

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

PARISH OF ST. PAUL’S EPISCOPAL)
CHURCH; BISHOP SEABURY)
CHURCH PARISH; CHRIST CHURCH)
PARISH; CHRIST & THE EPIPHANY)
CHURCH PARISH; ST. JOHN’S)
EPISCOPAL CHURCH PARISH;)
TRINITY CHURCH PARISH; AND)
THEIR RESPECTIVE PASTORS)
AND RECTORS, THE REVS.)
CHRISTOPHER P. LEIGHTON;)
RONALD S. GAUSS; ALLYN)
BENEDICT; GILBERT WILKES;)
AND DONALD HELMANDOLLAR,)
INDIVIDUALLY AND AS SUCH)
PASTORS AND RECTORS; AND THE)
RESPECTIVE WARDENS, VESTRIES)
AND OFFICERS OF THOSE)
PARISHES, ALL OF WHOSE NAMES)
ARE APPENDED HERETO AS SUCH)
WARDENS, VESTRY MEMBERS AND)
OFFICERS, IN THEIR OFFICIAL AND)
INDIVIDUAL CAPACITIES, AND AS)
COMMUNICANTS OF THEIR SAID)
RESPECTIVE PARISHES,)

Plaintiffs)

v.)

THE EPISCOPAL DIOCESE OF)
CONNECTICUT DONATIONS &)
BEQUESTS FOR CHURCH PURPOSES,)
INC.; THE MISSIONARY SOCIETY OF)
THE DIOCESE OF CONNECTICUT)
(EPISCOPAL); THE EPISCOPAL)

Civil No.

DATE: September 26, 2005

CHURCH IN THE DIOCESE OF)
CONNECTICUT; STATE STREET)
CORPORATION; NRS; THE RT. REV.)
ANDREW D. SMITH, INDIVIDUALLY)
AND AS BISHOP OF THE EPISCOPAL)
SEE OF CONNECTICUT; JOHN W.)
SPAETH, III; EDWARD SEIBERT;)
EDWIN GORDON HEBB, JR., THE)
REV. SUSAN J. MCCONE; THE MOST)
REV. FRANK T. GRISWOLD, III,)
PRESIDING BISHOP OF THE)
EPISCOPAL CHURCH OF THE UNITED)
STATES OF AMERICA, INDIVIDUALLY)
AND AS SUCH PRESIDING BISHOP;)
JOHN DOE; MARY DOE; JOHN ROE;)
AND MARY ROE, AND RICHARD)
BLUMENTHAL, ATTORNEY GENERAL)
OF STATE OF CONNECTICUT,)

Defendants

ADDITIONAL INDIVIDUAL PLAINTIFFS

BISHOP SEABURY CHURCH VESTRY

| | |
|------------------------|-----------------------------|
| William Abt | Catherine Lowney, Clerk |
| James Bailey | Brenda Rich |
| David Coleman | Juan Rivera |
| James Conover | Constance Rose, Treasurer |
| Amy Harrison | Sinco Steendam |
| Arthur Hayward, Warden | Barbara Stiles |
| April Johnson | Richard Vanderslice, Warden |
| John Knaff | Debbi Yering |

CHRIST CHURCH PARISH VESTRY

| | |
|----------------------------|-----------------|
| Andrew Barnett (Treasurer) | Jill Kallsen |
| Sarah R. Cramer | Roberta Kuegler |
| Todd Cramer | Paul LePine |
| Kevin Donlon (Jr. Warden) | Debbie Logue |
| Beth Gillette (Clerk) | Kristin Quinn |
| John Griffith | Dan Ruminski |
| Bill Johnson | |

CHRIST & THE EPIPHANY CHURCH PARISH VESTRY

Diane Bogdan

Annie Lau

Janice Celone (Warden)

William Morann

Richard Carr

Deborah Morgan

Judith Clearwater

Nancy Perez

Joy Cunningham

Joseph Perrone

Jeanette D'Andrea

Richard Schiavone

Nile Heermans

Ronald Swanson

ST. JOHN'S EPISCOPAL CHURCH PARISH VESTRY

Gerard Belanger

John Smith

Lori Giblin

Elizabeth D. Stretch (Treasurer)

Richard E. Gonneville, Sr. Warden

Wayne A Stretch

David A. Hartley

David W. Thompson, Jr., Warden

Lillian C. Lemoine

Tammy M. Vogt

Thomas T. O'Keefe, Clerk

William G. Witt

Robert Russell

PARISH OF ST. PAUL'S EPISCOPAL CHURCH VESTRY

Joann Cerretani

Elva Macklem

Nick DeMarco

The Rev. Dan Morgan

Gaye Forbes

Tony Mattioli

Paul Hadlow

Lisa Schell

Charlene Harrick

Linda Tilton

Ellen Hurley

Adelaide Waring

William Jolly (Warden)

David Woodford

TRINITY CHURCH PARISH VESTRY

Raymond Bailey

Rodney Grekula

Marie Bartz

Sylvia Hobbs

Fred Clark

Ann Marie Lavoie

Frannk Cummings

Michael Saman

Joseph Dobek

Robert Snyder

Edward DuBois

Deborah Wheeler

Bruce Edwards

COMPLAINT

FIRST COUNT (INTERFERENCE WITH PLAINTIFFS' CIVIL RIGHTS UNDER FEDERAL LAW ON BEHALF OF ALL PLAINTIFFS AGAINST ALL DEFENDANTS)

I. JURISDICTION

1. This is a civil action seeking compensatory and punitive damages and attorneys fees against the Defendants, and any one or more of them, and all those aiding, abetting or assisting and acting in concert with them, or any one or more of them, for deprivation of the Plaintiffs' civil rights and property rights under the color of law of the State of Connecticut. This action also seeks declaratory relief respecting the constitutionality of CONN. GEN. STAT. §§ 33-264a, 33-264c, 33-264e, 33-264g, 33-264j, 33-264k, 33-265 and 33-265 and various Connecticut special acts (Episcopal Church religious and ecclesiastical incorporation laws), under the First and Fourteenth Amendments to the Constitution of the United States. This action also seeks a prejudgment remedy of replevin, and equitable relief in the nature of a preliminary and permanent injunction to prevent the deprivation of Plaintiffs' rights, privileges, immunities and property under the First, Fifth and Fourteenth Amendments to the Constitution of the United States. Jurisdiction is invoked, pursuant to 28 U.S.C. §§ 1331, 1343(3), 1343(4), 1367(a) (as to the pendent state claims), 2201 and 2202, and 42 U.S.C. § 1983; and the First, Fifth, and Fourteenth Amendments to the Constitution of the United States.

2. Venue is proper in the District of Connecticut, pursuant to 28 U.S.C. § 1391(b), because the claims arose in this District.

3. Pendent to the federal claims, this action seeks compensatory and punitive damages against the Defendants and all those aiding, abetting and assisting them, or any one of them, to commit the civil rights violations and pendent torts herein alleged; and for declaratory and other equitable relief, including preliminary and permanent injunctions, enjoining defendants and their respective successors, employees and agents, and all persons subject to the direction and control of any Defendant, from depriving Plaintiffs of their constitutional rights, as guaranteed by the Constitution of the State of Connecticut, Article I, Sec. 1 (equality of rights), Sec. 3 (religious liberty), Secs. 4 and 5 (liberty of speech), Sec.14 (association), Sec. 20 (discrimination because of religion).

4. Pendent to the federal claims, this action seeks compensatory and punitive damages and attorneys fees under the Connecticut Unfair Trade Practices Act (“CUTPA”), CONN. GEN. STAT. §§ 42-110a and 42-110g; compensatory and punitive damages at common law for fraud; intentional misrepresentation; breach of fiduciary duty; and trespass; and for compensatory and punitive damages for injury to property caused by a violation of CONN. GEN. STAT. § 53-451, pursuant to § 53-452 (computer crime); and for treble damages under CONN. GEN. STAT. § 52-564 for theft.

II. PARTIES

PLAINTIFFS

5. The Plaintiffs, Bishop Seabury Church Parish; Christ Church Parish; Christ & The Epiphany Church Parish; St. John's Episcopal Church Parish; Parish of St. Paul's Episcopal Church; and Trinity Church Parish (the "Six Parishes") and each and all of them, on knowledge, information and belief, are Connecticut, incorporated "ecclesiastical societies ... in communion with the Protestant Episcopal Church in the United States of America ["ECUSA" or variously, the "church" or "Church"], [and in union with the Convention of the Protestant Episcopal Church in the Diocese Of Connecticut, and are] known in the law as parishes as well as ecclesiastical societies, ... [having] power to receive and hold by gift, grant or purchase all property, real or personal, that has been or may be conveyed to them for maintaining religious worship according to the doctrine, discipline and worship of said church, and for the support of the educational and charitable institutions of the same, and ... have and exercise all the ordinary power of bodies corporate", pursuant to CONN. GEN. STAT. § 33-265. The Defendants have long recognized the Six Parishes as such incorporated ecclesiastical societies.

6. The Plaintiffs, the Revs. Ronald S. Gauss; Allyn Benedict; Gilbert Wilkes; Christopher P. Leighton; and Donald Helmandollar (the "Five Priests"), are citizens and residents of the State of Connecticut and each is an ordained,

Episcopal priest, duly licensed in the Episcopal Diocese of Connecticut and presently serving as Rector of his respective Parish. St. John's Episcopal Church Parish's Rector, the Rev. Dr. Mark Hansen ("Father Hansen"), was inhibited on July 13, 2005 by the Defendant, the Rt. Rev. Andrew D. Smith, purporting to act in his capacity as the Bishop of the Episcopal See of Connecticut, based on findings of his Standing Committees made after *ex parte* proceedings, conducted by the Defendants, Bishop Smith and his Chancellor, Edwin Gordon Hebb, Jr.

7. Each and all of the Plaintiffs identified as Vestry members, Officers or Wardens of one of the Six Parishes are citizens and residents of the State of Connecticut and are presently serving as such Wardens, Vestry members, and/or Officers in their respective Parishes. The Wardens and Vestry members in their respective Parishes have direction, management and control of the property and all business affairs of the Parish and the Parish's relations with its Clergy, pursuant to the laws of the State of Connecticut, CONN. GEN. STAT. §§ 33-265 and 33-266 and the ECUSA and Diocesan constitutions and canons codified by those statutes as a part of the law of the State of Connecticut.

