

# THE COHN LAW FIRM

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February 6, 2023

Mr. George Anding, Esq.  
8480 Bluebonnet Blvd., Suite D  
Baton Rouge, Louisiana 70810

**VIA HAND DELIVERY**

Re: Rev. David R. Melville, et al vs. Board of Trustees of the Louisiana Annual Conference of the United Methodist Church, South Central Jurisdiction  
My file number 34348

Dear Buzzy:

Enclosed find a copy of the verified Petition with attachments that include affidavits of Frank Bright and Rev. Fred Wideman. In addition, for your consideration, find attached the list we have so far that reveals what documents we will seek to subpoena in connection with the hearing on the preliminary injunction. This list is a work in progress, so it may change a bit.

The intent is to file the Petition on February 8, 2023 against the Defendant named in the Petition. As the agent for service of process/general counsel for the Defendant, this is given to you as notice under La. C.C.P. 3603 prior to our filing of the action and requesting from the trial court a temporary restraining order.

Immediate injunctive relief is necessary 1) to prohibit the ongoing proceedings for disaffiliation in Local Churches pursuant to ¶ 2553 of the Discipline which is a violation of the church property law as addressed in La. R.S. 12:208 (A) (2), 2) to prevent further irreparable harm to the membership of Local Churches, and 3) to prohibit the Annual Conference's conducting of pending Church Conferences until such time that a hearing on the requested preliminary injunction is held. I am aware that a scheduled Church Conference at First United Methodist Church in Shreveport is scheduled on February 26, 2023.

From my reading of the Code of Civil Procedure, the timing of the hearing on the preliminary injunction is dependent whether the TRO is granted. If granted, the court sets the hearing as soon it can. If the TRO is not granted, the timing for the hearing is no less than two days nor more than ten days from service of the Petition. If you would like to discuss an agreement to consent to the entry of the TRO with the Defendant stopping Church Conference Votes until the hearing on the preliminary injunction, then my client is open to that discussion. However, the February 26, 2023 date for the First United Methodist Church in Shreveport should be postponed allowing the court the give some guidance in the suit.

With best regards, I remain,

Very truly yours,

  
David M. Cohn

Dmc/  
CC: Clients

REV. DAVID R. MELVILLE, ET AL. \* DOCKET NUMBER: SECTION:  
VERSUS \* 19TH JUDICIAL DISTRICT COURT  
BOARD OF TRUSTEES OF THE \* EAST BATON ROUGE PARISH  
LOUISIANA ANNUAL CONFERENCE \*  
OF THE UNITED METHODIST \* STATE OF LOUISIANA  
CHURCH, SOUTH CENTRAL  
JURISDICTION

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PETITION

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NOW INTO COURT, through undersigned counsel, come Rev. Carl Rhoads, a competent person of the age of majority domiciled in Caddo Parish, Louisiana, Rev. Fred B. Wideman, a competent person of the age of majority domiciled in Claiborne Parish, Louisiana, Rev. John Winn, a competent person of the age of majority domiciled in East Baton Rouge Parish, Louisiana, Rev. Willis Dear, a competent person of the age of majority domiciled in Caddo Parish, Louisiana, Rev. William D. Peebles, a competent person of the age of majority domiciled in Caddo Parish, Louisiana, Rev. Patricia “Pat” Bates, , a competent person of the age of majority domiciled in Claiborne Parish, Louisiana, Rev. David R. Melville, a competent person of the age of majority and a non-resident of the State of Louisiana domiciled in the State of Texas; Rev. Ann Elizabeth Bingham Eaves, a competent person of the age of majority domiciled in Caddo Parish, Louisiana; and Rev. M. Eugene Finnell, a competent person of the age of majority and a non-resident of the State of Louisiana domiciled in the State of Tennessee (collectively “**Plaintiffs**”), who respectfully represent that individually and collectively the Plaintiffs seek declaratory relief and injunctive relief, with ancillary remedies for the following reasons, to-wit:

(1)

Named defendant herein is the Board of Trustees of the Louisiana Annual Conference of the United Methodist Church, South Central Jurisdiction (hereinafter sometimes called the “**Annual Conference**” or “**Louisiana Annual Conference**” or “**Defendant**”), a Louisiana non-profit corporation, domiciled in the Parish of East Baton Rouge, Baton Rouge, Louisiana, which may be served through George Anding, Attorney at Law, 8480 Bluebonnet Blvd, Suite D, Baton Rouge, Louisiana 70810.

(2)

Plaintiffs herein are voting members of the Annual Conference.

(3)

Plaintiffs bring this suit as voting members of the Louisiana Annual Conference of the United Methodist Church (“UMC”) and pursuant to La. R.S. 12:208 (A) (2) to permanently, preliminarily and temporarily enjoin the Annual Conference for its unauthorized, *ultra vires* acts through its governing bodies and leadership allowing the ongoing process for disaffiliation of member churches of the United Methodist Church in Louisiana (hereinafter collectively the “**Local Churches**”) which process will cause the transfer and divestiture of protected denominational property, title to which is owned and controlled by the Annual Conference pursuant to the United Methodist Church *Book of Discipline* paragraphs 2501 *et. seq* (hereinafter referenced as the “**UMC Trust Clause Protections**”). See, Exhibit A attached hereto.

(4)

The United Methodist Church is a global, connectional religious denomination, with its administrative structure comprised of the Local Churches, which are member churches located with their houses of worship facilities within an annual conference, like the Louisiana Annual Conference and presided over by a bishop.

(5)

The Louisiana Annual Conference, under the *Book of Discipline*, is the primary administrative and ecclesiastical governing body in Louisiana for the denomination with oversight of its Local Churches and clergy. An annual conference’s administrative officials are its bishop and certain clergy appointed by the bishop as district superintendents to give oversight to Local Churches and clergy.

(6)

The board of trustees of an annual conference exercises authority over the conference property and may take “necessary legal steps to safeguard and protect the interests and rights of the annual conference.” *Book of Discipline* ¶ 2512 (3) and (4). The *Book of Discipline* provides that the Board of Trustees of the Louisiana Annual Conference are effectively and analogously a “board of directors [as] applied to corporations.” (*Book of Discipline* ¶ 2507) and the incorporation of the Annual Conference as a state non-profit corporation may be in the name of board of trustees (*Book of Discipline* ¶ 2512).

(7)

The Local Churches across the denomination in Louisiana have acquired the property where the church facilities are now located and other assets subject to express provisions of the *Book of Discipline*, placing such ownership under the UMC Trust Clause Protections in favor of the Annual Conference and for the benefit of The United Methodist Church denomination.

(8)

In connection with current disaffiliation proceedings by Local Churches, a church conference of a Local Church is authorized, convened and presided over by a district superintendent of the Annual Conference who supervises the membership deliberations for denominational business and any actions including the disputed action of disaffiliation (hereinafter the “**Church Conference**”). The vote at a Church Conference is by all professing members of the Local Church present at the meeting. Exh. A, ¶ 248.

(9)

The ordained clergy, such as the Plaintiffs, within the Annual Conference are voting members thereof and the remainder of the voting members of the Annual Conference are lay members elected from Local Churches.

(10)

Every four years, delegates elected from all the annual conferences assemble for the denomination’s General Conference, which is the legislative body for enactment of the church law as reflected in the *Book of Discipline*.

(11)

According to Chapter Six of the *Book of Discipline* entitled “**Church Property**,” all property, movable, immovable, corporeal and incorporeal, of Local Churches is subject to the UMC Trust Clause Protections. Paragraph 2501 (1), Exh. A.

