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February 20, 2008

Mr. Kevin Necaize, Esq.
Post Office Box 636
Gulfport, MS 39502

RE: February 12, 2008 Letter

Dear Mr. Necaize:

On February 12, 2008, you delivered correspondence from Bishop Rodi to each of the plaintiffs in the pending Chancery Court matter. These letters contained certain misstatements of fact, requiring a response on behalf of my clients.

While it is true that the Vatican rejected the hierarchical recourse filed by me and three others, the rejection was based upon untimely filing¹, not the merits of the recourse. Bishop Rodi's statement that the "matter was extensively presented to Cardinal Hummes who thoroughly examined the matter" is both misleading and false. The merits of the recourse were not even considered, much less extensively addressed. Although not expected to occur, Bishop Rodi should retract this statement and issue a clarification.

Further, both you and Bishop Rodi are well aware that our canonical appeal only addressed his March 13th Decree, i.e., his decision to close St. Paul Catholic Church; and that the lawsuit filed by my clients does not question the March 13th decree nor Bishop Rodi's previous decision to merge St. Paul Parish and Our Lady of Lourdes Parish. As we have continuously contended, the lawsuit was filed to confirm whether the church site is held in trust for my clients; whether your clients,

¹ Please note that we disagree with the rejection of the hierarchical appeal for untimely submittal. Although a copy of Bishop Rodi's March 13, 2006 decree was repeatedly requested for months, we were not provided a copy of it until after the hierarchical recourse was filed. In fact, we were not even informed of date the decree was issued until we received your clients' limited discovery responses. We filed our hierarchical recourse within 30 days after the date Bishop Rodi received our request for assistance as required under the Code of Canon Law. Moreover, our hierarchical recourse was submitted within 30 days of the receipt of the discovery responses. It is disconcerting that the Diocese is being rewarded for withholding information from the laity, but this has been par for the canonical course.

Hon. Thomas L. Zebert

June 26, 2007

Page 2 of 2

as trustees, owe my clients fiduciary obligations regarding their management of the trust property; and whether your clients acted properly in the solicitation and subsequent use of donations received for the repairing of St. Paul's church. My clients' prosecution of their complaint is not contrary to or contemptuous of the Vatican's rejection of our hierarchical recourse. My clients must therefore respectfully decline Bishop Rodi's request for the lawsuit to be dropped.

Please note that if Bishop Rodi wishes to meet with my clients to discuss this matter in person, I will be happy to coordinate the meeting. If you have any questions, please contact me.

Sincerely,

Eric D. Wooten

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