DEFENDANTS

8. The Defendant, The Episcopal Diocese of Connecticut Donations & Bequests for Church Purposes, Inc. ("Donations & Bequests for Church Purposes, Inc."), is, on information and belief, a specially chartered, Connecticut corporation,

chartered in 1863 by special act of the Connecticut General Assembly, 5 Private Acts 562, as amended in 1873, 8 Private Acts, 626 and it has its office and principal place of business at 1335 Asylum Ave. Hartford, Connecticut.

9. The Defendant, The Missionary Society of the Diocese of Connecticut (Episcopal) (“Missionary Society”) is a specially chartered, Connecticut, charitable and ecclesiastical corporation, Special Laws of Connecticut, volume 11, page 465, organized for the purpose of carrying on, establishing and supporting Episcopal parishes and it has its office at 1335, Asylum Ave., Hartford, Connecticut.

10. The Defendant, The Episcopal Church In The Diocese Of Connecticut, on information and belief, is a specially chartered, Connecticut, charitable and ecclesiastical corporation, and it maintains an office at 1335 Asylum Ave., Hartford, Connecticut.

11. The Defendant, State Street Corporation (“State Street”), on information and belief, is a banking and financial institution, incorporated, organized and existing under the laws of the Commonwealth of Massachusetts, with its principal office in North Quincy, and it is qualified to do business in the State of Connecticut, where it is conducting business as a depository for funds and securities and provider of banking and financial services to the Six Plaintiff-Parishes, among others.

12. The Defendant, NRS, a/k/a/ Northeast Retirement Services (“NRS”), on information and belief, is a financial services corporation, organized and existing under the laws of the Commonwealth of Massachusetts, with its principal office in Woburn Park, and it is qualified to do business in the State of Connecticut, where it is conducting the business of providing investment advice and financial services in the State of Connecticut to the Six Plaintiff-Parishes, among others.

13. The Defendant, the Rt. Rev. Andrew D. Smith (“Bishop Smith”) is a citizen and resident of the State of Connecticut and he is the Bishop of the Episcopal See of Connecticut, with an office at 1335 Asylum Ave., Hartford, Connecticut.

14. The Defendant, Edwin Gordon Hebb, Jr. (“Atty. Hebb”) is a citizen and resident of the State of Connecticut and, on information and belief, he is the Chancellor to the Episcopal See of Connecticut, with an office at 1335 Asylum Ave., Hartford, Connecticut, and an attorney-at-law, admitted to practice in the State of Connecticut, and as such he is an advisor to the Defendants, Bishop Smith; John W. Spaeth, III; and Edward Seibert.

15. The Defendant, John W. Spaeth, III (“Spaeth”), is a citizen and resident of the State of Connecticut and he is the Canon for Stewardship and Administration to Bishop Smith, with an office at 1335 Asylum Ave., Hartford,

Connecticut, and, on information and belief, he is the Secretary of the Defendant, Missionary Society, and a principal officer of the Defendant, Donations & Bequests for Church Purposes, Inc. Spaeth is an advisor to the Defendants, Bishop Smith and Edward Seibert.

16. The Defendant, Edward Seibert (“Seibert”), is a citizen and resident of the State of Connecticut and, on information and belief, he is an employee of Donations & Bequests for Church Purposes, Inc., with an office at 1335 Asylum Ave., Hartford, Connecticut. Since on or about July 13, 2005, Seibert has purported to act, and is acting, as the administrator of St. John’s Episcopal Church Parish, pursuant to his purported appointment as such by Bishop Smith. Seibert is presently, unconstitutionally occupying the premises known as St. John’s Episcopal Church Parish at 851 Stafford Avenue, Bristol, Connecticut and he is unconstitutionally using the tangible and intangible property of the Plaintiff, St. John’s Episcopal Church Parish.

17. The Defendant, the Rev. Susan J. McCone (“Mother McCone”), an Episcopal priest, is a citizen and resident of the State of Connecticut, and she resides at 38 New Preston Hill Road, New Preston, Connecticut, and she claims to be the “priest-in-charge” of St. John’s Episcopal Church Parish, by the purported appointment of Bishop Smith. She is presently unconstitutionally occupying a portion of the premises of the said St. John’s Episcopal Church at 851 Stafford

Avenue, Bristol, Connecticut, and she is unconstitutionally using the tangible and intangible personal property of the Plaintiff, St. John's Episcopal Church Parish.

18. The Defendant, the Most Reverend Frank T. Griswold, III ("Presiding Bishop Griswold"), on information and belief, is a citizen and resident of Illinois and the Presiding Bishop of ECUSA, with an office in the City, County and State of New York, at 815 Second Ave., New York, New York 10017.

19. The Defendant, Richard Blumenthal, is the Attorney General of the State of Connecticut and he has an interest in this litigation as the protector of the public's interest in all property owned by charitable, jural entities in the State of Connecticut, including, without limitation, the real and personal property owned by the St. John's Episcopal Church Parish, at 851 Stafford Avenue, Bristol, Connecticut and he has an interest in the cash, securities and property, real, personal and mixed, owned by all Six Parishes. As required by CONN. GEN. STAT. § 42-110g (c), a copy of this Complaint will be served on the Connecticut Commissioner of Consumer Protection.

20. Each individual Defendant is sued in his or her individual capacity and in his or her official capacity. Relief is sought jointly and severally against each Defendant, as well as against any Defendants who engaged in aiding, abetting, assisting, or who, in general, acted in concert with any other Defendant,

in the commission of any one or more of the civil rights violations, torts and unconstitutional acts herein alleged.

III. FACTUAL AND STATUTORY BACKGROUND (GOVERNMENTAL ACTION)

21. The Defendants have been, are presently, and will hereafter be, acting, under the color of the authority and law of the State of Connecticut in the commission of the actions complained of in this Complaint.

22. On information and belief, ECUSA, of which Presiding Bishop Griswold is the recognized leader, is governed by the General Convention of the Episcopal Church and by the Episcopal Church's own constitution ("ECUSA constitution") and canons ("ECUSA canons"). ECUSA's legislative body is the General Convention of the Episcopal Church, consisting of the House of Bishops and the House of Deputies, either of which may originate and propose legislation.

23. The Convention of the Diocese of Connecticut has its own constitution ("Diocesan constitution") and canons ("Diocesan canons"), facially applicable to the diocese and its local parishes in union with the Convention of the Diocese of Connecticut. The Episcopal Church In the Diocese Of Connecticut is a constituent part of ECUSA, and accedes to, recognizes and adopts the constitution of ECUSA and acknowledges the authority of the Episcopal Church, as required by CONN. GEN. STAT. §§33-265 and 33-266.

24. The ECUSA constitution and the ECUSA canons and the Diocesan constitution and Diocesan canons are given a special legal effect by the State of Connecticut that is not given to the religious regulations and constitutional declarations of all religious corporations, generally. Connecticut law makes the ECUSA and Diocesan constitutions and canons enforceable against the Plaintiffs, severally, and as communicants, Vestry members, and Wardens, and also enforceable against each Plaintiff-Parish. Enforcement is available in a Connecticut civil court, pursuant to Conn. Gen. Stat., §§ 33-265 and 33-266. Those statutes provide that the Episcopal Parishes may be formed, conduct their affairs and “have power to receive and hold ... property, real or personal, that has been or may be conveyed to them,” but only “as provided and prescribed by the constitution, canons and regulations of the Protestant Episcopal Church in this State [which includes ECUSA].” CONN. GEN. STAT. §§ 33-265 and 33-266 explicitly require that the Plaintiff-Parishes “be in communion with” ECUSA and, thus, codify, as a matter of Connecticut civil law, the constitution and canons of ECUSA and the Episcopal Church In The Diocese Of Connecticut, as follows:

a. § 33-265. Legal status and powers.

All ecclesiastical societies in this state, in communion with the Protestant Episcopal Church in the United States of America [ECUSA], shall be known in the law as parishes as well as ecclesiastical societies, and shall have power to receive and hold by gift, grant or purchase all property, real or personal, that has been or may be conveyed to them for maintaining religious worship according to the doctrine, discipline and worship of said

church, and for the support of the educational and charitable institutions of the same, and shall have and exercise all the ordinary powers of bodies corporate.

b. § 33-266. Regulations.

The manner of conducting the parish, the qualifications for membership of the parish and the manner of acquiring and terminating such membership, the number of the officers of the parish, their powers and duties and the manner of their appointment, the time of holding the annual meeting of the parish and the manner of notification thereof and the manner of calling special meetings of the parish shall be such as are provided and prescribed by the constitution, canons and regulations of said Protestant Episcopal Church in this state.

25. The State of Connecticut has entangled itself in every aspect of the temporal and certain aspects of the spiritual, operations of all the Episcopal Parishes, and, in particular, the Six Plaintiff-Parishes in their singular relationships with the said Defendants, including Mother McCone and her role as “priest in charge.” CONN. GEN. STAT., § 33-266 explicitly incorporates by reference “the constitution, canons and regulations of said Protestant Episcopal Church [ECUSA] in this state.” Those constitutions, canons and regulations define the powers and duties of the Plaintiff-Vestries and make enforcement of Episcopal Church polity and morality, in accordance with “the doctrine, discipline and worship of said [Church]” a matter of state law. No ECUSA constitution provision or canon requires that Connecticut intertwine its incorporation laws with ECUSA doctrine and ecclesiastical law, as well as ECUSA discipline, faith and ecclesiastical rule, custom, or law. Connecticut law, nevertheless, does so and also delegates to

powerful religious authorities within ECUSA, including Bishop Smith, and the General Conventions of ECUSA and the Episcopal Church In The Diocese Of Connecticut, a continuing power to rely upon and even amend Connecticut law. Amendment occurs by simply amending the ECUSA and/or Diocesan constitutions and canons, after a Parish has come into union with Convention of the Diocese. Thereafter, compliance with the new canon is imposed on all concerned in order to satisfy requirements imposed by Conn. Gen. Stat. §§ 33-265 and also to satisfy 33-266 that the Connecticut parishes remain in communion with ECUSA. The Defendant, Bishop Smith, and his Co-Defendants; in turn, must necessarily rely on these statutes in connection with the actions alleged herein.