(12)

Pursuant to the UMC Trust Clause Protections, ownership of all of the Local Churches’ property is held in a relationship of trust with the Louisiana Annual Conference for the benefit of the entire United Methodist Church denomination as provided in the UMC Discipline paragraph 2501 (1), and ultimate “title” under this broad connectional principle of the church is “held” “by the incorporated conferences” in which the Local Church is a member.

(13)

The UMC *Book of Discipline* is the governing legal document of the denomination, the United Methodist Church, and the church law embodied therein is the result of the legislative process of the UMC General Conference composed of elected voting delegates from the annual conferences throughout the denomination, including the Annual Conference. Paragraph 501, *Book of Discipline*.

(14)

Prior to actions by the General Conference in 2019, all notions of disaffiliation by a local UMC church membership from the denomination were virtually prohibited as a result of the UMC Trust Clause Protections. Disaffiliation by a large group of local church members, even as a majority, with such group taking control and ownership of the local church properties would violate the relationship of trust between the annual conference and the local church governing ownership of such properties on behalf of the denomination.

(15)

The General Conference is convened every four years with the last regularly scheduled conference meeting held in 2016 and the General Conference of 2020 canceled because of Covid-19 restrictions and warnings from governmental and health officials.

(16)

Because of deep conflict in the United Methodist Church around the issues of human sexuality, the UMC's Council of Bishops called a special session of the General Conference in 2019, where the denomination's longstanding positions against the practice of homosexuality and the ordination or marriage of self-avowed practicing homosexuals were the legislative agenda for votes by the General Conference.

(17)

The following provisions of *Book of Discipline*, among others, established the denominational stance of the UMC in opposition to homosexuality at the time that the special session of the General Conference was called in 2019:

Paragraph 304.3—The practice of homosexuality is incompatible with Christian teaching. Therefore, self-avowed practicing homosexuals are not to be certified as candidates, ordained as ministers, or appointed to serve in The United Methodist Church.

Paragraph 341.6—Ceremonies that celebrate homosexual unions shall not be conducted by our ministers and shall not be conducted in our churches.

Paragraph 2702.1—Chargeable Offenses. A bishop, clergy member of an annual conference, or diaconal minister may be tried when charged . . . with one or more of the following offenses: (b) practices declared by The United Methodist Church to be incompatible with Christian teachings, including but not limited to: being a self-avowed practicing homosexual; or conducting ceremonies which celebrate homosexual unions; or performing same-sex wedding ceremonies. . . .

The theological and church governance stance reflected in the above paragraphs of the *Book of Discipline* served as the basis of the so-called Traditional Plan which was reaffirmed by the vote of the General Conference at its special session in 2019.

(18)

In addition to resolving the church conflict and the reaffirmance of the Traditional Plan by the 2019 General Conference, new measures becoming church law were added to the *Book of Discipline* enhancing the UMC opposition to homosexuality in the trial and punishment of the clergy, including the following:

Paragraph 2711.3 Penalties. \* \* \* However, where the conviction is for conducting ceremonies that celebrate homosexual unions or performing same-sex wedding ceremonies under ¶ 2702.1(b) or (d), the trial court does not have the power to and may not fix a penalty less than the following: a) First (1st) offense – One (1) year's suspension without pay. b) Second (2nd) offense – Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.

With additional provisions added in 2019 to the UMC *Book of Discipline*, the UMC stance against any practices by ministers in the church condoning homosexual conduct and marriage was made more onerous toward homosexuality.

(19)

After the vote in favor of the Traditional Plan and the additional changes to the *Book of Discipline* against homosexuality, the 2019 General Conference voted in favor of adding new paragraph, numbered 2553, to the *Book of Discipline*, the purpose and function of which is defined in the language of its initial subpart 1, as follows:

Paragraph 2553—Disaffiliation of a Local Church Over Issues Related to Human Sexuality: 1. Basis-- Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a **limited right**, under the provisions of this paragraph, **to disaffiliate** from the denomination **for reasons of conscience** regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow. (emphasis added)

(hereinafter ¶ 2553) See, Exhibit A for entire text.

(20)

The additional provisions of ¶ 2553's limited right of disaffiliation by a Local Church that follow sub-part 1 mentioned in the preceding paragraph, provide for procedures for disaffiliation conducted by officials of an annual conference with the board of trustees of an annual conference making the determination of the exit price for the disaffiliating church to leave the denomination with the Local Church properties released from an annual conference's ownership and control under the UMC Trust Clause Protections.

(21)

By the addition of ¶ 2553 to the *Book of Discipline*, a Local Church that opposes the Traditional Plan of governance over the issues of human sexuality and the 2019 General Conference's changes to the *Book of Discipline* related to the prohibitions upon homosexuality (hereinafter a "**Progressive Church**") can, by a 2/3rds vote of its members at a church conference, disaffiliate and leave the United Methodist Church. However, a disaffiliation by a Progressive Church must conform to the mandatory and specific requirements of ¶ 2553 to the *Book of Discipline* imposed on the church through its District Superintendents oversight and direction and the Progressive Church, in connection with its vote to disaffiliate.

(22)

Any vote to disaffiliate by a Local Church under ¶ 2553 also requires a final vote ratifying such disaffiliation by the Annual Conference meeting in plenary session (hereinafter the "**Annual Conference Ratification**").

(23)

Significantly, such disaffiliation by a Progressive Church is defined as a "limited right" and exception to the UMC Trust Clause Protections because the ¶ 2553 formula for removal of the UMC properties of that church upon disaffiliation requires only a nominal payment defined under ¶2553 (4) (b) and (c) for the removal of the Local Church's property from the United Methodist Church without payment of fair market value.

(24)

At the present time, ongoing proceedings, including special discernment committees within the Local Churches, have been sanctioned by Defendant for the educational, discernment, and deliberative processes for consideration of denominational disaffiliation under ¶ 2553 for those

Local Churches which for varying reasons are considering leaving the denomination (hereinafter the “**Ongoing Disaffiliation Proceedings**”). The concluding event and action by the Local Church in these Ongoing Disaffiliation Proceedings will be a vote by the membership at a Church Conference convened and presided over by the Annual Conference’s District Superintendent.

(25)

The Ongoing Disaffiliation Proceedings are presenting to the membership of Local Churches no opposition to the UMC church law provisions against homosexuality or the Traditional Plan, and on information and belief, no Local Church in the Ongoing Disaffiliation Proceedings is seeking disaffiliation from the UMC because of the existing prohibitions in the *Book of Discipline* against the ordination of homosexual ministers and against the celebration of same sex unions at such Local Church.

(26)

Instead of presenting opposition statements and beliefs against the current stance of the UMC on human sexuality as the basis for the proposed disaffiliation from The United Methodist Church, the Ongoing Disaffiliation Proceedings are discussing other reasons for disaffiliation and, in fact, have discussed reasons why homosexuality should remain viewed as incompatible with Christian teachings.

(27)

As part of the Ongoing Disaffiliation Proceedings and as set forth in ¶ 2553, the church council of a Local Church can vote to ask the Defendant, through its officer, the administrative district superintendent, to set and direct a Church Conference meeting pursuant to the *Book of Discipline* for purposes of voting on disaffiliation pursuant to ¶ 2553. At the present time, upon information and belief, Church Conferences have been set by the Defendant and are pending for votes on disaffiliation.

(28)

In requesting such Church Conferences, upon information and belief, no representations have been made to a district superintendent and the Defendant that the majority vote of the church council of a Local Church was based upon its members’ expressions of belief and reasons of conscience opposing the current stance of the UMC against homosexuality as voiced during the meeting of such church council.



