



DIOCESE OF BILOXI
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August 18, 2010

MOST REVEREND ROGER P. MORIN, D.D.
BISHOP OF BILOXI

Plaintiffs Steering Committee and Plaintiffs
c/o Eric Wooten, Esq.
1617 25th Avenue
Gulfport, MS 39501

My Dear Brothers and Sisters in Christ:

I received your letter dated August 16, 2010 signed by The Plaintiffs Steering Committee (PSC) but with an indication that a copy was sent to all Plaintiffs. Since all Plaintiffs received the PSC's letter, out of fairness and courtesy I am requesting that your attorney, Eric Wooten, Esq., provide a copy of my response to all Plaintiffs and not just members of the PSC. I must admit to reacting with no little surprise to the content of the August 16, 2010 letter. The letter seemingly does not take into account that it was the Diocese and the Parish, through one of our attorneys, Steve Carmody, who contacted the Plaintiffs seeking peace and reconciliation, or, as Mr. Wooten aptly expressed in his August 6, 2010 letter to Mr. Carmody, "I personally wish to thank you, Bishop Morin and Fr. Carver for extending an olive branch." Ordinarily I would have preferred to sit down with you personally, but the ongoing lawsuit prevented me from taking that approach.

Mr. Carmody, at my direction, came down from Jackson, Mississippi on July 29, 2010 and met with Mr. Wooten and leading Plaintiffs at Dr. Schmidt's residence. Mr. Carmody presented an offer to settle the lawsuit in an amicable fashion. At that same time, we indicated our intention to demolish the former St. Paul church structure due to the building's structural problems and compromised integrity. We provided the PSC with an advance copy of our Public Statement explaining those issues. Based on engineering reports, it was concluded that adequately addressing the corrosion associated with the points where the building's metal frame attached to the foundation would require taking the former church down anyway. Once that took place, rebuilding and doing so in compliance with code, etc., would necessitate an almost complete redesign or reworking of the structure.

Subsequently, the PSC acting on behalf of the Plaintiffs on two separate occasions, by letters dated August 2 and 6, 2010, agreed during the course of the negotiations to the demolition. Even in the PSC's current August 16, 2010 letter it is acknowledged that not demolishing the existing St. Paul structure was "permanently removed...from the table." The point is, demolishing versus not demolishing the former St. Paul was not being negotiated and was, therefore, never a sticking point with regard to negotiations.

After the July 29, 2010 meeting, we placed a written offer on the table for the Plaintiffs' consideration in the form of a letter from Mr. Carmody to Mr. Wooten dated August 4, 2010. Within our letter we proposed that Plaintiffs dismiss their lawsuit and that "Plaintiffs agree not to block, hinder or otherwise thwart the efforts...to demolish the former St. Paul church structure." For our part, we proposed that: "4. After the Construction Work (at Our Lady of Lourdes) is completed and the construction related financial obligations have been met, the defendants agree to allow a chapel serving Holy Family Parish to be built with Scenic Drive frontage (after funds are raised)... a. The Chapel will be similar in design to the previous pre-Camille structure but it will be designed and constructed to seat 100 and will serve all of the Holy Family parishioners...The defendants are prepared to recognize that this settlement term provision is not set in stone and that if the plaintiffs are not able to raise adequate funds, a smaller structure may be designed and built, and conversely, if the donation of funds and/or other factors warrant it, the plaintiffs may petition the Most Reverend Roger Morin, Bishop of the Catholic Diocese of Biloxi, or his successor ("Bishop"), in consultation with the Pastor of Holy Family Parish to build a larger chapel..."

As noted above, although the PSC agreed to the demolition twice during negotiations, the PSC insisted upon placing numerous restrictions upon the Bishop's and the Pastor's decision-making authority concerning rebuilding and property management, although these responsibilities are entrusted to the Bishop and the Pastor by the Holy See and the Code of Canon Law. In its August 6, 2010 reply to our letter of August 4, 2010, the PSC stated: "4...Finally, provided that the proceeds from the sale of the property are applied towards the cost of constructing the new church on Scenic Drive, Plaintiffs will agree to the carving out of a portion of the church site; however, no sale of any property shall occur until five years after the date of the agreement...a. We ask that the new church be constructed in the same footprint...under no circumstances will the size of the church site be less than 50% of its current size..." After we sent another counteroffer without these items which effectively usurped the Bishop's and Pastor's decision-making authority, the PSC responded, albeit after the time for a response had passed, with its August 16, 2010 letter. In the meantime, the contractor hired by us to handle asbestos abatement and demolition at the former St. Paul filed for the demolition permit.

It is worth mentioning that all of our efforts toward peace and reconciliation were motivated by nothing other than love and pastoral concern on the part of Father Carver and me. It must be remembered that Plaintiffs appealed the previous decision not to rebuild the former St. Paul church to both the Vatican and the Mississippi Supreme Court and both authorities upheld the previous decision of then-Bishop Rodi, with the Mississippi Supreme Court stating, "Plaintiffs have no legally enforceable interest in the St. Paul property, and lack standing to assert a resulting trust, as well." It is not that our position is in any way weak but, quite the contrary, and it was hoped that the PSC and Plaintiffs would recognize and accept the "olive branch" as the gift it truly is.

As your shepherd and spiritual father I wish to direct your attention to the words of St. Paul in the Scriptures:

“Can it be that there is not one among you wise enough to be able to settle a case between brothers? But rather brother goes to court against brother, and that before unbelievers? Now indeed then it is, in any case, a failure on your part that you have lawsuits against one another.” (1 Cor. 6:5-7)

In conclusion, Father Carver and I both share the sentiments expressed in the PSC’s August 16, 2010 letter for “an amicable resolution” that “will allow the parish to heal and grow”. We cannot and will not, however, as part of any settlement process abandon our canonical responsibilities and the authority which the Church has entrusted to us. Notwithstanding the Plaintiffs’ refusal to settle, I am hereby announcing our intentions to pursue building a minimum 100-seat chapel-of-ease along Scenic Drive after construction of the church at the Our Lady of Lourdes site is completed and the construction debt retired, provided that adequate funds are raised for the chapel’s construction. It is my sincerest hope that this gesture will be recognized by Plaintiffs for what it truly is and that they may, proverbially speaking, beat their swords into plowshares so that Holy Family Parish may once again be at peace.

Sincerely yours in Our Lord,

A handwritten signature in black ink, reading "Roger P. Morin". The signature is written in a cursive style with a small cross at the beginning.

Most Reverend Roger P. Morin, D.D.
Bishop of Biloxi

cc: Very Rev. Dominick Fullam, V.G.
Very Rev. Dennis Carver, V.F.