26. In accordance with Title I, Canon 14, Secs. 1, 2 & 3 of the ECUSA Canons, the laws of the State of Connecticut are controlling in all matters concerning “the number, mode of selection, and term of office of” the Plaintiffs-Wardens and Vestry members; and those Plaintiffs-Vestry members “[e]xcept as provided by the law of the State or of the Diocese ... shall be agents and legal representatives of the Parish in all matters concerning corporate property and the relations of the Parish to the Clergy.” The laws of the State of Connecticut are canonically and civilly controlling in establishing and defining the Plaintiff-Vestries’ powers over the property which is the subject of the action and relationship of St. John’s Church Episcopal Parish and the other Plaintiff-Parishes

with their respective Clergy. The actions of the Defendants herein and the proper roles of the Plaintiffs require a Connecticut court to apply canon law as a part of its civil law.

27. The Defendants, Missionary Society and Episcopal Church In The Diocese Of Connecticut, on information and belief, are both specially chartered by the General Assembly of the State of Connecticut as non-profit, charitable ecclesiastical corporations, exempt from Connecticut taxation on their income, exempt from Connecticut sales and use taxes and exempt from Connecticut local property taxes. On information and belief, each of the said Defendants is also acutely dependent upon the receipt of tax deductible charitable donations from donors, whose federal and state income and transfer taxes can be reduced by reason of making tax deductible gifts to either of the said Defendants.

28. The Defendants, Donations & Bequest for Church Purposes, Inc.; Missionary Society; and Episcopal Church In The Diocese Of Connecticut, serve a public function over a broad range of health related areas, including, for example, directly, or indirectly through the management of gifts for charitable purposes and through the provisions of funds to Parishes and missions, providing for hospice care and the care of persons suffering from mental and emotional disorders, clinical depression, drug addiction, alcoholism, and all other issues and infirmities

of every kind and description, which care must otherwise be provided and paid for by Connecticut and United States governmental agencies at taxpayer expense.

29. The Defendants, Missionary Society and Episcopal Church In The Diocese Of Connecticut are substantially dependent upon their exempt status. Connecticut's and the United States' regulatory schemes in the administration and application of their tax laws is detailed and intrusive with respect to said Defendants.

30. CONN. GEN. STAT., §§ 33-265 and 33-266 by their mere existence permit and encourage Bishop Smith and the remaining individual Defendants, all of whom are acting in concert with him, to discriminate against the individual Plaintiffs, Wardens, Vestry members, and communicants of the Six Plaintiff-Parishes on account of their religious beliefs. These statutes permit Bishop Smith to establish and enforce his own theology, doctrine and discipline for the Episcopal Church In The Diocese Of Connecticut and permit the violations of the constitutional rights of the Plaintiffs as alleged herein.

IV. FACTUAL BACKGROUND (FEDERAL AND STATE CIVIL RIGHTS VIOLATIONS AND PENDENT TORTS).

THE THEOLOGICAL DIFFERENCES

31. The Plaintiff-Priests, Wardens, Vestry Members, and the several congregations of the Six Plaintiff-Parishes have long accepted the traditional theological beliefs and teachings regarding human sexuality and the ordination of

priests and deacons, as well as the consecration of bishops in the Episcopal Church, as upheld by the Primates, the Archbishop of Canterbury, the Lambeth Conference, the Anglican Consultative Council, and millions of Anglicans worldwide.

32. The Defendants, Bishop Smith; Presiding Bishop Griswold; and Mother McCone, have long stood firmly in opposition to accepted Anglican theological belief and teaching regarding human sexuality and the ordination of priests and deacons and the consecration of bishops in the Episcopal Church.

33. The individual Plaintiffs' religious beliefs forbid them from supporting and accepting Bishop Smith's contrary religious beliefs. The Six Plaintiff-Parishes a small minority, out of more than 170 Parishes, also in union with the Diocesan Convention in the Episcopal See of Connecticut, have made known their opposition to Bishop Smith's theological views respecting his conduct in specific ordinations of priests and deacons in the Episcopal See of Connecticut and his participation in the consecration of a bishop outside of the Episcopal See of Connecticut. In response, Bishop Smith has accused the Priests serving the six Plaintiff-Parishes of "conspiring against me" and of "violating their ordination vows" and "abandoning the communion of the church". The Priests and laity in the Six Parishes have recently charged Bishop Smith with offenses in violation of canon law. The Defendant, Presiding Bishop Griswold has ignored the charges,

contrary to ECUSA canons, and he has effectively prevented an ecclesiastical trial and review of Bishop Smith's actions. The civil courts offer the Plaintiffs their only recourse, therefore.

DELEGATED EPISCOPAL PASTORAL OVERSIGHT

34. These Six Plaintiff-Parishes long ago requested Bishop Smith to agree to delegate adequate Episcopal pastoral oversight of them to another bishop, agreeable to him and to the Six Parishes; a course recommended by ECUSA's House of Bishops, an ECUSA governing body, of which the Defendant Bishop Smith is a member, and over which the Defendant, Presiding Bishop Griswold presides.

35. Alternatively, the Six Parishes have asked Bishop Smith to join with them in resorting to the Archbishop of Canterbury's Panel of Reference, established by worldwide Primates of the Episcopal Church to investigate and resolve issues pertaining to the delegation of pastoral oversight in Dioceses like Connecticut. This alternative approach was directed by the Primates of the Church, including the Defendant, Presiding Bishop Griswold, in February, 2005, and was implemented by the Archbishop of Canterbury as of July 14, 2005. Bishop Smith, however, has refused to even discuss any form of delegated Episcopal pastoral oversight with the Plaintiffs, other than one of his own making;

and, on information and belief, Bishop Smith will not accept the Panel of Reference in this Episcopal See.

36. Bishop Smith's plan for the pastoral oversight departs from the recommendations of the House of Bishops, because it involves no significant delegation. Bishop Smith's plan would require significant, financial contributions to him from each Parish, presumably for the use of the Episcopal Church In The Diocese Of Connecticut (which contributions other Parishes within the Episcopal See of Connecticut are not compelled to make and, in fact, a great many do not make). Bishop Smith would also assume unlimited supervision and control over the Six Plaintiff-Parish minority in all matters, temporal and spiritual, in disregard of their religious beliefs and property rights.

37. Accordingly, on or about February 17, 2005, on information and belief, the Primates of the Episcopal Church, including the Defendant, Presiding Bishop Griswold, and the Archbishop of Canterbury, offered an approach to delegated Episcopal pastoral oversight that would hold dioceses in the Anglican communion together, in spite of theological differences. At the same time Bishop Smith unilaterally determined to end all discussions in the Connecticut See over any form of delegated Episcopal pastoral oversight. This action accorded with a plan formulated, on information and belief, by Bishop Smith and others, including the Defendant, Atty. Hebb, on or prior to September, 2004. On or about

February 17, 2005, Bishop Smith invoked “canonical initiatives” against the Six Parish Priests, as he had publicly stated he would do, in November, 2004, as a first, public step in Bishop Smith’s fraudulent scheme to seize the assets of the Six Parishes by inhibiting and deposing their Priests, and dispersing their Wardens, Vestries and Officers and communicants who opposed his theology.

38. On various days commencing February 15, 2005 and continuing through at least April 29, 2005, on information and belief, Bishop Smith and Atty. Hebb, and others to the Plaintiffs unknown, caused the Bishop’s Standing Committee in the Episcopal See of Connecticut to make a determination that the Plaintiff-Priests and Father Hansen should be inhibited and deposed, at the Bishop’s discretion for “abandoning the communion of the church.” Bishop Smith announced this determination on March 29, 2005; and ever since the threat of inhibition and deposition has continued in respect of all Plaintiffs, and, in particular, the five Plaintiff-Priests and Father Hansen.

39. On information and belief, Bishop Smith used a false charge of “abandoning the communion of the church” with intent of inhibiting and deposing each of the Parish priests. He similarly directed such charges against each of the Six Parishes and their Wardens, Vestries and congregations with the intent of chilling all of them and their congregations in the exercise of their First Amendment rights to freedom of religion, speech and association. All individual

Plaintiffs herein, and others of their fellow communicants, were similarly, simultaneously and falsely declared as of March 29, 2005, to have abandoned “the communion of the church”.

40. The charge of “abandoning the communion of the church” made by Bishop Smith, and affirmed by his Standing Committee, and thereupon publicly announced by Bishop Smith, is a false charge made with intent, as the end result, to defraud the Plaintiff-Parishes of their assets by removing their Priests and freezing their Wardens and Vestries who would then be placed under the control of a “priest in charge” who would be appointed by Bishop Smith, and hold to Bishop Smith’s theological beliefs. The grounds relied upon by Bishop Smith and by his Standing Committee, on information and belief, were formulated by the Defendants, Bishop Smith and Atty. Hebb with the assistance of others. The charge, properly used, is limited to the singular situation in which a priest openly renounces his or her vows and leaves his or her ministry, with intent not to return, or actually becomes a communicant of another denomination or religion. No ecclesiastical trial to inhibit or depose on the grounds of “abandoning the communion of the church” is required in such circumstances. The Defendant, Presiding Bishop Griswold, and canon law authorities have previously limited the use of the charge of “abandoning the communion” as the Defendants, Bishop Smith, Atty. Hebb and the Defendant, Spaeth, well know, to the situations last

described. The abandonment charge has never been extended to theological disputes or any other disagreement between a Bishop and the Priests and Parishes of his or her Episcopal See, as to which a Priest has a right to an ecclesiastical trial.

41. The Plaintiff-Priests and Father Hansen, on or about April 12, 2005, requested that the Defendants, Bishop Smith and Atty. Hebb supply the evidence, documentary and otherwise, on which the Standing Committee relied to support its charge of “abandoning the communion”. The Plaintiff-Priests and Father Hansen denied that the charge of “abandoning the communion of the church” was being used properly. Bishop Smith utilized the charge notwithstanding as a part of his said fraudulent scheme.

42. The Plaintiff-Priests and Father Hansen, at the same time, insisted on their rights to separate ecclesiastical trials and, as also provided by canon law, their rights to an investigation into imputations against them of “abandoning of the communion of the church”. The Defendant, Presiding Bishop Griswold, was advised of these requests. The Defendants Bishop Smith, Atty. Hebb and Presiding Bishop Griswold simply ignored the claims of the Priests.

43. On July 2, 2005, the said Plaintiff-Priests and Father Hansen renewed their said requests for investigation and ecclesiastical trials to the Defendants, Bishop Smith and Atty. Hebb, and again supplied a copy of their requests to Presiding Bishop Griswold.