(29)

Upon information and belief, the Annual Conference is permitting Local Churches to disaffiliate from the United Methodist Church, without following the dictates of ¶ 2553 to the *Book of Discipline* and the Local Churches are voting to disaffiliate from the United Methodist Church for the reasons unrelated to the limited right afforded by ¶ 2553 to the *Book of Discipline*. To say it another way, Local Churches are voting to disaffiliation from the United Methodist Church whereby the Annual Conference has abdicated their duty to supervise the vote of the Local Church to ensure conformance to ¶ 2553 to the *Book of Discipline* and the Local Churches are voting to disaffiliate from the United Methodist Church for reasons opposite of the intention of ¶ 2553 to the *Book of Discipline*. The Defendant is violating its duty to its members under LSA-12:208A. In connection therewith the Plaintiffs have not at any time assented to the Ongoing Disaffiliation Proceedings, which the Defendants are allowing in Local Churches for disaffiliation from the United Methodist Church and in bringing this action have not colluded with the Defendant its officials in violation of ¶ 2553 to the *Book of Discipline*.

(30)

The Defendant, through its district superintendents, has indicated that in conducting a Church Conference vote under ¶ 2553, voting members of the Local Churches will not be required to acknowledge that the member's vote for disaffiliation is based upon his or her disagreement with the current *Book of Discipline's* stance against homosexuality.

(31)

The Louisiana Annual Conference and the actions through its district superintendents for the Ongoing Disaffiliation Proceedings of Local Churches under ¶ 2553 evidences their refusal to enforce the rights of ownership of the Annual Conference in the church property pursuant to the UMC Trust Clause Protections.

(32)

Upon information and belief, there are Ongoing Disaffiliation Proceedings for Local Churches with the fair market value of the denominational property for those churches totaling in excess of \$50,000,000 and acting purportedly under the provisions for payment of ¶ 2553, the Defendant is prepared to calculate and receive approximately \$2,000,000 for such property in payment in the event of a vote for disaffiliation by those churches.

(33)

The Defendant and the Bishop of the Louisiana Annual Conference have been advised on various occasions that any planned vote at a church conference under ¶ 2553 is unauthorized or would, at a minimum, require each voter in favor of disaffiliation to signify their conscientious objection to the present stance of the United Methodist Church opposing the practice of homosexuality, the ordination of homosexuals, and the marriage of homosexuals as presently prohibited by the Discipline.

(34)

There are pending dates in some Local Churches in their Ongoing Disaffiliation Proceedings set for the conducting of Church Conferences by the Annual Conference District Superintendents for the possible 2/3rds-vote of the membership for disaffiliation.

(35)

After such Church Conference votes by other Local Churches, the Annual Conference has routinely affirmed such votes in the last year, without following the specific and mandatory provisions of ¶ 2553 to the *Book of Discipline* and has acted releasing its property rights in such Local Church properties.

(36)

A showing of irreparable harm by the Plaintiffs is not required for the issuance of the temporary restraining order, preliminary injunction or permanent injunction as prayed for below, since Plaintiffs are seeking to restrain and/or enjoin a violation of church law and La. R.S. 12:208 does not mandate a requirement of a showing of irreparable harm. However, such votes by Church Conference of the Local Church's disaffiliation from the United Methodist Church cause irreparable injury, loss, damage or harm to Local Church membership and/or the United Methodist Church and its members and affiliates, as the case may be, in the following respects:

- (a) the heightened emotions and divisiveness that result from such voting by the church members as well as the members of the Annual Conference; and
- (b) the loss of most of the value of the Local Church Property entrusted to the United Methodist Church in accord with ¶ 2501 of the *Book of Discipline* for a small sum of money in comparison with the property lost resulting, among other things, in the remaining church members and affiliates looking to the future with concern over whether the financial,

spiritual and practical support of the United Methodist Church heretofore provided will continue to be available; and

- (c) The title to immovable property released by the Defendant to disaffiliated churches are clouded by the lack of oversight by Defendant and the vote of other churches seeking to disaffiliate, without following the strict direction of ¶ 2501 of the *Book of Discipline*, as the vote of the disaffiliated churches and the vote of the Annual Conference approving such disaffiliation of the churches are under the threat of attack for failing to follow proper protocol; and
- (d) Confusion and emotional distress among the voting members of the Annual Conference, including the Plaintiffs herein; and
- (e) Other examples of irreparable injury, loss, damage or harm to be revealed at the trial of this matter or shown by the exhibits to this Petition.

(37)

Such pending Church Conference votes are also the primary Local Church action seeking the complete divestment of the Annual Conference's denominational trust rights, causing irreparable injury, loss, damage or harm to the Annual Conference and its voting members and affiliates.

(38)

Because no showing of irreparable injury, loss, damage or harm is required or alternatively, if required but alleged above, this Court may issue a temporary restraining order (TRO) to stop the Defendant from conducting such Church Conferences in Local Churches, until such time that a hearing for a preliminary injunction is conducted by this Court in accordance with La. C.C.P. art. 3602 in no "less than two nor more than ten days after service of the notice" of this action. In connection therewith, see (a) the Affidavit of Frank Bright attached hereto as Exhibit "B", (b) The Affidavit of Rev. Fred B. Wideman attached hereto as Exhibit "C" and (c) the Attorney's Certificate of undersigned counsel attached hereto as Exhibit "D", which outlines the steps taken to notify the Defendant through its counsel and agent for service of process, George Anding of Plaintiffs' intention to seek a TRO in the present proceedings.

(39)

The issuance of a TRO by this Court prohibiting any vote by a Church Conference will have no economic effect on the Defendant during the time before a full hearing for the requested

preliminary injunction herein. Also, other than Church Conference votes which are the subject of the requested TRO, Ongoing Disaffiliation Proceedings may otherwise continue until the hearing on the preliminary injunction. Furthermore, this action of the Plaintiffs attempts to stop *ultra vires* acts of the Defendant, which is failing to follow the law of the *Book of Discipline*. Accordingly, the Court, in its discretion should set a very low bond as mentioned in LSA-CCP Art. 3610 in connection with the grant by the Court unto Plaintiffs of the TRO and/or a Preliminary Injunction, described herein and prayed for below.

WHEREFORE, PLAINTIFFS, pray that:

- (a) the Court shall issue a temporary restraining order in accord with LSA-CCP Art. 3601 and LSA-CCP Art. 3603, with a very low bond or other security, restraining and enjoining the Defendant (and its agents, officers, employees, including its District Superintendents or others it may designate to act on its behalf) from convening and conducting any Church Conference at a Local Church; and
- (b) The Defendant, show cause on a date and time determined by this Court in accord with LSA-CCP Art. 3601, 3602 and 3606 why a preliminary injunction should not be issued restraining and enjoining the Defendant (and its agents, officers, employees, including its District Superintendents or others it may designate to act on its behalf), from conducting any actions pursuant to ¶ 2553 of the *Book of Discipline*, including Ongoing Disaffiliation Proceedings at a Local Church, Church Conferences for Disaffiliation, and The Annual Conference Ratification of Disaffiliation; and
- (c) After due proceedings had, this Court render judgment in favor of Plaintiff and against Defendant (and its agents, officers, employees, including its District Superintendents or others it may designate to act on its behalf), (i) declaring that all Ongoing Disaffiliation Proceedings of Local Churches are being conducted in violation of the United Methodist Church's *Book of Discipline* provisions for the ownership of church property and specifically ¶¶ 2501 and 2553, and that said actions conducted or to be conducted by Defendant will improperly divest the Louisiana Annual Conference of its ownership of denominational properties (ii) the Defendant is enjoined permanently from convening and conducting any Church Conference at a Local Church or approving by the Annual Conference Ratification the results of any Church Conference

voting to disaffiliate (iii) the Defendant be cast for all costs of these proceedings and  
(iv) for all general and equitable relief.

