



John Jackson <johnmjack88@gmail.com>

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## FL Litigation Update Meeting Regarding Judge's Ruling

1 message

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**Jonathan Bailie** <jbailie@nccl.org>  
To: Jonathan Bailie <jbailie@nccl.org>  
Cc: David Gibbs III <dgibbs@gibbsfirm.com>

Tue, Apr 18, 2023 at 5:51 PM

Good afternoon,

We have received the ruling from Judge Wright, and, unfortunately, it is not quite the ruling we were hoping for. The judge did not grant their motion for sanctions, and the judge did not state that we do not have a case. However, Judge Wright stated that the Florida Supreme Court and District Court of Appeals have made the decision in this matter and he is bound to follow the precedent in this matter. This is not the same type of ruling in NC, and this decision is a thoughtful and thorough ruling from Judge Wright that sets up a strong appeal for those who wish to continue forward.

See the excerpt from the conclusion:

*The Court cannot say that the Plaintiffs' complaint demonstrates an absolute lack of a justiciable issue. To the **contrary**, this type of case is being litigated throughout the country in states that follow the neutral principles approach to resolving church property disputes. Grace United Methodist Church purchased the land in Lawtey, Florida in 1885, and founded the church over 130 years ago in 1888. Nearly eighty years later Grace affiliated with the UMC shortly after its founding in 1968.*

*But considering the recent clarification from the Supreme Court of the United States on matters of discrimination and unequal treatment based on religious status, along with the abrogation of Lemon v. Kurtzman, 403 U.S. 602 (1971), it seems to the Court that **merely deferring to the UMC on all matters and denying the Plaintiffs access to the courts to litigate neutral property and trust matters does not meet the strictest scrutiny.***

*Nevertheless, the Court is bound to follow the law as established by the higher courts in the State of Florida.*

Each church will have a decision to make on the next steps. There will be **THREE distinct options**. Regardless of what each church does, we will need to do it in an orderly manner to ensure success for your church in this process. Please hold questions/responses to this email until Friday's meeting. Also, please **READ** the entirety of the ruling so your familiar with it prior to Friday's meeting. We will walk through the options available at this point for your church to consider.

We will look forward to discussing with all of you on Friday.

Thanks,

Jonathan Bailie

**National Center for Life & Liberty**

c. 727-410-6409

e. [jbailie@ncll.org](mailto:jbailie@ncll.org)

o. 888-233-6255