44. The only response ever received was from counsel to Bishop Smith who asserted, on or about July 5, 2005, presumably at Bishop Smith's direction, that no Parish in the Episcopal See of Connecticut may be represented by an attorney at law, without the prior approval of Bishop Smith. Bishop Smith asserted that all parishes in the Episcopal See of Connecticut have been "born into the Diocese" and, therefore, are his parishes to be administered as he determines and that the Plaintiff-Parishes may not be represented by any counsel but his, therefore.

45. The use of a charge of "abandoning the communion of the church" is part of a fraudulent scheme to remove Rectors from positions of leadership in their Parishes, on information and belief, as a first step in taking possession of the real and personal property of the Six Plaintiff-Parishes, and ultimately disbursing their Wardens, Vestries and congregations who disagree with Bishop Smith's theological beliefs.

46. Bishop Smith, and others at his direction, including the Defendants, Atty. Hebb and Spaeth, as well as two Assistant Bishops and one or more members of the Standing Committee commenced, on and after November 15, 2005, and continuing until the present time, to collect evidence against the individual Plaintiff-Priests and Father Hansen, as well as individual Wardens and Vestry members, in particular at Saint John's Episcopal Church Parish. This was accomplished by direct contact with individual Plaintiffs whereby evidence was

attempted to be collected that would be useful in inhibiting, disposing, or removing from office the five Plaintiff-Priests and Father Hansen, while denying them the right to counsel and ecclesiastical trials. Further, these efforts were directed to testing and reporting upon, on information and belief, any possible act of disobedience to Bishop Smith. The intent of this activity was to chill the Plaintiff-Priests and Father Hansen in the exercise of their First Amendment rights to freedom of religion, speech, and association.

47. Bishop Smith sought by means of such false charges to prevent the Plaintiff-Priests and Father Hansen from exercising their priestly offices and fully enjoying their First Amendment rights to freedom of religion and their rights to freedom of association and speech. On information and belief, Bishop Smith, and those Defendants acting in concert with him including, Presiding Bishop Griswold, Mother McCone, Atty. Hebb, and Spaeth, and others to the Plaintiffs unknown, have also agreed to disregard the powers conferred on Wardens and Vestries of the Plaintiff-Parishes as set out in the CONN. GEN. STAT. §§ 33-265 and 33-266 and to employ Connecticut's Episcopal corporation law to justify the actions taken, in reliance on Bishop Smith's own interpretation of the ECUSA and Diocesan canons and Connecticut statutory scheme which codifies these canons.

UNCONSTITUTIONAL PREJUDGMENT REMEDIES AGAINST THE LIQUID ASSETS OF THREE PLAINTIFF CHURCHES

48. For many years preceding the date hereof the Plaintiff-Parishes, Bishop Seabury Church, Christ Church, and Christ & The Epiphany Church have used the services of the Defendants, Donations, & Bequests For Church Purposes, Inc. and Spaeth, for assistance and advice when investing Parish funds. These Parish funds have been donated to the individual Parishes, in trust, for specific purposes, or are funds raised by the individual Parishes from their congregations and others for the general uses and purposes of the Parishes. At all times material hereto, therefore, certain numbered, separate and distinct investment accounts have been maintained by each Parish for its own benefit with the Defendants, State Street Corporation and NRS. From time to time, many of the Parishes in the Episcopal See of Connecticut, including the Plaintiff-Parishes, Christ Church, Christ & The Epiphany Church and Bishop Seabury Church, utilize investment accounts created and/or maintained as custodial accounts for their benefit by the Defendants, State Street Corporation and NRS. The said Defendants use the assistance of the Defendants, Donations & Bequests For Church Purposes, Inc. and Spaeth.

49. A fiduciary relationship exists between and among the Defendants, Bishop Smith; Atty. Hebb; Spaeth; Donations & Bequests For Church Purposes, Inc., State Street Corporation and NRS on the one hand, and the Plaintiff-Parishes,

Christ Church; Christ & the Epiphany Church; and Bishop Seabury Church, on the other. The said Plaintiff-Parishes have never been advised by any Defendant with whom they have a fiduciary relationship that anyone, or any entity, has any power to tamper or withhold the Parishes' funds and securities, under any condition, in the hands of the Defendants, State Street Corporation and NRS, as custodians and investment advisors. Notwithstanding, commencing on or about March 31, 2005, the Defendant, Spaeth, acting individually and on behalf the Defendant, Donations & Bequests For Church Purposes, Inc. refused to follow the Parishes' written direction to remit their funds and securities to them from their custodial accounts under the management, care and control of the Defendants, State Street Corporation and NRS, which firms, on or about July 1, 2005, refused demands for payment by the said Parishes. At about the same time Bishop Smith announced the determination of inhibition and deposition against the Plaintiff-Priests and Father Hansen.

50. The Defendants, Bishop Smith, Atty. Hebb and Spaeth have acted, and they are continuing to act, with the acquiescence, aid, and assistance of the Defendants, State Street Corporation and NRS. All Defendants are acting on the pretext that the relationship of the said parishes "to the Diocese" is somehow in "question" and, therefore, until some unspecified change in their relationship with "the Diocese" occurs, the said Defendants, State Street Corporation and NRS may

not remit either the Parishes' funds and/or securities, or the income earned thereon, to the Plaintiffs, Christ Church; Christ & The Epiphany Church; or Bishop Seabury Church Parishes.

51. Although each said Plaintiff-Parish has made demand on the Defendants, Spaeth, State Street Corporation and NRS, they have refused to comply with that demand and return the said Plaintiff-Parishes' funds and securities to the date hereof.

52. On information and belief, the said Defendants, Bishop Smith, Atty. Hebb and Spaeth, caused the Defendants, State Street Corporation and NRS, to join in Bishop Smith's fraudulent scheme and those Defendants then ceased disbursements to the said Plaintiff-Parishes, on the pretext that the Parishes needed to seek approval of the Defendant, Spaeth. On information and belief, the said corporate Defendants engage in profitable business transactions with the remaining corporate Defendants and Bishop Smith, and with like institutions or departments and bishops in other Episcopal dioceses.

53. The Parishes' investments and the income earned thereon are utilized by the Parishes, from time to time, as the Defendants, State Street Corporation and NRS, well know, to meet Parish expenses and costs of capital improvements and/or repairs. Christ Church and Christ & The Epiphany Church depend upon income from their investments to supplement their annual budgets, as all the

Defendants, State Street Corporation; NRS; Bishop Smith; Spaeth; and Atty. Hebb well know. Those Defendants also well know that the invested funds and the income thereon are needed for support and for maintenance of the said Plaintiffs' houses of worship, as well as for their activities in teaching accepted theology of the Anglican communion. The Defendants know that the withholding of funds and securities from the said Plaintiffs will interfere with the exercise of the individual Plaintiffs' freedom of religion and will take the property of the Parishes without due process of law.

54. The said Defendants, Bishop Smith, Atty. Hebb, Spaeth, State Street Corporation and NRS, and each and all of them, have intentionally joined in a fraudulent scheme to use unconstitutional, prejudgment seizure of Parish property, in order to compel the Priests, Wardens and Vestries of the said Plaintiff-Parishes to accept Bishop Smith's theology and to do his will.

55. On information and belief, the Defendants, State Street Corporation and NRS, have aided, abetted and assisted, and generally acted in concert with the Defendants, Bishop Smith, Atty. Hebb and Spaeth in carrying out this unconstitutional scheme. The said Defendants have thereby chilled, and/or prevented, the individual Plaintiffs in all Six Parishes from the free exercise of their First Amendment rights to freedom of religion and their rights to freedom of speech and association.

SEIZURE OF ST. JOHN'S EPISCOPAL CHURCH

56. On information and belief, on July 13, 2005, the Defendants, Bishop Smith; Spaeth; Seibert; Mother McCone; John Doe; Mary Doe; John Roe and Mary Roe and others to the Plaintiff unknown implemented and carried out, without legal process or authority to do so, the seizure of the buildings and grounds and tangible and intangible personal property of St. John's Episcopal Church, 851 Stafford Avenue, Bristol, Connecticut. At the same time and place, Bishop Smith declared Father Hansen, who was then on permitted leave of absence from his Parish, to be inhibited and placed under threat of deposition; and Bishop Smith further declared that henceforth the Defendant, Mother McCone, would be the "priest-in-charge" and the Defendant, Seibert, the administrator of the Parish. At this point Bishop Smith had fully implemented his fraudulent scheme, as alleged with the seizure of the first of the Six Parishes targeted by him.

57. On July 13, 2005, at about 9:30 A.M., individual Defendants, other than Atty. Hebb, accompanied by two computer experts, John Doe and John Roe, and two persons, Mary Doe and Mary Roe, escorting media representatives who accompanied Bishop Smith, were observed by the Parish secretary, Lisa Ouellette, to enter the driveway of St. John's Parish at high speed in several vehicles. These persons then rushed into the Parish office and surround her desk, while the media

people were escorted by Mary Doe and Mary Roe to a space within the office to set up cameras and equipment. The Parish secretary, Lisa Ouellette, was alone in the Parish office at the time.

58. The Defendants, Bishop Smith and Mother McCone, stood over Mrs. Ouellette, in a menacing manner, touched the desk at which she was seated, refused to cease their threatening conduct, when she asked them to do so, and refused to sit down and await the arrival of a Parish official as she requested them to do. On information and belief, the said Defendants' actions as alleged, then and there, constituted an assault and battery on Mrs. Ouellette. The Defendants, Spaeth and Seibert, appeared to Mrs. Ouellette to be positioned to block any attempt to exit from the room, which action, in the circumstances, on information and belief constituted false imprisonment of Mrs. Ouellette by the said Defendants, Bishop Smith; Mother McCone; Spaeth and Seibert.

59. Mrs. Ouellette informed Bishop Smith and Mother McCone that she had telephoned the Rector, Father Hansen, to report the arrival of Bishop Smith. Mother McCone raised her voice and screamed at the Parish secretary that the secretary would be taking directions only from Mother McCone, because Father Hansen had been inhibited by Bishop Smith who, at about that time, read to Mrs. Ouellette from his July 12 and 13, 2005 letters respecting inhibition. Bishop

Smith informed Mrs. Ouellette that Mother McCone was now the “priest-in-charge”, not Father Hansen.