Respectfully submitted,

THE COHN LAW FIRM  
A LIMITED LIABILITY COMPANY  
10754 Linkwood Court  
Baton Rouge, LA 70810  
Telephone: (225) 769-0858  
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[allyson@thecohnlawfirm.com](mailto:allyson@thecohnlawfirm.com)

BY: \_\_\_\_\_  
David M. Cohn, LBR #4237  
Bartley P. Bourgeois, LBR#26606  
Allyson S. Jarreau, LBR#36686

Service Instructions:

Please serve the Defendant through its agent for service of process:

George Anding, Esq.  
8480 Bluebonnet Blvd., Suite D  
Baton Rouge, Louisiana 70810

REV. DAVID R. MELVILLE, ET AL. \* DOCKET NUMBER: SECTION:  
VERSUS \* 19TH JUDICIAL DISTRICT COURT  
BOARD OF TRUSTEES OF THE \* EAST BATON ROUGE PARISH  
LOUISIANA ANNUAL CONFERENCE \*  
OF THE UNITED METHODIST \* STATE OF LOUISIANA  
CHURCH, SOUTH CENTRAL  
JURISDICTION

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VERIFICATION

STATE OF LOUISIANA  
PARISH OF CADDO


BEFORE ME, the undersigned authority, personally came and appeared:

Reverend Willis Dear

One of the Plaintiffs in the above and foregoing matter, who, after being sworn did depose and say that he has read the foregoing Petition and all of the allegations contained in it are true and correct.

  
Reverend Willis Dear

SWORN AND SUBSCRIBED TO BEFORE ME, Notary Public, on this 5<sup>th</sup> day of February,  
2023 in Shreveport, Louisiana.

  
Notary Public

Print name:

James E. Bolin, Jr.  
Bar Roll or Notary ID No.: 13840

REV. DAVID R. MELVILLE, ET AL. \* DOCKET NUMBER: SECTION:  
VERSUS \* 19TH JUDICIAL DISTRICT COURT  
BOARD OF TRUSTEES OF THE \* EAST BATON ROUGE PARISH  
LOUISIANA ANNUAL CONFERENCE \*  
OF THE UNITED METHODIST \* STATE OF LOUISIANA  
CHURCH, SOUTH CENTRAL  
JURISDICTION

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VERIFICATION

STATE OF LOUISIANA  
PARISH OF CADDO

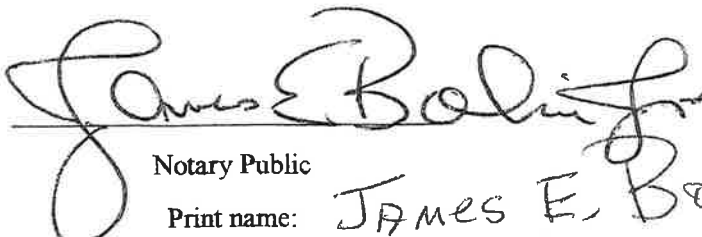
BEFORE ME, the undersigned authority, personally came and appeared:

Reverend Carl Rhoads

One of the Plaintiffs in the above and foregoing matter, who, after being sworn did depose and say that he has read the foregoing Petition and all of the allegations contained in it are true and correct.

  
Reverend Carl Rhoads

SWORN AND SUBSCRIBED TO BEFORE ME, Notary Public, on this 5<sup>th</sup> day of February,  
2023 in Shreveport, Louisiana.

  
Notary Public  
Print name: JAMES E. BOLINGER  
Bar Roll or Notary ID No.: 13840

## EXHIBIT A

¶ 2501. Requirement of the Trust Clause for All Property—1. All properties of United Methodist local churches and other United Methodist agencies and institutions are held, in trust, for the benefit of the entire denomination, and ownership and usage of church property is subject to the Discipline. This trust requirement is an essential element of the historic polity of The United Methodist Church or its predecessor denominations or communions and has been a part of the Discipline since 1797. It reflects the connectional structure of the Church by ensuring that the property will be used solely for purposes consonant with the mission of the entire denomination as set forth in the Discipline. The trust requirement is thus a fundamental expression of United Methodism whereby local churches and other agencies and institutions within the denomination are both held accountable to and benefit from their connection with the entire worldwide Church. In consonance with the legal definition and self-understanding of The United Methodist Church (see ¶ 141), and with particular reference to its lack of capacity to hold title to property, The United Methodist Church is organized as a connectional structure, and titles to all real and personal, tangible and intangible property held at jurisdictional, annual, or district conference levels, or by a local church or charge, or by an agency or institution of the Church, shall be held in trust for The United Methodist Church and subject to the provisions of its Discipline. Titles are not held by The United Methodist Church (see ¶ 807.1) or by the General Conference of The United Methodist Church, but instead by the incorporated conferences, agencies, or organizations of the denomination, or in the case of unincorporated bodies of the denomination, by boards of trustees established for the purpose of holding and administering real and personal, tangible and intangible property. 2. The trust is and always has been irrevocable, except as provided in the Discipline. Property can be released from the trust, transferred free of trust or subordinated to the interests of creditors and other third parties only to the extent authority is given by the Discipline.

¶ 248. The Church Conference—To encourage broader participation by members of the church, the charge conference may be convened as the church conference, extending the vote to all professing members of the local church present at such meetings. The church conference shall be authorized by the district superintendent. It may be called at the discretion of the district superintendent or following a written request to the district superintendent by one of the following: the pastor, the church council, or 10 percent of the professing membership of the local church. In any case a copy of the request shall be given to the pastor. Additional regulations governing the call and conduct of the charge conference as set forth in ¶¶ 246-247 shall apply also to the church conference.



¶ 2553. Disaffiliation of a Local Church Over Issues Related to Human Sexuality— 1. Basis-- Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow. 2. Time Limits--The choice by a local church to disaffiliate with The United Methodist Church under this paragraph shall be made in sufficient time for the process for exiting the denomination to be complete prior to December 31, 2023. The provisions of ¶ 2553 expire on December 31, 2023 and shall not be used after that date. 3. Decision Making Process--The church conference shall be conducted in accordance with ¶ 248 and shall be held within one hundred twenty (120) days after the district superintendent calls for the church conference. In addition to the provisions of ¶ 246.8, special attention shall be made to give broad notice to the full professing membership of the local church regarding the time and place of a church conference called for this purpose and to use all means necessary, including electronic communication where possible, to communicate. The decision to disaffiliate from The United Methodist Church must be approved by a two-thirds (2/3) majority vote of the professing members of the local church present at the church conference. 4. Process Following Decision to Disaffiliate from The United Methodist Church--If the church conference votes to disaffiliate from The United Methodist Church, the terms and conditions for that disaffiliation shall be established by the board of trustees of the applicable annual conference, with the advice of the cabinet, the annual conference treasurer, the annual conference benefits officer, the director of connectional ministries, and the annual conference chancellor. The terms and conditions, including the effective date of disaffiliation, shall be memorialized in a binding Disaffiliation Agreement between the annual conference and the trustees of the local church, acting on behalf of the members. That agreement must be consistent with the following provisions: a) Standard Terms of the Disaffiliation Agreement. The General Council on Finance and Administration shall develop a standard form for Disaffiliation Agreements under this paragraph to protect The United Methodist Church as set forth in ¶ 807.9. The agreement shall include a recognition of the validity and applicability of ¶ 2501, notwithstanding the release of property therefrom. Annual conferences may develop additional standard terms that are not inconsistent with the standard form of this paragraph. b) Apportionments. The local church shall pay any unpaid apportionments for the 12 months prior to disaffiliation, as well as an additional 12 months of apportionments. c) Property. A disaffiliating local church shall have the right to retain its real and personal, tangible and intangible property. All transfers of property shall be made prior to disaffiliation. All costs for transfer of title or other legal work shall be borne by the disaffiliating local church. d) Pension Liabilities. The local church shall contribute withdrawal liability in an amount equal to its pro rata share of any aggregate unfunded pension obligations to the annual conference. The General Board of Pension and Health Benefits shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church's share. e) Other Liabilities. The local church shall satisfy all other debts, loans, and liabilities, or assign and transfer them to its new entity, prior to disaffiliation. f) Payment

