

This document constitutes a ruling of the court and should be treated as such.

**Court:** CO El Paso County District Court 4th JD

**Judge:** Larry Edward Schwartz

**Current Date:** Oct 28, 2008

**Case Number:** 2007CV1971

**Case Name:** GRACE CHURCH AND SAINT STEPHENS A COLORA vs. THE BISHOP AND  
DIOCESE OF COLORADO A COL et al

**Court Authorizer:** Larry Edward Schwartz

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**Court Authorizer**

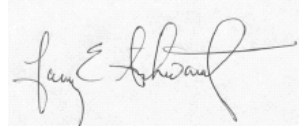
**Comments:**

Signed by Judge 10-27-08

/s/ **Judge Larry Edward Schwartz**

**GRANTED**

Within 10 days from the date of this order, the moving party is directed to furnish a copy of this order to any pro se party who has entered an appearance in this action.



Larry E. Schwartz  
District Court Judge  
Date of order indicated on attachment

DISTRICT COURT, EL PASO COUNTY, COLORADO  
Court Address: 270 S. Tejon (80903), P.O. Box 2980  
Colorado Springs, CO 80901  
Phone Number: (719) 448-7577

**Plaintiff and Counterclaim Defendant:**  
GRACE CHURCH & ST. STEPHEN'S, a Colorado nonprofit corporation,  
v.

**Defendants and Counterclaimants:**  
THE BISHOP AND DIOCESE OF COLORADO, a Colorado nonprofit corporation; and THE EPISCOPAL CHURCH,

and

**Third Party Counterclaimants:**  
THE DIOCESE OF COLORADO IN THE EPISCOPAL CHURCH; GRACE AND ST. STEPHEN'S EPISCOPAL CHURCH; and GRACE CHURCH AND ST. STEPHEN'S, a Colorado religious society and corporation,

v.  
**Counterclaim Defendants:**  
REV. DONALD ARMSTRONG III, *et al.*

**Additional Counterclaim Defendant:**  
RT. REV. ROBERT J. O'NEILL.

▲ COURT USE ONLY ▲

Case No. 2007CV1971

Div.: COM5

**ORDER FROM CASE MANAGEMENT CONFERENCE ON OCTOBER 21, 2008  
(Commercial Docket)**

The Court conducted a Case Management Conference on October 21, 2008. Attorneys J. Gregory Walta, Bruce M. Wright, Dennis W. Hartley, L. Martin Nussbaum, Brent E. Rychener, and Douglas Dent entered their appearance.

After hearing from the counsel, the Court entered the following orders:

1. The plaintiff and those parties aligned with the plaintiff will present their evidence first at trial after which the parties on the Episcopal Church Side will present their evidence.

2. The deadline in the Case Management Order for parties to file reports for rebuttal experts is extended to November 19, 2008.

3. Counsel may file motions objecting to the proposed offer of opinion regarding civil law or canon law by October 29, 2008. Opposing counsel must respond no later than November 10, 2008. Should the Court permit the challenged testimony to be given regarding any witnesses offering alleged legal opinion, the party providing rebuttal testimony shall have thirty days thereafter to file a rebuttal expert report.

4. Counsel for the parties shall confer three days in advance of all scheduled case management conferences to attempt to work through issues for those conferences and, when possible, to stipulate regarding matters at issue.

5. The final sentence of the Court's Order dated October 9, 2008 recites that Mr. Nussbaum engaged in professional misconduct and violated Rule 121. It then "imposed sanctions" on him. The Court did not intend to make any such finding or to impose any such sanctions. It hereby strikes those portions of the October 9 order related to any such findings or sanctions.

DONE this \_\_\_\_\_ day of October, 2008.

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District Court Judge  
Larry Schwartz