60. On information and belief, the Defendant, Mother McCone, also took physical possession of a second desk, next to the Parish secretary, and sat in the desk chair while taking physical control of the Parish telephone. Thereafter, Mother McCone answered incoming telephone calls and thus, prevented the Parish secretary from answering her own telephone.

61. On information and belief, Defendant, Mother McCone, then and there, also threatened to use force to remove Mrs. Ouellette from the chair in which she was then sitting. On information and belief, Mrs. Ouellette became frightened, suffered extraordinary emotional pain and was reduced to uncontrollable crying, presumably as a result of being assaulted and battered by Bishop Smith and Mother McCone, and otherwise treated as alleged. Mrs. Ouellette’s resistance to opening the Parish computer was overcome by these methods.

62. Mrs. Ouellette eventually yielded to Mother McCone’s demand that Mrs. Ouellette get out of her chair and allow two men, the Defendants John Doe and John Roe, to the Plaintiffs unknown, to take over her computer and occupy her desk and chair. These two men, on information and belief, thereafter opened and copied Parish computer files, with assistance and direction from the Defendants, Spaeth and Seibert and they downloaded financial and other Parish data.

63. John Doe and John Roe, thereupon, in addition, deconstructed the Parish's website, "stjohnbristol.org", and, on information and belief, caused attempts to access the Parish website to be diverted to the website of the Defendant, Episcopal Church In The Diocese Of Connecticut and/or a website under the control of Bishop Smith.

64. At a later time and place in July or August, 2005, Bishop Smith, on information and belief, caused the ownership of the Parish domain name, "stjohnsbristol.org", to be transferred to the said Defendant, Episcopal Church In The Diocese Of Connecticut or another entity controlled by him. On information and belief, this transfer of ownership was also accomplished by Bishop Smith, or another at his direction, by false representations as to Bishop Smith's authority over the domain name and/or his ownership of the domain name. This action was taken pursuant to Bishop Smith's plan to disburse the Wardens, Vestry, and the congregation at St. John's Episcopal Church Parish and to chill all individual Plaintiffs in the exercise of their first amendment rights to freedom of religion, speech, and association.

65. The Defendants, Spaeth and Seibert, at one point entered Father Hansen's locked, private office and, on information and belief, unlawfully seized Parish confidential files concerning consultations with communicants and others.

66. Bishop Smith, unconstitutionally, took control and possession of the premises and the personal property, tangible and intangible, of St. John's Episcopal Church by fraudulently misrepresenting to at least three persons, the Parish secretary, Lisa Ouellette, and to the Plaintiff Senior Warden, Richard E. Gonneville; and to a Parish attorney, Robert Reeve, ("Atty. Reeve"), that Bishop Smith had a lawful right to do so as Bishop.

67. The Bishop claimed a civil law right to act as he did, because he claimed to be the owner of the land and buildings (which Atty. Reeve and Warden Gonneville, believed him to be); and that as Bishop, he owned all the Parish's personal property, tangible and intangible. Furthermore Bishop Smith falsely represented that because he had inhibited Father Hansen, he could replace him with Mother McCone as "priest-in-charge", without prior notice to, consultation with, or consent of, the Parish Vestry. Warden Gonneville and Mrs. Ouellette believed these statements to be true at the time.

68. Bishop Smith further falsely misrepresented his power as Bishop by claiming the right to enter upon the church premises, change the locks, seize the files, enter the computer and oust the Warden and Vestry from the Parish church building at will. Warden Gonneville believed these statements to be true at the time.

69. On July 13, 2005, all of Bishop Smith's false representations were accepted as true. Thereafter, in reasonable reliance thereon, the Parish secretary, Lisa Ouellette, the Plaintiff-Senior Warden, Richard E. Gonneville, and Atty. Reeve conceded that the Bishop must be authorized to act as he did and one or more of them, on information and belief, informed a Bristol police officer who responded to a complaint that Bishop Smith's actions were authorized. This statement was made because of Bishop Smith's false representations.

70. On or about July 13, 2005, on information and belief, Bishop Smith; Spaeth; Seibert; and Mother McCone, and others to the Plaintiffs unknown, locked out the Wardens and Vestry, the Parish secretary, and Father Hansen and placed guards at the buildings.

71. As a result of the foregoing actions, the Plaintiffs, St. John's Episcopal Church Parish Wardens, Vestry persons and officers and the Parish secretary were ousted from their lawful possession of the church building and office, during the morning of July 13, 2005. This action was taken pursuant to Bishop Smith's fraudulent scheme to inhibit and depose Parish Rectors, disburse the Parishes' Wardens, Vestries, and the congregations, and those of St. John's Episcopal Church Parish, in particular, and thereby chill all individual Plaintiffs in the exercise of their first amendment rights to freedom of religion, speech, and association.

72. Thereafter, on information and belief, on various days through July 31, 2005, the Defendants, Bishop Smith; Atty. Hebb; Spaeth; Seibert; and Mother McCone, and others to the plaintiff unknown, caused the Farmington Savings Bank to block access to the Parish's bank account by falsely representing, on information and belief, Bishop Smith's authority over the bank accounts and/or his ownership of the accounts. This action amounts to an unconstitutional prejudgment remedy. This action was also taken pursuant to Bishop Smith's fraudulent scheme to disburse the Wardens, Vestry, and the congregation of St. John's Episcopal Church Parish and to chill all individual Plaintiffs in the exercise of their first amendment rights to freedom of religion, speech, and association. On information and belief, Farmington Savings Bank has a debtor-creditor relationship with the Defendant, Bequests & Donations for Church Purposes, Inc.

73. On and before July 31, 2005, on information and belief, the Defendants, Bishop Smith; Atty. Hebb; Spaeth; Seibert; and Mother McCone caused the Postmaster at Bristol, Connecticut to close the Parish's post office box and to divert the mail of St. John's Episcopal Church Parish from the Wardens and Vestry to the Defendants, Mother McCone and Seibert or another. This action is also part of Bishop Smith's continuing effort to disburse the Wardens, Vestry and congregation of St. John's Episcopal Church Parish and chill all individual

Plaintiffs in the exercise of their first amendment rights to freedom of religion, speech, and association.

74. On and after July 13, 2005, the Wardens and Vestry were prevented by the Defendants, Bishop Smith; Atty. Hebb; Spaeth; Mother McCone; and Seibert, from effectively managing the property and assets of St. John's Episcopal Church Parish and from properly conducting its business and temporal affairs. The relief sought herein would restore the Parish to the status quo before the unconstitutional seizures and leave the parties to be governed by Episcopal Church ecclesiastical law and Connecticut civil law respecting prejudgment remedies.

75. The Wardens and Vestry were also prevented from continuing to care for the spiritual needs of their congregation by arranging for religious services and pastoral care by visiting Episcopal priests, as they are authorized to do under canon law. The Wardens had provided priests while Father Hansen was on leave, to the knowledge of Bishop Smith, without objection from him or anyone acting on his behalf. On and before July 13, 2005, Bishop Smith well knew, that Father Hansen had substantial accumulated leave and was absent on a Vestry approved, paid leave of absence. The Vestry intended to allow him a period of time in which to earn additional income, in order to provide for his family's special needs and, if possible, take up his duties at the Parish again, upon the conclusion of his leave, unless his family situation prevented his return. The relief sought herein would

restore the status quo as of July 12, 2005 and leave the parties to be governed by Episcopal Church ecclesiastical law and Connecticut civil law respecting prejudgment remedies.

76. Bishop Smith has been, and is still, fraudulently imposing his own singular views of canon law, church polity and theology on the individual Plaintiffs, however, because they disagree with his revisionist views on Anglican theology and human sexuality. Without canonical justification, moreover, he has asserted a unique theocratic control over the Plaintiffs, in the manner herein alleged, in blatant disregard for the rule of both canon and civil law and by means of fraudulent representations as to the validity of his actions as alleged herein.

V. THE CIVIL RIGHTS CAUSE OF ACTION

77. Defendant, Bishop Smith, and all those acting in concert with him, have been, and are still, acting under color of law of the State of Connecticut and the statutes, customs, and usages of the State of Connecticut.

78. Bishop Smith, and those of the Defendants acting in concert with him, have acted, along with the other persons unknown to the Plaintiffs, purposefully to cause the individual Plaintiffs, Wardens, Vestry and communicants of the Plaintiffs, St. John's Episcopal Church, Bishop Seabury Church, Christ Church and Christ of the Epiphany Church Parishes, all of whom are citizens of the United States and their respective Parishes, to be subjected to the deprivation of rights,

privileges and immunities secured to them by the Constitution and laws of the United States. The individual Plaintiffs have been, and are being, deprived of their rights to freedom of religion, speech and association, in violation of the First and Fourteenth Amendments to the Constitution of the United States. The Six Parishes are being and have been deprived of their property without due process, as alleged, in violation of the Fifth and Fourteenth Amendments to the Constitution of the United States.

79. The Six Plaintiff-Parishes allege that the actions, and threatened actions, of the Defendant, Bishop Smith, and all those Defendants acting in concert with him, are fraudulent as to them, thereby depriving them of their property rights, without due process, as alleged, in violation of the Fifth and Fourteenth Amendments to the Constitution of the United States.

80. The aforesaid actions, and threatened actions, of the Defendant, Bishop Smith, and of all those Defendants acting in concert with him, have as their basic purpose and effect to intimidate and harass all individual Plaintiffs and punish them for, and deter them from, the exercise of their constitutionally protected rights to freedom of religion, speech, association, property and privacy in violation of the First, Fifth and Fourteenth Amendments to the United States Constitution. As a result of the chilling of the communicants' rights to freedom of religion, speech and association, the said Parishes have also sustained a loss of

financial support from communicants, constituting an interference with the Parishes' relationships with their communicants and of the communicants with each other, in violation of the Parishes' property rights under the Fifth and Fourteenth Amendments to the Constitution of the United States.

81. The intimidation and harassment of the individual Plaintiffs, Wardens, Vestry members and adult communicants of the Six Plaintiff-Parishes resulting from the actions, threatened actions, and acts in violation of Connecticut's prejudgment remedy laws, evinces a policy, pattern, or practice of religious, social and political discrimination which is encouraged and enforced by the Defendant, Bishop Smith, and all those acting in concert with him, under color of law of the State of Connecticut, and by custom, usage, or legislation, including CONN. GEN. STAT. §§ 33-245 and 33-246 and constitution and canons of ECUSA and the Diocese which those statutes codify. This action deprives the individual Plaintiffs of their Fourteenth Amendment rights to equal protection of the law, free from invidious discrimination.