Terms. Payment shall occur prior to the effective date of departure. g) Disaffiliating Churches Continuing as Plan Sponsors of the General Board of Pension and Health Benefits Plans. The United Methodist Church believes that a local church disaffiliating under ¶ 2553 shall continue to share common religious bonds and convictions with The United Methodist Church based on shared Wesleyan theology and tradition and Methodist roots, unless the local church expressly resolves to the contrary. As such, a local church disaffiliating under ¶ 2553 shall continue to be eligible to sponsor voluntary employee benefit plans through the General Board of Pension and Health Benefits under ¶ 1504.2, subject to the applicable terms and conditions of the plans. h) Once the disaffiliating local church has reimbursed the applicable annual conference for all funds due under the agreement, and provided that there are no other outstanding liabilities or claims against The United Methodist Church as a result of the disaffiliation, in consideration of the provisions of this paragraph, the applicable annual conference shall release any claims that it may have under ¶ 2501 and other paragraphs of The Book of Discipline of The United Methodist Church commonly referred to as the trust clause, or under the agreement.

¶ 501. Definition of Powers—The General Conference has full legislative power over all matters distinctively connectional (see ¶ 16, Division Two, Section II, Article IV, The Constitution). It has no executive or administrative power.

¶ 401. Task—The task of superintending in The United Methodist Church resides in the office of bishop and extends to the district superintendent, with each possessing distinct and collegial responsibilities.

REV. DAVID R. MELVILLE, ET AL. \* DOCKET NUMBER:  
VERSUS \* 19TH JUDICIAL DISTRICT COURT  
BOARD OF TRUSTEES OF THE \* EAST BATON ROUGE PARISH  
LOUISIANA ANNUAL CONFERENCE \*  
OF THE UNITED METHODIST \* STATE OF LOUISIANA  
CHURCH, SOUTH CENTRAL  
JURISDICTION

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AFFIDAVIT

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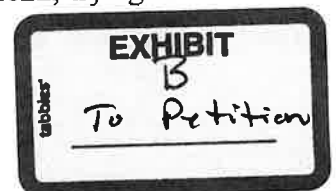
NOW COMES, Frank Bright, who, after being duly sworn did depose and state that:

(1)

I am Frank Bright and have been a member of First United Methodist Church in Shreveport (FUMC-S) since 1975. I have served on local missions committees, on the Church Council, as a youth Sunday School teacher, and as legal counsel in both FUMC-S and Louisiana Annual Conference litigation. As set forth below, I have attended meetings at FUMC-S conducted as a prelude to the Church Council's requesting a vote on whether to disaffiliate from the United Methodist Church (UMC). If FUMC-S had made the decision to secure a vote on whether to disaffiliate from the UMC for reasons of conscience regarding a change in the requirements and provisions of the *Book of Discipline* related to the practice of homosexuality or ordination or marriage of self-avowed practicing homosexuals, I would know it from attending those meetings and reviewing the materials presented. As explained below, that was not the reason for requesting the vote.

(2)

On July 12, 2022, the Church Council of FUMC-S met to vote on whether to start a discernment process in accordance with Paragraph 2553 of the *Book of Discipline*. I was present at that meeting. Dr. Steven Bell, Senior Pastor, spoke on "State of UMC, Future of FUMC of Shreveport." He particularly described his anger over the fact that the General Conference had been postponed from 2020 and 2021, and now until 2024. Nothing in his remarks, or those of the other speakers, linked objections to the current denominational stance on human sexuality contained in the *Book of Discipline* to the need for a period of discernment. Two motions for starting the process were presented in PowerPoint form that had been prepared in advance. (See, Exh. A, attached). In fact, the Chair of the Church Council had written to the Church Council members on June 28, 2022, indicating that the purpose of the July 12 meeting was to proceed with the discernment process as a prelude to a vote to have FUMC-S disaffiliate from the United Methodist Church (UMC). (See, Exh. B, attached). The Montgomery letter prompted a retraction or modification to his statements in a letter from Rev. Bell on July 8, 2022, trying to



make it clear that the Church Council was meeting to decide whether to even go forward with a discernment period (See, Exh. C, attached).

(3)

The result of the overwhelming vote of the Church Council on July 12, was that an informal education process would begin in September, where the future of FUMC-S would be discussed and the members educated about the UMC. The resolution which was adopted provided for such a process to be held over the course of forty days. (See, Exh. D attached.) Three areas of concern were mentioned, human sexuality, theological issues, and UMC structural issues. One structural objection mentioned by the presenters on July 12 was an objection to the Trust Clause contained in the Book of Discipline. When I asked, from the floor, how objections to the ownership of church property related to homosexuality, Erik Rasmussen, Associate Pastor, responded for Rev. Bell, that “they are the same thing.”

(4)

Forty days of this education process or period of “discernment” ran from September 7 until October 16, during which carefully constructed materials and presentations were presented by the Discernment Task Force in weekly meetings of members which, among other things, reported unfavorably on the actions and statements of some of the UMC leadership around the nation in favor of full acceptance of homosexual persons and ministers. None of the educational information presented by the discernment committee placed any emphasis on the current stance of the UMC as listed in the *Book of Discipline* against homosexual ministers or gay marriage ceremonies and the denomination’s theological stance against the practice of homosexuality. Instead, there was speculation that the UMC was headed toward an objectionable scriptural interpretation accepting the practice of homosexuality.

(5)

The presentations of the Discernment Task Force provided arguments that the UMC, through the Annual Conference, was structurally objectionable in taking money from local churches and not providing enough value in return. Likewise, there was opposition presented toward the UMC’s control over the ownership of FUMC-S property without any detailing of the scope and purpose of the UMC trust clause protections from the *Book of Discipline*. Another structural objection voiced by the Discernment Task Force as hearsay was to the fact that certain UMC clergy and Bishops outside of Louisiana have failed to enforce the traditional provisions of the *Book of Discipline* on human sexuality and marriage. The church website also contains a slide show where an overview of the objections to the UMC were presented on September 7. These objections were generally with regard to human sexuality, UMC structure, and theology and scriptural interpretation. Specifically, one slide contained the following language regarding action of the General Conference in 2019: “Traditional Plan narrowly passed. Simultaneously, legislation passed that allows Progressive churches unable to live with this decision the ability to disaffiliate. (Paragraph 2553: expires Dec. 2023)”.

(6)

The September 14 meeting (a video of which is on the church's website) focused on human sexuality. Rev. Bell was the speaker and he defended and argued for the traditionalist conservative view, which is in accord with the *Book of Discipline*. Nothing presented voiced opposition to the UMC's current stance against homosexuality contained in the *Book of Discipline*.

(7)

The September 28 church discernment session (a video of which is on the church website) included a presentation by Dr. David Hobson, music director, whose talk dealt with perceived structural defects in the UMC, including the trust clause and the failure of some clergy and bishops outside of Louisiana to enforce provisions of the *Book of Discipline*. Nothing in his presentation dealt expressly with the denomination's stance against homosexuality and same sex marriage.

(8)

Rev. Bell spoke at the meeting for discernment on October 5. As a part of the summary of his feelings, I remember that he admitted that Paragraph 2553 was intended to be used by progressive churches that objected to the current provisions in the *Book of Discipline* on human sexuality.

