

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA

CALVARY EPISCOPAL CHURCH,
PITTSBURGH, PENNSYLVANIA, a
Pennsylvania Non-Profit Corporation, et al.

Plaintiffs,

v.

THE RIGHT REVEREND ROBERT
WILLIAM DUNCAN, et al.

Defendants.

CIVIL DIVISION

No. GD-03-020941

**PLAINTIFFS' REPLY IN SUPPORT OF
REQUEST TO SPECIAL MASTER**

FILED ON BEHALF OF:

Calvary Episcopal Church,
Pittsburgh, Pennsylvania; The Reverend Dr.
Harold T. Lewis; Philip Richard Roberts; and
Herman S. Harvey

Counsel for these Parties:

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ALSO FILED ON BEHALF OF:

The Episcopal Diocese of Pittsburgh of the
Episcopal Church of the United States of
America

Counsel for this Party:

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AND NOW come Calvary Episcopal Church, The Reverend Dr. Harold T. Lewis, Philip Richard Roberts and Herman S. Harvey, and the Episcopal Diocese of Pittsburgh of the Episcopal Church of the United States of America, by their undersigned counsel, and state as follows:

1. Plaintiffs filed the Request to Special Master because the Court's Order of September 17, 2008 provided that one of the roles of the Special Master was:

“4. The Masters shall file periodic reports to the Court and advise the Court as to any alleged violations of the Stipulation and Order of October 14, 2005;”

2. If Defendants do not want to plead in response to the Notice to Plead, then they should not. However, that should not stymie the process.

3. Defendants say that they do not want the Special Master to determine whether the Court's Order of October 14, 2005, has been violated and claim that Plaintiffs' Request to Special Master is improper. That argument is baseless since the Court's September 17, 2008 Order, quoted above, directed that the Special Master “shall file periodic reports to the Court and advise the Court as to any alleged violations.”

4. In further support, the arguments and evidence set forth in the Opposition to “Amended Motion to Restore and Preserve Status Quo and Motion to Establish Procedure for Adjudication of Challenges” are incorporated herein by reference.

Respectfully submitted,

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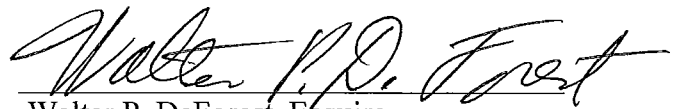
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Plaintiffs' Reply in Support of Request to Special Master was served on April 14, 2009 by email upon both below identified counsel and by hand delivery, on April 15, 2009 upon:

Andrew K. Fletcher, Esquire
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and by first class mail, postage prepaid, to:

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