82. Bishop Smith and the individual Defendants, acting in concert with him, are intimidating and harassing the said individual Plaintiffs by threatening interference with their several constitutional rights to privacy, in the same manner, and by the same means, Bishop Smith and all those acting in concert with him, as alleged herein, employed on July 13, 2005 and thereafter, when they interfered

with the privacy rights of others, who entrusted their confidences to religious and other authorities of St. John's Episcopal Church Parish, only to have these records seized by Bishop Smith. This action also chills the individual Plaintiffs in the exercise of their First Amendment rights as aforesaid.

AIDING, ABETTING, ASSISTING

83. At all times mentioned herein, on information and belief, Presiding Bishop Frank T. Griswold III and each and all of the corporate Defendants named herein have aided, abetted and assisted and/or are now aiding, abetting and assisting the Defendant, Bishop Smith, in his actions and threatened actions in deprivation of the Plaintiffs' civil rights, as alleged, and in his commission of the pendent, state law torts and unconstitutional acts as hereinafter alleged against the Plaintiffs, St. John's Episcopal Church Parish; Bishop Seabury Church Parish; Christ Church Parish; Christ & The Epiphany Church Parish; Parish of St. Paul's Episcopal Church; and Trinity Church Parish.

84. On information and belief, the Defendant, Presiding Bishop Frank T. Griswold III, with knowledge of the theology and conduct of the Defendant, Bishop Smith, and those acting in concert with him, including the Defendant, Atty. Hebb, has, nevertheless, provided the said Defendant, Bishop Smith, and other Bishops holding similar theological views, at odds with their own parishes, priests, lay leaders and adult communicants, with resources and support, both directly and

indirectly, including, without limitations by intervening civil litigation in other jurisdictions against religious minorities similarly situated to the Plaintiffs. The failure of Presiding Bishop Griswold to respond in any way to the Plaintiffs' written communications to him since April 12, 2005 constitutes an endorsement of Bishop Smith's alleged misconduct, misrepresentation, fraud and deceit, because Presiding Bishop Griswold stands in a fiduciary relationship to the Plaintiffs. Presiding Bishop Griswold is presently continuing his conduct in aiding, abetting and assisting the remaining Defendants in their continuing violations of the constitutional rights of the Plaintiffs and their continuing commission of the pendent state torts and unlawful acts respecting all Plaintiffs, as alleged herein.

85. On and after April 12, 2005, the Defendant, Presiding Bishop Frank T. Griswold III, received actual knowledge from the Plaintiffs of specific actions by the Defendants, Bishop Smith and Atty. Hebb, to deprive the Plaintiff-Priests of their priestly offices by fraudulent charges of abandonment of the communion of the Church. Presiding Bishop Griswold well knows that such actions by Bishop Smith to inhibit and depose the Plaintiff-Priests, permits Bishop Smith, and were intended by him, to deprive the Six Plaintiff-Parishes of the leadership of their Rectors swiftly, without ecclesiastical trials. Presiding Bishop Griswold has denounced such actions in the Diocese of Pennsylvania. Such charges permit Bishop Smith to make additional fraudulent claims as to rights to

replace priests with priests-in-charge, acceptable to Bishop Smith, as Presiding Bishop Griswold knows. This was done, in fact, in the case of Father Hansen and St. John's Episcopal Church Parish, on the pretext that the Parish's financial condition and spiritual needs allowed such action.

86. On and after April 12, 2005, the Defendant, Presiding Bishop Frank T. Griswold III, was informed by the Plaintiffs of the specific actions of the Defendants, Bishop Smith; Atty. Hebb; and Spaeth, in blocking access to the funds and securities of the Plaintiffs, Bishop Seabury Parish; Christ Church Parish; and Christ & The Epiphany Church Parish. Presiding Bishop Griswold has ignored the Plaintiffs.

87. On information and belief, Bishop Smith is a member of ECUSA Committees serving Presiding Bishop Griswold, among others. One committee is charged with responsibility of appropriations and finance. Bishop Smith is also a member of the ECUSA review committee, serving Presiding Bishop Griswold, charged with handling presentments against ECUSA bishops, leading to their inhibition and deposition for the actions of the kind alleged herein. Presiding Bishop Griswold has failed to even acknowledge charges formally filed with him against Bishop Smith, in accordance with canon law, by Priests and laity in the Episcopal See of Connecticut.

88. On information and belief, the State Street Corporation and NRS engage in profitable business transactions with the remaining corporate Defendants and Bishop Smith, and with like institutions or departments and Bishops in other Episcopal dioceses of which Bishop Griswold is the Presiding Bishop. On information and belief, the said corporate Defendants deferred to the Defendant Spaeth and aided, abetted and assisted him in depriving the Plaintiffs of their constitutional rights. The corporate Defendants, State Street Corporation and NRS, on and after July 1, 2005, had notice and knowledge of the actions of the Defendants, Bishop Smith, Atty. Hebb, and Spaeth in blocking the funds and custodial accounts with, and in the hands of, the said corporate Defendants, but they refused and neglected to close the accounts and to remit the funds and securities of the Plaintiffs, Bishop Seabury Parish; Christ Church Parish; and Christ & The Epiphany Church Parish to those Parishes.

**SECOND COUNT (FOR DECLARATORY JUDGMENT,
SUPPLEMENTAL RELIEF BY WAY OF A TEMPORARY AND
PERMANENT INJUNCTION)**

89. Paragraphs numbered 1 through 88 of the First Count are hereby incorporated by reference and made corresponding paragraphs of the Second Count, as fully as if set forth herein.

90. This is an action for a declaratory judgment pursuant to 28 U.S.C. § 2201 (The Declaratory Judgment Act) and for a temporary and permanent

injunction. An actual controversy exists between the Plaintiffs and the Defendants as to the constitutionality of CONN. GEN. STAT §§ 33-264a, 33-264c, 33-264e, 33-264g, 33-264j, 33-264k, 33-265, and 33-266 under the First, Fifth and Fourteenth Amendments to the Constitution of the United States. Plaintiffs claim that said statutes, if they may be applied to them, violate the First Amendment's establishment of religion clause and the Fifth Amendment's taking clause, as made applicable to the states by the Fourteenth Amendment; and/or are facially unconstitutional.

91. Plaintiffs also seek a declaratory judgment as to their right to retain counsel of their own choosing, without the consent of Bishop Smith, and that if such consent is required, then for a declaration that the Plaintiffs' fundamental constitutional rights of access to the civil courts would be thereby denied and that any such purported law or rule of court would be unconstitutional as a violation of the Fourteenth Amendment to the United States Constitution.

92. The aforementioned actions of the Defendants, The Episcopal Church In the Diocese Of Connecticut; the Episcopal Diocese of Connecticut Donations & Bequests for Church Purposes, Inc.; The Missionary Society Of The Diocese Of Connecticut (Episcopal); Bishop Smith; Spaeth; Seibert; Atty. Hebb; Mother McCone; and Presiding Bishop Frank T. Griswold III constitute governmental actions and undertakings effecting the establishment of a religion in violation of

the First Amendment to the United States Constitution, as made applicable to the states by the Fourteenth Amendment in that they: (a) provide a scheme for the organization and governance of a particular religion through a web of sectarian canon law and secular statutory provisions, codifying the fundamental instruments and canons of ECUSA and the Episcopal Church In The Diocese Of Connecticut; (b) have as their purpose and/or their primary effect, the advancement of a particular religion through the provision of a particularized system of church governance and policy, peculiar to that one religion, enforceable in the civil courts; and (c) divide the community along religious lines.

93. Plaintiffs have no plain, speedy or adequate remedy at law, and will suffer irreparable injury unless a preliminary and permanent injunction issue. The relief sought will leave the parties to their obligations pursuant to Episcopal Church's ecclesiastical law.

94. Accordingly, unless and until the relief demanded in this Complaint is granted, the individual Plaintiffs have reason to believe that their rights to freedom of speech, freedom of association, freedom of inquiry and thought, due process of law, and equal protection of the laws will continue to be infringed, impeded, and otherwise interfered with hereafter in violation of the United States Constitution, as alleged.

95. The Plaintiff-Parishes claim that their property rights under the Fifth and Fourteenth Amendments to the United States Constitution and due process of law require the judgment of a civil court of competent jurisdiction, before their property may be seized by Bishop Smith. The Plaintiff-Parishes request a declaratory judgment to that effect, because the Plaintiff-Parishes have reason to believe that their said Fifth and Fourteenth Amendment rights will continue to be infringed, impeded, and otherwise interfered with by Bishop Smith, and all those aiding, abetting and assisting him, or acting in concert with him, by means of self-help and “grab law”, methods not permitted to ordinary citizens and businesses and other not-for-profit corporations under the statutes and laws respecting prejudgment remedies in force in the State of Connecticut. The relief requested restores the status quo and will leave the parties to their obligations pursuant to the Episcopal Church’s ecclesiastical law.

96. The relief demanded is essential to prevent the interference with the individual Plaintiffs’ and Plaintiff-Parishes’ constitutional rights by actions of the Defendant, Bishop Smith, and all those acting in concert with him, as alleged herein. Unless the relief demanded is granted, Plaintiffs will suffer the most serious, immediate, and irreparable injury in that they will continue to be deterred, intimidated, hindered, and prevented from exercising fully and vigorously their most fundamental constitutional rights and will suffer a loss of property.

97. Plaintiffs have no adequate remedy at law. The deterrence to and the prevention of, the free exercise of the individual Plaintiffs' rights, as alleged, cannot be achieved by resort to civil actions for money damages or criminal prosecutions, for example, for conduct involving criminal trespass, interference with privacy rights, computer crimes and crimes involving use of the mails.

**THIRD COUNT (CONNECTICUT UNFAIR TRADE PRACTICES ACT,
TRESPASS, THEFT, CONVERSION AND BREACH OF FIDUCIARY
DUTY AND FOR AIDING OR ABETTING THE SAME WITHIN THE
COURT'S SUPPLEMENT JURISDICTION)**

VI. THE CAUSE OF ACTION AS TO ST. JOHN'S EPISCOPAL CHURCH

98. Paragraphs 1 through 88 of the First Count are hereby incorporated herein by reference and made a part hereof as fully as if set forth herein.

