceedings should be granted and the following order entered:

**IT IS, THEREFORE, ORDERED** that all claims that are the subject of this Court's Amended Order on Summary Judgment signed on February 8, 2011, are severed from this cause and shall appear on the docket of this Court as Cause No. \_\_\_\_\_ styled *The Episcopal Church, et al vs. Franklin Salazar, et al.*

**IT IS FURTHER ORDERED** that the clerk of this Court shall make a new file for the severed suit including the following Court papers from this suit:

- (1) Order Granting Rule 12 Motion (9-16-09);
- (2) Judgment and Opinion of Second District Court of Appeals (6-25-10);
- (3) Modified Order Granting Rule 12 Motion (7-8-10);
- (4) Plaintiff The Episcopal Church's Third Amended Original Petition (10-12-10);
- (5) Individual Plaintiffs' Sixth Amended Original Petition (12-21-10);
- (6) First Amended Third-Party Petition of Defendant The Episcopal Diocese of Fort Worth (12-23-10);

- (7) First Amended Third-Party Petition of Intervenor The Corporation of The Episcopal Diocese of Fort Worth (12-23-10);
- (8) First Amended Original Plea in Intervention (11-15-10) (Weaver);
- (9) Intervenor's Third Amended Original Answer to Third-Party Defendants' Counterclaim and Second Amended Original Answer to Plaintiffs' Third Amended Original Petition (11-5-10);
- (10) Defendants' Answer to Plaintiff The Episcopal Church's Third Amended Original Petition (12-23-10);
- (11) Defendants' Answer to Individual Plaintiffs' Sixth Amended Original Petition (12-23-10);
- (12) The Episcopal Diocese of Fort Worth's Answer to Counterclaims of Third-Party Defendants (12-23-10);
- (13) The Corporation of The Episcopal Diocese of Fort Worth's Answer to Counterclaims of Third-Party Defendants (12-23-10);
- (14) Original Answer of Judy Mayo, The Rev. Christopher Cantrell, The Rev. Timothy Perkins and The Rev. Ryan Reed (10-12-10);
- (15) Original Answer of Julia Smead (11-5-10);
- (16) The Episcopal Diocese of Fort Worth's Answer to Counterclaims of Third-Party Defendants (12-23-10);
- (17) Fourth Amended Answer and Counterclaims to Southern Cone Diocese's Third-Party Petition (12-21-10);
- (18) Fourth Amended Answer and Counterclaims to Southern Cone Corporation's Plea in Intervention and Third-Party Petition (12-21-10);
- (19) Plaintiff The Episcopal Church's Motion for Summary Judgment and Brief in Support of Motions (10-18-10);
- (20) Appendix to All Episcopal Parties' Motions for Summary Judgment and Partial Summary Judgment (10-18-10);
- (21) Plaintiff The Episcopal Church's Supplemental Evidence in Support of Its Motion for Summary Judgment (10-22-10);

- (22) Local Episcopal Parties' Amended Motion for Partial Summary Judgment (12-21-10);
  - (23) Supplemental Evidence in Support of All Local Episcopal Parties' Motions for Summary Judgment (12-21-10);
  - (24) Defendants' Motion for Partial Summary Judgment (12-23-10);
  - (25) Appendix to Defendants' Motion for Partial Summary Judgment (12-23-10);
  - (26) Defendants' Objections to Plaintiffs' Summary Judgment Motions and Evidence (1-7-11);
  - (27) Defendants' Supplemental Appendix (1-7-11);
  - (28) Defendants' Response to Plaintiff The Episcopal Church's Motion for Summary Judgment (1-7-11);
  - (29) Defendants' Response to Local Episcopal Parties' Amended Motion for Partial Summary Judgment (1-7-11);
  - (30) The Episcopal Church's Response to Defendants' Motion for Partial Summary Judgment (1-7-11);
  - (31) Local Episcopal Parties' Response to Defendants' Motion for Partial Summary Judgment (1-7-11);
  - (32) Supplemental Evidence in Support of All Local Episcopal Parties' Responses to Defendants' Motion for Partial Summary Judgment (1-7-11);
  - (33) All Episcopal Parties' Objections to Defendants' Summary Judgment Evidence (1-7-11);
  - (34) The Episcopal Church's Reply in Support of Its Motion for Summary Judgment (1-11-11);
  - (35) Episcopal Parties' Objections to Defendants' Supplemental Appendix and Evidence Attached to Response (1-11-11);
  - (36) Motion for Leave to File Supplemental Affidavits (1-14-11);
  - (37) Supplemental Affidavit of Walter Virden, III (1-14-11);
  - (38) Supplemental Affidavit of Charles A. Hough, III (1-14-11);
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- (39) Order Granting Motion for Leave to File Supplemental Affidavits (1-14-11);
- (40) Order on Summary Judgment (1-21-11);
- (41) Order Granting Local Episcopal Parties' Amended Motion for Partial Summary Judgment (1-21-11);
- (42) Objections to Form of Summary Judgment Orders (1-25-11);
- (43) Affidavit of Charles A. Hough, III in support of Objections to Form of Summary Judgment Orders (1-27-11);
- (44) Episcopal Parties' Response to Defendants' Objections to Form of Summary Judgment Orders (1-31-11);
- (45) Episcopal Parties' Objections to Affidavit of Charles A. Hough, III (1-31-11);
- (46) Amended Order on Summary Judgment (2-8-11);
- (47) Defendants' Motion to Sever and Stay Remaining Proceedings (2-8-11);
- (48) This Order Granting Defendants' Motion To Sever and To Stay Proceedings;
- (49) Docket Sheet itemizing the foregoing items.

**IT IS FINALLY ORDERED** that all further proceedings in this cause are stayed pending a final determination of the severed claims through the appellate process.

SIGNED this 5 day of ~~March~~ <sup>April</sup>, 2011.

  
JUDGE PRESIDING