(9)

On November 2, 2022, after the end of the discernment process, the Church Council met to consider whether the church should ask the District Superintendent to call a church conference for our church to vote on disaffiliation under Paragraph 2553. I attended this meeting. Again overwhelmingly, it was voted to ask the District Superintendent to set a date for a Church Conference, where the membership of the church present will vote on the question of disaffiliation from the UMC. Chair, Jerry Montgomery, made that request to the District Superintendent in writing on November 3, 2022 (See, Exh. E, attached), and a tentative date of February 26, 2023, has been set.

(10)

On January 5, 2023, the District Superintendent, Dr. Tom Dolph, convened an unexpected Church Council meeting at FUMC-S to give a presentation that he stated is normally given prior to a church's period of discernment, which is envisioned ahead of any consideration of disaffiliation from the UMC under the provisions of Paragraph 2553 of the *Book of Discipline*. A principal thrust of his presentation was to review the paragraphs of the *Discipline* showing the denomination's current stance against homosexuality. He did not explain why he, as the representative of the Annual Conference, had not provided this explanation prior to our forty days of discernment in the fall. I was present at this meeting. As a part of his presentation, he stated that he must be furnished with copies of all deeds to church property and with the names

of all accounts with financial institutions. He specifically stated that he did not want to know the amounts in the accounts.

(11)

No live questions were allowed at the weekly discernment presentations given by the Discernment Task Force to the membership in the fall of 2022. Written questions were allowed to be submitted several days prior to any session held by the Discernment Task Force, who then studied them and provided answers. No discussion of the answers was allowed. The questions and answers were posted on the church website. One example was as follows:

Q. Is it immoral or sinful to use Bk of Discipline 2553 to gain church ownership of property because of reasons other than related to the "gay issue?"

A. Gaining church ownership is a by-product of disaffiliation, just as the "gay issue" is a by-product of the fundamental theological differences in the UMC. If FUMC does decide to move forward with disaffiliation, it will be due to theological differences, not a "gay issue" or to solely gain ownership of property.

(12)


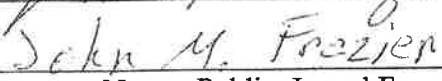
I am not aware of anything presented by the Discernment Task Force, nor any statements expressed as the moving consensus in the Church Council meetings, which took the position that FUMC-S should disaffiliate from the UMC for the reason that the current conservative provisions in the *Book of Discipline* are objectionable or that the membership is open to the appointment of a gay minister or the marriage ceremonies of self-avowed practicing homosexuals at FUMC-S.

(13)

Overall, the Discernment process and Church Council actions since July 2022, have caused conflict and division among many of my friends at FUMC-S.

THUS, DONE and SIGNED on the 3 day of February, 2023, in Caddo Parish, Louisiana.

  
\_\_\_\_\_  
**Frank Bright**

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Notary Public, In and For (Ber No. 058337)  
Caddo Parish, Louisiana

# Resolution 1 - Discernment

- The Church Council of First United Methodist Church of Shreveport, Louisiana, resolves to begin an official period of discernment to consider the church's future affiliation, pursuant to paragraph 2553 of the United Methodist Church Book of Discipline, and subject to its provisions and related standards of the Louisiana Annual Conference of the United Methodist Church.
- Please circle one:      Yes      No

# Resolution 2 (If Resolution 1 Is Approved)

- The Church Council of First United Methodist Church of Shreveport, Louisiana, authorizes the Strategic Planning Team, Staff Executive Team, and FUMC of Shreveport, LA Disciplinary Committee Chairpersons to organize and deploy a Discernment Taskforce to further develop activities and timelines in accordance with Resolution 1.
- Please circle one:      Yes      No

EXHIBIT  
 tabbles  
 A (Bright)

June 28, 2022

Dear Church Council Member,

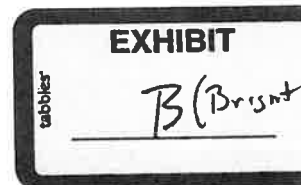
As requested by the Strategic Planning Team, please be advised that we will convene a meeting of the Church Council at 6:00 PM on Tuesday, July 12, 2022 on the third floor of the E & A Building in the Multi-Media Room. The purpose of this meeting will be to vote on whether-or-not to **BEGIN** an official "Discernment" process on disaffiliating from the United Methodist Church. We will be following guidelines approved by the Louisiana Annual Conference relative to paragraph 2553 of the Book of Discipline (2019).

Your presence and participation in this **VERY IMPORTANT** meeting will be greatly appreciated. As representatives of our congregation in the highest governing body of First United Methodist Church of Shreveport we ask that you thoughtfully pray for God's guidance and wisdom prior to attending the meeting. Please contact Anna Beth acrowson@firstshreveport.org or the church office at 424-7771 to reserve your box meal. Thank you for your service and commitment.

Sincerely,



Jerry Montgomery,  
Church Council Chairman





**From:** Anna Beth Crowson <noreply@shelbynextchms.com>  
**Date:** July 8, 2022 at 2:04:22 PM CDT  
**To:** \*\*\*\*  
**Subject:** Church Council Meeting  
**Reply-To:** Anna Beth Crowson <acrowson@fumcshreveport.org>

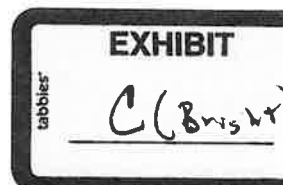
Greetings FUMC of Shreveport Church Council Member,

This is a reminder of the FUMC of Shreveport Church Council Meeting on Tuesday, July 12, at 6:00 p.m., in the Sanctuary. When you arrive in the Sanctuary, please register your attendance with Lounelle Black, the Church Council Secretary, and receive your ballot for the vote(s) we will take. While all church members are welcome to attend, please note that **ONLY** current Church Council members can vote at the meeting. This includes Church Council Officers, Church Officers, Lay/Reserve Members of the Annual Conference, Class of 2022, Class of 2023, Class of 2024, and Honorary Life Members.

I want to take a brief moment to be clear about the purpose of this Church Council meeting. The purpose **IS NOT** to take a vote to leave the United Methodist Church. Please do not think this is the work we will be doing on Tuesday. The purpose **IS** to discuss and vote on whether or not First United Methodist Church of Shreveport is ready to move into a season of discernment, discussion, prayer, and education in regards to the future of our congregation.

Why hold such a Church Council meeting? It is clear there is much disagreement and division across our denomination. This division stems from multiple issues faced by The United Methodist Church including Theological Issues, Organizational Issues, and Symptomatic Issues. The Symptomatic Issues, Human Sexuality and the Definition of Marriage, are what receive the most airtime, but the issues run much deeper. Whether we like it or not, these issues affect FUMC of Shreveport.

Where did this Church Council meeting originate? In 2018, Dr. Pat Day and our church leadership convened the Strategic Planning Team to help FUMC of Shreveport move through what would be a "rocky" season for the UMC. There was a special-called session of General Conference in 2019, and it seemed as though the UMC would experience a formal separation when General Conference 2020 took place. However, COVID happened, and the 2020 General Conference was postponed to 2021, and then postponed again to 2022. News was released in March, 2022, that the 2022 General Conference would be postponed to 2024. Then the Global Methodist Church launched on May 1, 2022. Since then, and due to all these circumstances (and more), hundreds of churches across our connection have begun seasons of discernment in regard to their



future affiliation.

As Senior Pastor of FUMC of Shreveport, I have remained relatively silent on all these issues. Rather, I have focused my efforts and energy on preaching Jesus Christ, the Bible, and leading our great congregation forward to further obedience and discipleship. But now, a day rarely goes by that a member of our church staff does not receive a question from a church member including "What is going on with the UMC? What is the Global Methodist Church? Are we staying? Are we leaving? Will we take a vote? Will I have a vote? When will this take place? What will it cost? Where do we stand on the issue of homosexuality?", etc. When we asked the congregation to submit questions for our upcoming "You Asked for It" sermon series, much of the feedback received included these very questions, asking our preaching team to address these issues from the pulpit. It seems that silence is no longer an option to the issues facing our greater tradition.