99. On or about July 13, 2005, Bishop Smith, in company with others, including the Defendants, Mother McCone; Spaeth; Seibert; and others to the Plaintiffs unknown, entered the premises of St. John's Episcopal Church, Bristol and refused to leave when requested to do so by the Senior Warden, the Plaintiff, Richard E. Gonnevillle, and the Parish secretary, Lisa Ouellette, but instead the said Defendants assumed possession and/or control of the premises, telephones, the computer and files of the Parish, all tangible and intangible personal property of the Plaintiff-Parish as herein alleged and have ever since denied the Plaintiff-Parish and its Wardens and Vestry possession and use of the same.

100. The Defendants, Bishop Smith; Seibert; and Spaeth; John Doe; Mary Doe; John Roe and Mary Roe are employees and/or agents of the Defendant. Missionary Society, and/or Bishop Smith, and/or The Episcopal Church In The Diocese Of Connecticut, of which organization, on information and belief, Bishop Smith is the principal official. The individual Defendants were at all times pertinent hereto acting within the scope of their apparent authority as agents and/or employees of the said Bishop Smith, the Missionary Society and the said Episcopal Church In The Diocese Of Connecticut and/or of the Bishop of Episcopal See of Connecticut.

101. On July 13, 2005 as alleged, Bishop Smith falsely represented to the Plaintiff, Richard Gonneville, Senior Warden and to Lisa Ouellette, the Parish secretary, that as Bishop he owned all of the property, tangible and intangible and real and personal of the Parish and, therefore, he was authorized and could do whatever he wished with the property of St. John's Episcopal Church Parish. He also represented that as Bishop he had inhibited Father Hansen and that he had the right to immediately appoint a "parish administrator" and "priest-in-charge", without any qualification, and that he had done so.

CUTPA CAUSE OF ACTION AS TO ST. JOHN'S EPISCOPAL CHURCH

102. The foregoing representations were made by Bishop Smith at or about the time he refused to comply with the Parish secretary's and Plaintiff Warden's

directions that Bishop Smith, and those acting in concert with him, leave the premises and that no one download computers, copy records, remove records, review records or papers belonging to St. John's Episcopal Church Parish. Later that morning, Bishop Smith made the same representations to Atty. Reeve.

103. At all times pertinent hereto, after Bishop Smith made the representations herein set forth, the Plaintiff-Warden, Richard E. Gonneville, the parish secretary, Lisa Ouellette, and Atty. Reeve reasonably accepted as true all the statements and representations of Bishop Smith as to his authority, ownership of property and right to replace Father Hansen with Mother McCone, as "priest in charge" and to employ the Defendant, Seibert, as the Parish administrator. As a result they ceased to resist him, or the remaining individual Defendants who accompanied him and acted in concert with him. Each and all of Bishop Smith's representations were false in material respects and were made with intent to deceive or mislead the said Warden, Parish secretary and attorney and to overcome their resistance to his actions on July 13, 2005 as alleged herein.

104. As a result of such false statements by Bishop Smith and the actions taken, and the failures to act, in response thereto, and in reasonable reliance on Bishop Smith's representations, St. John's Episcopal Church Parish sustained an ascertainable loss of money or property, including loss of use of its place of worship, the loss of use of its parish office and all of its tangible and intangible

personal property, office equipment, fixtures and furnishings and it continues to suffer the loss of use of its real and personal property through the date hereof and will predictably continue to suffer such losses in the future.

105. As further result of such false statements and the actions taken, and failures to act, in response thereto, and in reasonable reliance on Bishop Smith's representations, the said Bishop Smith was enabled to cause the Parish web site be deconstructed and diverted to his Diocesan web site, after which the ownership was changed as hereinbefore alleged. The Plaintiff-Parish thereby sustained an additional ascertainable loss of intangible personal property.

106. As a result of the false statements and representations as to the ownership of the bank accounts and Bishop Smith's authority, as alleged, the Plaintiff-Parish and the Plaintiff-Wardens and Vestry of said Parish have ever since been unable to use the Parish bank accounts and the Parish monies being held by the Farmington Saving Bank are blocked. The Plaintiff-Parish thereby sustained an additional ascertainable loss of intangible personal property.

108. On information and belief, since on or about August 5, 2005, as a result of representations made by the Defendants, Seibert and/or Atty. Hebb, to the effect that only the Defendants, Seibert and/or Mother McCone, were authorized to receive mail addressed to St. John's Episcopal Church, the Postmaster, Bristol, Connecticut closed the Post Office Box opened by St. John's Episcopal Church

Parish and redirected the Parish mail to another or others to the Plaintiffs unknown. The Plaintiff-Wardens and Vestry of the said Plaintiff-Parish are the sole body charged with managing the business of the said Parish and, thus, they are alone entitled to have the use of the name St. John's Episcopal Church Parish when making use of the United States mails. The Defendants, Seibert's and/or Atty. Hebb's, representations were false and they had a duty to disclose to the Postmaster the rights of the Plaintiff-Wardens and Vestry in respect of the use of the United States Mails. On information and belief, the aforesaid false representations were made at the direction and/or request of the Defendants, Spaeth, Mother McCone and Bishop Smith, and for the benefit of the Defendants, Missionary Society and/or Episcopal Church In The Diocese Of Connecticut and/or Bishop Smith. The Plaintiff-Parish thereby sustained an additional ascertainable loss.

108. On July 13, 2005 and for years prior thereto, the Defendants, Bishop Smith, Atty. Hebb and Spaeth; on information and belief, well knew the land and buildings known as St. John's Episcopal Church, 851 Stafford Avenue, Bristol, Connecticut to be the property of St. John's Episcopal Church Parish, merely titled in the name of the Defendant, Missionary Society. They also knew that St. John's Church was constructed and paid for with funds raised by the congregation and

with the proceeds of a mortgage note being paid to the Farmington Savings Bank by St. John's Episcopal Church Parish.

109. Said Defendants, Atty. Hebb and Spaeth, and each of them, nevertheless, failed to disclose to the Plaintiff-Parish, its Rector, Wardens and Vestry, the true state of the ownership of the said real property, although they, and each of them knew the relevant facts and had a duty to disclose at all times. Instead, said Defendants, on information and belief aided, abetted and assisted the actions of Bishop Smith in seizing St. John's Episcopal Church Parish premises on July 13, 2005 in violation of their respective fiduciary relationships to that Parish.

110. The said Defendants, Atty. Hebb and Spaeth, and each of them, had, and continue to have, knowledge of the actions taken and the statements made by the Defendant, Bishop Smith, as hereinbefore alleged on July 13, 2005, and of the continuing trespass on the premises of St. John's Episcopal Church Parish, but neither Defendant, on information and belief, has taken action to rectify the wrongdoing to date. By their continuing failure to act, the said Defendants are continuing their support for the actions of Bishop Smith; Mother McCone; and Seibert in excluding the Plaintiffs Wardens and Vestry of St. John's Episcopal Church and numerous other communicants from their church (except on Bishop Smith's and Mother McCone's terms) and thereby aiding, abetting and assisting a continuing trespass and conversion, as alleged.

111. As a further result of the false statements alleged herein, the Plaintiff-St. John's Episcopal Church Parish and the Plaintiffs-Wardens and Vestry have been required to expend money for attorneys' fees and the costs and expenses of this litigation, including efforts to establish new Parish bank accounts and obtain mail services. Each of the individual Plaintiffs has been required to devote numerous hours of time out of their personal lives to carry out their responsibilities, as such Wardens and Vestry members. These Plaintiffs were required to perform work above and beyond their normal voluntary efforts. The loss of a Parish office in which to meet and conduct their business; the loss of access to Parish files; the loss of use of Parish e-mail and web site; the theft of the Parish domain name; the loss of use of the Parish bank accounts; and the loss of United States mail services have caused both Wardens and the Vestry members ascertainable losses.

112. The Defendants, Bishop Smith; Atty. Hebb; Spaeth; Seibert; and Mother McCone, and each and all of them, intended by their respective false statements, as alleged, and/or by their respective failures to disclose facts, when they had a duty to do so, and still intend to cripple the administration of the Plaintiff-Parish; break the collective will of its Plaintiffs-Wardens and Vestry and cause them to disband; disrupt worship of the congregation and disperse those adult communicants who continued to hold theological views contrary to those of

Bishop Smith; and convert all the property and assets of the Plaintiff-Parish to the sole use of Bishop Smith and the Defendants, Missionary Society and the said Episcopal Church In The Diocese Of Connecticut to the chief end and purpose of advancing the theological views of Bishop Smith.

113. The conduct of Bishop Smith and the Defendants, Atty. Hebb; Spaeth; Seibert; and Mother McCone, and each of them, as hereinbefore alleged, constitute not only violations of the Plaintiffs constitutional rights, as hereinbefore alleged in the First Count, but are also deceptive acts or practices within the meaning of CONN. GEN. STAT., 42-110b(a), in the conduct of the temporal affairs of the Episcopal See of Connecticut and of the business activities of the Defendants, Missionary Society and Episcopal Church In the Diocese Of Connecticut.

114. The conduct of the Defendants Bishop Smith; Atty. Hebb; Spaeth; Seibert; and Mother McCone, and each of them, as hereinbefore alleged, is fraudulent as to St. John's Episcopal Church Parish and the Plaintiffs-Wardens and Vestry of the said Parish and has caused losses to the individual Plaintiffs, and hereinbefore alleged.

BREACH OF FIDUCIARY DUTY AS TO ST. JOHN'S EPISCOPAL CHURCH PARISH.

115. A fiduciary relationship exists between the Defendants, Bishop Smith, Atty. Hebb and Spaeth, on the one hand and the St. John's Episcopal Church

Parish, on the other, for the benefit of that Parish and the conduct, actions and statements of the Defendants, Bishop Smith; Atty. Hebb; and Spaeth as herein alleged, constitute a breach of fiduciary duty resulting in losses to St. John's Episcopal Church Parish and as such, the conduct amounts to a deceptive act or practice and is also a violation of CUTPA, as herein alleged.

TRESPASS AS TO ST. JOHN'S EPISCOPAL CHURCH PARISH.

116. The seizure of the St. John's Episcopal Church Parish land and building on July 13, 2005 was, and its continued occupation thereafter in the manner herein alleged constitutes, a trespass by the Defendants, Bishop Smith, Spaeth, Seibert and Mother McCone and those acting on concert with them, to further loss of the Plaintiff-Parish and to the Plaintiffs-Wardens and Vestry of said Parish and such conduct also involves a deceptive act or practice and is also a violation of CUTPA.

