

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

In re:	)	Case Nos.:	CL 2007-248724,
Multi-Circuit Episcopal Church Litigation	)		CL 2006-15792,
	)		CL 2006-15793,
	)		CL 2007-556,
	)		CL 2007-1235,
	)		CL 2007-1236,
	)		CL 2007-1237,
	)		CL 2007-1238,
	)		CL 2007-1625,
	)		CL 2007-5249,
	)		CL 2007-5250,
	)		CL 2007-5362,
	)		CL 2007-5363,
	)		CL 2007-5364,
	)		CL 2007-5682,
	)		CL 2007-5683,
	)		CL 2007-5684,
	)		CL 2007-5685,
	)		CL 2007-5686,
	)		CL 2007-5902,
	)		CL 2007-5903, and
	)		CL 2007-11514

MOTION TO RECONSIDER
PART OF THE LETTER OPINION ON THE COURT'S FIVE QUESTIONS

The Protestant Episcopal Church in the Diocese of Virginia (the "Diocese") and the Episcopal Church respectfully move that the Court reconsider part of its Letter Opinion on the Court's Five Questions (June 27, 2008). Specifically, we ask that the Court reconsider its holding that Virginia law does not allow any unincorporated religious entity other than a local congregation to be the beneficiary of a trust. *See id.* at 12-14.

The Diocese and the Episcopal Church have stated the grounds for this Motion and provided the arguments and authorities we wish the Court to consider in support thereof in briefing previously filed. *See* The Episcopal Church's and the Diocese's Opening Post-Trial Brief Regarding Church of the Word (filed Oct. 29, 2008) at 4-11. Pursuant to the Fairfax

Circuit Court practices and procedures regarding Motions for Reconsideration, no hearing has been scheduled on this Motion.

WHEREFORE, for the foregoing reasons, the Court should reconsider the aforementioned part of its Letter Opinion on the Court's Five Questions and hold that any unincorporated religious entity may be the beneficiary of a trust.

Respectfully submitted,

THE PROTESTANT EPISCOPAL CHURCH
IN THE DIOCESE OF VIRGINIA

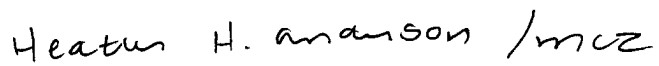
By: 
Of Counsel

Bradfute W. Davenport, Jr. (VSB # 12848)
William H. Hurd (VSB # 16769)
George A. Somerville (VSB # 22419)
Joshua D. Heslinga (VSB # 73036)
Troutman Sanders LLP
Post Office Box 1122
Richmond, Virginia 23218-1122
Telephone: (804) 697-1200
Facsimile: (804) 697-1339

Mary C. Zinsner (VSB # 31397)
Elizabeth Billingsley (VSB # 70808)
Troutman Sanders LLP
1660 International Drive
Suite 600
McLean, Virginia 22102
Telephone: (703) 734-4334
Facsimile: (703) 734-4340

Counsel for The Protestant Episcopal Church in the Diocese of Virginia

THE EPISCOPAL CHURCH

By: 
Of Counsel

Heather H. Anderson (VSB # 38093)
Adam M. Chud (*pro hac vice*)
Soyong Cho (VSB # 70896)
Goodwin Procter
901 New York Avenue, N.W.
Washington, D.C. 20001
Telephone: (202) 346-4000
Facsimile: (202) 346-4444

Counsel for the Episcopal Church

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were sent by electronic mail to all counsel named below and by first-class mail to the lead counsel at each firm (indicated with an asterisk below), on this 10th day of November, 2008:

* Gordon A. Coffee, Esquire (gcoffee@winston.com)
Gene C. Schaerr, Esquire (gschaerr@winston.com)
Steffen N. Johnson, Esquire (sjohnson@winston.com)
Andrew C. Nichols, Esquire (anichols@winston.com)
Winston & Strawn LLP
1700 K Street, N.W.
Washington, D.C. 20006
*Counsel for Truro Church, Church of the Epiphany,
Church of the Apostles, The Church at The Falls – The Falls Church, and
associated individuals*

* George O. Peterson, Esquire (gpeterson@sandsanderson.com)
J. Jonathan Schraub, Esquire (jjschraub@sandsanderson.com)
Heather A. Jones (hjones@sandsanderson.com)
Tania M.L. Saylor, Esquire (tsaylor@sandsanderson.com)
Sands Anderson Marks & Miller, P.C.
1497 Chain Bridge Road, Suite 202
McLean, Virginia 22101
Counsel for Truro Church and certain associated individuals

* Mary A. McReynolds, Esquire (marymcreynolds@mac.com)
Mary A. McReynolds, P.C.
1050 Connecticut Avenue, N.W., 10th Floor
Washington, D.C. 20036
*Counsel for St. Margaret's Church, St. Paul's Church, Church of the Epiphany,
Church of the Apostles, St. Stephen's Church, and associated individuals*

* E. Andrew Burcher, Esquire (eaburcher@pw.thelandlawyers.com)
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
4310 Prince William Parkway, Suite 300
Prince William, Virginia 22192
Counsel for St. Margaret's Church, St. Paul's Church, and Church of the Word

* James E. Carr, Esquire (NorthVaJim@aol.com)
Carr & Carr
44135 Woodridge Parkway, Suite 260
Leesburg, Virginia 20176
Counsel for the Church of Our Saviour at Oatlands and associated individuals

* R. Hunter Manson, Esquire (manson@kaballero.com)
PO Box 539
876 Main Street
Reedville, Virginia 22539
Counsel for St. Stephen's Church and associated individuals

* Scott J. Ward, Esquire (sjw@gg-law.com)
Timothy R. Obitts (tro@gg-law.com)
Robert W. Malone (rwm@gg-law.com)
Gammon & Grange, P.C.
8280 Greensboro Drive
Seventh Floor
McLean, Virginia 22102
Counsel for The Church at The Falls – The Falls Church and certain associated individuals, Christ the Redeemer Church, and Potomac Falls Church

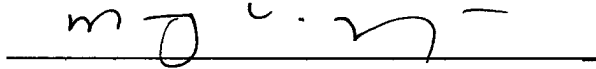
* James A. Johnson, Esquire (jjohnson@semmes.com)
Paul N. Farquharson, Esquire (pfarquharson@semmes.com)
Scott H. Phillips, Esquire (sphillips@semmes.com)
Semmes Bowen & Semmes, P.C.
25 South Charles Street
Suite 1400
Baltimore, Maryland 21201
Counsel for The Church at The Falls – The Falls Church and certain associated individuals

* Edward H. Grove, III, Esquire (egrove@thebraultfirm.com)
Brault Palmer Grove Steinhilber & Robbins LLP
3554 Chain Bridge Road
Suite 400
Fairfax, VA 22030
Counsel for certain trustees of The Church at The Falls – The Falls Church (Episcopal)

* Robert C. Dunn, Esquire (rdunn@robdunnlaw.com)
LAW OFFICE OF ROBERT C. DUNN
707 Prince Street
P. O. Box 117
Alexandria, Virginia 22313-0117
Counsel for Marjorie Bell, trustee of Church of the Epiphany (Episcopal)

* Stephen R. McCullough, Esquire (SMccullough@oag.state.va.us)
William E. Thro, Esquire (WThro@oag.state.va.us)
Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219

*Counsel for the Commonwealth of Virginia ex. rel. Robert F. McDonnell, in his
official capacity as Attorney General*

A handwritten signature in black ink, appearing to read "W. E. Thro", is written above a solid horizontal line.

1782598.1