On Monday, June 27, 2022, a meeting of the Strategic Planning Team, Disciplinary Committee Chairpersons, and Staff Executive Team took place. A unanimous vote was received from that team to ask the Church Council of FUMC of Shreveport to convene and vote to move into a season of discernment, discussion, prayer, and education about the issues facing The United Methodist Church, how these issues affect FUMC of Shreveport, and the future of our congregation.

If the Church Council votes on Tuesday to move into a season of discernment, I assure you that we will commit to the integrity of the process with transparency and honesty in a way that brings honor to Jesus Christ and keeps Him at the center. Church members will have multiple opportunities to listen, learn, and be heard. There will be no manipulation or coercion, nor will we live into a preconceived future. This season can also become an opportunity for great excitement, discipleship, and growth for FUMC of Shreveport, and I pray that it will be so through the leading of the Holy Spirit.

Because of the nature of our discussions on Tuesday, we are not offering a Zoom option, nor will the meeting be live-streamed. I encourage you, if at all possible, to physically be in the Sanctuary Tuesday, July 12, at 6:00 p.m. Church Council meetings are open to all church members. Please feel free to share this far and wide.

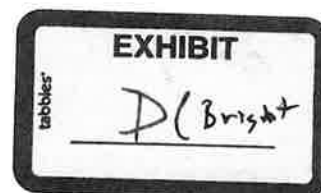
Walk with the King and Be a Blessing,



Steven H. Bell, D.Min.  
Senior Pastor | FUMC of Shreveport

## Resolution 2

- The Church Council of First United Methodist Church of Shreveport Louisiana, authorizes the Strategic Planning Team, Staff Executive Team, and FUMC of Shreveport, LA Disciplinary Committee Chairpersons to organize and deploy a Discernment Taskforce to develop activities and timelines to educate our congregation in the process of discernment, discussion, prayer and education regarding the future of FUMC Shreveport LA.
- Please circle one:    Yes    No





OFFICE PHONE  
500 Common Street, Shreveport LA 71101 318.424.7771  
WEB FAX  
www.firstshreveport.com 318.429.6888

November 3, 2022

Rev. Dr. Tom Dolph  
Superintendent, Shreveport and Monroe Districts  
Louisiana Conference, UMC  
2911 Centenary Blvd  
Centenary College  
Hamilton Hall, Rm 214  
Shreveport, LA 71104

Rev. Dr. Dolph,

After much prayer and reflection, the Church Council of FUMC Shreveport met on November 2, 2022 and during that meeting voted (by a vote of 43 to 7 with 1 abstention) to (a) explore disaffiliation with the United Methodist Church pursuant to Book of Discipline Paragraph 2553, and (b) request a church conference pursuant to Paragraph 2553. A copy of the Resolution approved by the Church Administrative Council is enclosed.

In accordance with Paragraph 2553, and with Book of Discipline Paragraph 248, we hereby request that you call and schedule a church conference for the purpose of considering the question of Paragraph 2553 disaffiliation. That is, we request that you call a FUMC Shreveport church conference to vote upon the question of whether the members of the church, after due discernment, wish to disaffiliate from the UMC denomination for reasons of conscience, including as per 2553(1) "... reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow."

In accordance with Paragraph 2553(4), we further request that you itemize for us any and all monetary amounts that would be due to the Annual Conference in connection with our possible disaffiliation, and in particular any apportionment, unfunded pension obligation, or other amounts that the Annual Conference would expect to be paid.

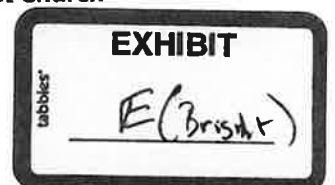
Thank you for your patience, understanding, and courtesies as we begin our period of discernment. Please let us know if you need any additional information from us in order to properly convene or schedule the requested church conference. Please also share any information that we will need to properly evaluate our options and the path forward. We look forward to hearing from you and working amicably with you towards whatever resolution may prevail.

We are, Sincerely, and in Christ,

Church Council of First United Methodist Church of Shreveport, Louisiana

Jerry Montgomery  
Chairman, Church Council

Mike Vasko  
Lay Leader, First United Methodist Church



**REV. DAVID R. MELVILLE, ET AL.**  
**VERSUS**  
**BOARD OF TRUSTEES OF THE**  
**LOUISIANA ANNUAL CONFERENCE**  
**OF THE UNITED METHODIST**  
**CHURCH, SOUTH CENTRAL**  
**JURISDICTION**

\* **DOCKET NUMBER:**  
\* **19TH JUDICIAL DISTRICT COURT**  
\* **EAST BATON ROUGE PARISH**  
\* **STATE OF LOUISIANA**

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**AFFIDAVIT**

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NOW COMES, Rev. Fred B. Wideman, who, after being duly sworn did depose and state that:

(1)

I am Fred B Wideman, clergy in the Louisiana Annual Conference of the United Methodist Church since 1974. I have served congregations in Pollock, New Orleans, Broadmoor United Methodist Church in Baton Rouge, Sulphur, and Ruston, La. I served as a delegate, elected by the Louisiana Annual Conference, to both the General and Jurisdictional Conferences. In 2012, I was a candidate for the episcopacy supported by the Louisiana delegation to the Jurisdictional Conference. I am a voting member of the Louisiana Annual Conference. I retired in 2016 but continue to serve part time as the minister at Lisbon United Methodist Church, located some 10 miles east of Homer, La., near my home.

(2)

Born and raised in Homer, La., I spent much of my years at First United Methodist Church where I was baptized and confirmed. I attended Sunday School, Worship, music programs, even served as summer youth director while in college. I was voted on and approved as a candidate for Ordained Ministry for the United Methodist Church at Homer. Until a recent disaffiliation vote, my charge conference membership was at Homer along with my wife, Ann's, membership. Four generations of my family worshipped there. At the time of the deaths of my parents, my family donated to First United Methodist Church our family home along with 3 acres of land.

(3)

First United Methodist Church, Homer, has recently voted to disaffiliate and is no longer a United Methodist church. All facilities and assets have been given to a newly named church, Cornerstone. The disaffiliation leaves many members disconnected from their home church and denomination along with strained relationships among those formerly considered family.



(4)

From the beginning the process of disaffiliation has been flawed, and filled with unintended consequences which the Louisiana Annual Conference could not have anticipated. The Annual Conference's intent to allow disaffiliation is flawed. Following years of controversy surrounding the church's position on human sexuality, in particular a long-standing statement in the *Discipline* regarding the ordination of "self-avowed practicing homosexuals", General Conference in 2019 reinforced the statement against ordination of homosexuals. It added additional penalties to clergy who would participate in the marriage of gay or lesbian couples. This new addition is referred to as "The Traditional Plan." In response to this Traditional Plan, the General Conference offered a brief time for those whose conscience was harmed by the Traditional Plan, to be able to disaffiliate from the denomination. This original intent as shown by the language of the new provision, ¶ 2553, was not for those who voted for the Traditional Plan, to use this narrow opportunity for such a massive and harmful exodus.

(5)

The disaffiliation process is further flawed by its contradictory position to the Gospel's theme of unity in diversity, a bedrock of Methodism through the centuries. The harmful effect of this process is seen in formerly loving congregations broken as members feel forced to fight for property and assets. I have learned of this brokenness from my relationship with members of the churches I have served and from my friends at the Homer church. Despite long-standing disagreements over social issues, it is this present process of disaffiliation that has become the ground for a very painful divorce within our denomination. Congregations have been given a period of time for "discernment" to prepare for a vote. During that time outside groups infiltrated and supplied the membership with information to guide them in their vote. Much of that information was inaccurate and inflammatory. Members of my congregation at Lisbon have been told things that are not true yet it leaves questions in their minds. My job in truth telling goes way beyond my preaching.