THEFT AS TO ST. JOHN'S EPISCOPAL CHURCH PARISH

117. The seizure of the Parish domain name as herein alleged constitutes a theft by, and conversion to the use of, the said Defendants, Bishop Smith; Donations & Bequests For Church Purposes, Inc.; and The Episcopal Church In The Diocese Of Connecticut to the further loss of the Plaintiff-Parish and to the Plaintiffs-Warden and Vestry of said Parish; and said conduct also involves a deceptive act or practice in violation of CUTPA.

CUTPA AND THEFT AND FIDUCIARY DUTY CAUSES OF ACTION AS TO BISHOP SEABURY CHURCH; CHRIST CHURCH AND CHRIST & THE EPIPHANY CHURCH PARISHES.

118. The blocking of access to the funds and securities of the Bishop Seabury Church Parish; Christ Church Parish; and Christ & The Epiphany Church Parish; is a theft of such assets and said theft also involves breach of fiduciary duty and a violation of CUTPA by reason of the failure of the Defendants, Spaeth; State Corporation; and NRS to disclose to the said Plaintiff-Parishes that their said funds and securities could be withheld from them by the Defendant, Spaeth and/or the Defendant, Donations & Bequest, For Church Purposes, Inc. The conduct of said Defendants involves deceit and deception in violation of CUTPA for which all of the Defendants are jointly and severally liable to the individual Plaintiff-Parishes, Bishop Seabury Church Parish; Christ Church Parish; and Christ & The Epiphany Church Parish.

CUTPA AND BREACH OF FIDUCIARY DUTY CAUSES OF ACTION AS TO ALL PARISHES AND THE INDIVIDUAL PLAINTIFFS.

119. The conduct hereinbefore alleged has had the effect of chilling the congregations in all Six Plaintiff-Parishes and interfering with the relationships existing between the Plaintiff-Parishes and their communicants to the loss and damage of each Parish and the individual Plaintiffs. All of such conduct involves a breach of fiduciary duty and a violation to CUTPA for which all of the Defendants are jointly and severally liable to all Six Plaintiff-Parishes.

PUNITIVE DAMAGES AT COMMON LAW

120. The false representations by Bishop Smith and the conduct of the remaining Defendants as herein alleged constitute an intentional and wanton violation of the Plaintiffs' rights and/or such conduct by the said Defendants was done with reckless indifference to those rights.

CLAIM FOR RELIEF

Plaintiffs pray for judgment as follows:

A. For preliminary and permanent injunctions restraining the Defendants, The Episcopal Church of the Diocese Of Connecticut; The Episcopal Diocese Of Connecticut Donations and Bequests For Church Purposes, Inc.; The Missionary Society Of The Diocese Of Connecticut (Episcopal); Bishop Smith; Spaeth, Seibert; Atty. Hebb; Mother McCone; and Presiding Bishop Griswold and their agents and employees and all those acting in concert with them from:

(1) entering upon the premises of any of the Six Parishes for any purpose, except by prior order of the Court and, in particular, excluding Bishop Smith and all those acting in concert with him from remaining on the premises of St. John's Episcopal Church for any purpose, without further order of the Court or the prior consent of the Wardens and Vestry, acting in accordance with Episcopal ecclesiastical law;

(2) interfering in any way in the financial affairs and transactions of the Plaintiff-Parishes, and, in particular, by taking any action, except by prior order of the Court, to prevent payment to said Parishes or any one of them, in particular the Plaintiffs, Bishop Seabury Parish; Christ Church Parish; and Christ & Epiphany Church Parish; of any sums of money or transfers of securities from the Defendants, State Street Corporation and NRS, and any other banking, financial or like institution, including, without limiting the generality thereof, the Farmington Savings Bank account of the Plaintiff, St. John's Episcopal Church Parish;

(3) interfering in any way with Plaintiffs' several United States mail services, in particular the post office box at the Bristol, Connecticut Post Office heretofore held by St. John's Episcopal Church Parish;

(4) interfering in any way with the Plaintiffs' several and exclusive uses of their telephones, faxes, e-mail and web site services or facilities, in particular, the St. John's Episcopal Church Parish's telephone, fax, e-mail and web site services and facilities and the maintenance of its domain name.

B. For a declaration that CONN. GEN. STAT. §§ 33-264a, 33-264c, 33-265e, 33-264g, 33-264i, 33-264k, 33-265 and 33-266 are unconstitutional on their face, or as applied, to the Plaintiffs by the Defendants, The Episcopal Church In the Diocese of Connecticut; The Episcopal Diocese of Connecticut Donations

and Bequests For Church Purposes, Inc.; The Missionary Society Of The Diocese Of Connecticut (Episcopal); Bishop Smith; Spaeth, Seibert; Atty. Hebb; and Mother McCone.

C. For damages for deprivation of the several Plaintiffs' civil rights and property rights against all Defendants, jointly and severally, under the First, Fifth, and Fourteenth Amendments and the Civil Rights Act, 42 U.S.C. § 1983.

D. For damages for theft and conversion of the tangible and intangible personal property of the Plaintiffs, Bishop Seabury Church Parish; Christ Church Parish; Christ and the Epiphany Church Parish; and St. John's Episcopal Church Parish against all Defendants, jointly and severally, under the Civil Rights Act, 42 U.S.C. § 1983 and pursuant to state law to the extent of each Defendant's responsibility therefor, as alleged in the Complaint; and, more particularly, for treble damages under CONN. GEN. STAT. § 52-564 against the Defendants, State Street Corporation and NRS and all those acting in concert with them, including the Defendants Bishop Smith; Atty. Hebb; and Spaeth.

E. For damages for trespass in favor of the Plaintiff, St. John's Episcopal Church Parish, Inc, only, and against the Defendants, The Episcopal Church In the Diocese Of Connecticut; The Missionary Society Of The Diocese Of Connecticut (Episcopal); Bishop Smith; Spaeth; Siebert, Atty. Hebb; Mother McCone; Presiding Bishop Griswold and John Doe, Mary Doe, John Roe, and Mary Roe,

jointly and severally, under the Civil Rights Act, 42 U.S.C. § 1983 and pursuant to state law.

F. For punitive damages, pursuant to statute and at common law, for theft, conversion, deprivation of civil rights and property rights against all Defendants, jointly and severally.

G. For attorney's fees and costs pursuant to the Civil Rights Attorneys' Fees Award Act of 1976 (42 U.S.C. §1988) against all Defendants, jointly and severally and CUTPA; and in favor of St. John's Episcopal Church Parish only, pursuant to CONN. GEN. STAT. § 53-452.

H. For a judgment of ejectment from the St. John's Episcopal Church Parish's 851 Stafford Avenue, Bristol Connecticut premises against the Defendants, Bishop Smith, Spaeth, Seibert, Mother McCone and John and Mary Doe and John and Mary Roe and all others acting as their agents and employees or acting in concert with them.

I. For such other and further relief as the Court may deem proper.

THE PLAINTIFFS

BY _____
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**THE PLAINTIFFS DEMAND TRIAL BY JURY OF ALL ISSUES TRIABLE
TO A JURY**

EXHIBIT A TO THE COMPLAINT

OFFICE AREA

- 3 drawer filing cabinet (contained the treasurer's files, checkbooks, general & designated, and other misc. things, blank CD ROM's, back-up CD/s for comp, etc.
- HP laser printer (black only).
- Lexmark Color inkjet printer.
- Secretary's desk, L-shaped with attached 2 drawer filing cabinet & pullout for keyboard, desk blotter/calendar with notes.
- The Computer w/flat screen. Also had, MS Office package (Word, Excel, PowerPoint, Publisher, etc)
- APC Battery Back-up for Comp.
- Administrator's Handbook, instructions on day to day, vestry, etc.
- A notebook that contains monthly financial standings, treasurer's report, income/expense postings, etc.
- Book of Common Prayer
- Hymnal
- Bible
- Episcopal Musicians Handbook
- Adding machine
- Phones (two)
- Secretary's chair, black leather, swivel, tilt
- Copier Machine
- Large, wall mount daily planner, month in view
- Basic office desk and chair
- Key box, with many keys for the building in drawer of this desk
- Typewriter
- Bookcase w/various bibles, phone books & notebooks. The notebooks contained Vestry minutes/documents archives, diocesan director, canons, etc.
- 2 hole punch

- 3-hole punch
- cutting board
- clock
- Illuminations books, for lesson and Gospel readings.
- Episcopal Calendar
- Large wall mount message board, corkboard
- Large office mailbox distribution, 3x6, for sorting and distributing mail/notes etc. to different ministry heads, vestry members, etc., pastor, etc.
- Office supplies, including:
 - H.E. Bulletins, pre-printed with lessons & Gospel, blank on inside
 - Paper, letter/legal, various weights, colors
 - Bulletins for funerals/weddings/Easter/Christmas, or any other special service
 - Pens/pencils/hi-liters/post-its/markers/paper clips, etc, etc, etc.
 - Envelopes, various sizes for mailings/offerings, altar flowers, mortgage,
 - Letterhead
 - Staplers/staples
 - Old Parish registers
- Large 4 drawer (legal) filing cabinet with all files, including:
- Transfer/baptism/communion/marriage forms, etc; archived files: bulletins, St. John's Journals, previous activities, i.e. Arts in the Park Fundraiser, Festival of Sharing; incoming/outgoing correspondence, The Women's of St. John's bank statements and checkbook register that was in the bottom drawer.
- The Parish register,

ALTAR AND SANCTUARY

Six stained glass windows

Altar hangings with matching chasubles

Wall hangings

Fair linens and all associated linens

Two wood and one silver offering plates

One large and one small chalice

Two patens

Ironstone communion set

Small pewter chalice with cover

Large silver chalice with cover

Two cut-glass wine and water cornets
Two candelabra
Two single candle stands
Snuffer
Pascal candle stand
Silver Baptism bowl
Silver Baptism pitcher
Shell-shaped dipper
Baptismal font
Portable altar set
Two torches
One crucifix
Register of services
Two cases, vigil lights
Several boxes, altar candles
Small silver container for oil
Silver container in black leather case for sand
Acolyte robes
Choir robes
Asst books for services
Vigil light chart
Memorial flower chart
Wall safe in Sacristy
Flower pillars

RECTOR'S OFFICE

Desk and chair
Other chairs