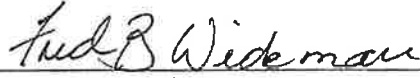
(6)

A third flaw in this process, and a reason I am participating in this action, is how the process wrongfully and, I believe, illegally divests the denomination of valuable buildings and assets. Generations of people have sacrificed for the establishment of these assets for the work of Methodism in Louisiana, and now, at a give-away-price, the Louisiana Annual Conference is allowing a majority vote of present membership of local churches to remove these properties from denominational use. This was never the intent of General Conference. It is now causing great harm. The process should be stopped and sent back to the denomination's General Conference for appropriate changes. Give local congregations time to consider all that this process is fomenting and the unforeseen consequences it brings to churches and local communities.

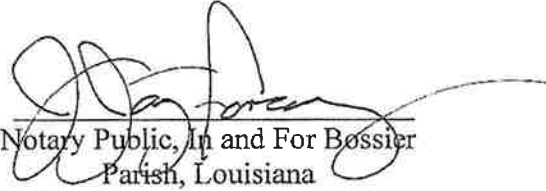
(7)

Having seen in the last year the disaffiliation process at Homer United Methodist Church and based upon my relationships with members of churches I have served in Louisiana that have experienced disaffiliation or are presently in the process for disaffiliation, the Louisiana Annual Conference's allowance for these disaffiliations under ¶ 2553 has caused and is causing great harm to members of local churches.

THUS, DONE and SIGNED on the 3rd day of February, 2023, in Bossier Parish, Louisiana.



**Fred B. Wideman**



Notary Public, In and For Bossier  
Parish, Louisiana

J. Jay Caraway

BAR ROLL No. 3867

REV. DAVID R. MELVILLE, ET AL. \* DOCKET NUMBER: SECTION:  
VERSUS \* 19TH JUDICIAL DISTRICT COURT  
BOARD OF TRUSTEES OF THE \* EAST BATON ROUGE PARISH  
LOUISIANA ANNUAL CONFERENCE \*  
OF THE UNITED METHODIST \* STATE OF LOUISIANA  
CHURCH, SOUTH CENTRAL  
JURISDICTION

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**ATTORNEY'S CERTIFICATE UNDER LSA-CCP ART. 3603(2)**

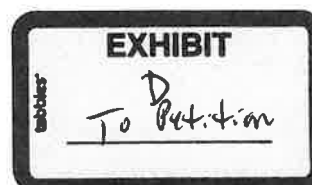
The undersigned attorney certifies to this Court that on February 6, 2023 on or about the \_\_\_\_\_, o'clock p.m. he delivered a copy of the foregoing Petition to George Anding, Attorney at Law, who is the counsel and agent for service of process for the Defendant Board of Trustees of the Louisiana Annual Conference of the United Methodist Church, South Central Jurisdiction, and that Plaintiff should not be required to give additional notice because of the need for immediate relief in the form of a temporary restraining order described in the Petition.

Baton Rouge, Louisiana, this 6th day of February, 2023.

Respectfully submitted,

THE COHN LAW FIRM  
A LIMITED LIABILITY COMPANY  
10754 Linkwood Court  
Baton Rouge, LA 70810  
Telephone: (225) 769-0858  
Fax: (225) 769-1016  
Email: [dmcohn@thecohnlawfirm.com](mailto:dmcohn@thecohnlawfirm.com)  
[allyson@thecohnlawfirm.com](mailto:allyson@thecohnlawfirm.com)

BY: \_\_\_\_\_  
David M. Cohn, LBR #4237  
Bartley P. Bourgeois, LBR#26606  
Allyson S. Jarreau, LBR#36686





REV. DAVID R. MELVILLE, ET AL. \* DOCKET NUMBER: SECTION:  
VERSUS \* 19TH JUDICIAL DISTRICT COURT  
BOARD OF TRUSTEES OF THE \* EAST BATON ROUGE PARISH  
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CHURCH, SOUTH CENTRAL  
JURISDICTION

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**ORDER**

It appearing from the verified petition in this case and affidavits of Frank Bright and Rev. David R. Melville that immediate and irreparable injury, loss or damage will result to Plaintiff by virtue of the action and inaction alleged in the Petition before notice can be served and a hearing had on Plaintiff's application for a preliminary injunction:

IT IS ORDERED that a temporary restraining order be issued herein, with bond or security being set in the amount of \$ \_\_\_\_\_ directed to Defendant Board of Trustees of the Louisiana Annual Conference of the United Methodist Church, South Central Jurisdiction (and its agents, officers, employees (including its District Superintendents or others it may designate to act on its behalf), restraining, enjoining and prohibiting it from convening and conducting any Church Conference at a Local Church; This temporary restraining order expires at the end of ten (10) days from its date, unless extended by this Court prior to its expiration, for good cause shown and the reasons entered of record.

IT IS FURTHER ORDERED that Defendant Board of Trustees of the Louisiana Annual Conference of the United Methodist Church, South Central Jurisdiction show cause on \_\_\_\_\_ day of February, 2023 in this Court's section of the 19<sup>th</sup> Judicial District Court, East Baton Rouge Parish, Louisiana, why a preliminary injunction should not issue herein restraining and enjoining the Defendant (and its agents, officers, employees (including its District Superintendents or others it may designate to act on its behalf), from conducting any actions pursuant to ¶ 2553 of the *Book of Discipline*, including Ongoing Disaffiliation Proceedings at a Local Church, Church Conferences for Disaffiliation, and The Annual Conference Ratification, to be effective during the pendency of these proceedings. On the hearing of this rule, proof may be adduced in accordance with Louisiana Code of Civil Procedure Article 3609 by verified pleadings, by supporting affidavits, or by proof as in ordinary cases, or by any or all of such methods, at the election of the party offering the proof.

Signed in Chambers in Baton Rouge, Louisiana, this \_\_\_\_ day of February, 2023 at \_\_\_\_

o'clock \_\_\_\_ . m.

\_\_\_\_\_  
DISTRICT JUDGE

Service Instructions:

Please serve the Defendant through its agent for service of process:

George Anding, Esq.  
8480 Bluebonnet Blvd., Suite D  
Baton Rouge, Louisiana 70810

A. Please provide at trial the following documents:

() Charge conference reports filed with the Annual Conference for the last three years reporting the inventory and reasonable values for all real estate and personal properties, including the local church's trust beneficial interests (principal and income) and the value of the corpus of all such trusts, pursuant to Book of Discipline ¶ 2550 (1) (2) (4) and (8), for the following local churches:

- (1) First United Methodist Church of Shreveport;
- (2) Trinity United Methodist Church of Ruston; and
- (3) Munholland United Methodist Church of Metairie.

() All communications between a district superintendent or the Annual Conference and a local church, concerning discernment proceedings, scheduled church council votes for the issue of disaffiliation, and/or scheduled church conferences for a vote pursuant to ¶ 2553.

B. Please provide a representative witness or witnesses who, as an officer, member or other representative of the Annual Conference, may give testimony on behalf of the Annual Conference about the following topics regarding the actions and administration of the Annual Conference:

- (1) The names of every local church in the Annual Conference which has begun actions within the local church for disaffiliation from the UMC, including discernment proceedings, scheduled church council votes for the issue of disaffiliation, and/or scheduled church conferences for a vote pursuant to ¶ 2553.
- (2) The calculation of the annual apportionment for a local church regarding the financial component

1<sup>st</sup> Draft  
Not Complete