

1 IN THE DISTRICT COURT OF OKLAHOMA COUNTY

2 STATE OF OKLAHOMA

3 THE FIRST UNITED METHODIST)
4 CHURCH OF OKLAHOMA CITY, an)
5 incorporated religious)
6 association acting by and through)
7 its duly Elected Trustees,)

8 Plaintiff,)

9 vs.)

CASE NO. CJ-2023-3075

10 THE OKLAHOMA ANNUAL CONFERENCE)
11 OF THE UNITED METHODIST CHURCH,)
12 INC., et al,)

13 Defendants.)

14 * * * * *

15 TRANSCRIPT OF RULING OF THE COURT ON PLAINTIFF'S MOTION
16 FOR TEMPORARY RESTRAINING ORDER AND TEMPORARY OR
17 PERMANENT INJUNCTION ALONG WITH REQUEST FOR EMERGENCY
18 SETTINGS AND DEFENDANTS' MOTION TO DISMISS

19 PRONOUNCED ON THE 17TH DAY

20 OF JULY, 2023, BY

21 THE HONORABLE ALETIA HAYNES TIMMONS

22 * * * * *

23 **ATTORNEY'S COPY**

24 Reported by:

25 Tara Nixon, RPR, CRR, CRC
321 Park Avenue
Oklahoma County Courthouse
Oklahoma City, Oklahoma 73102

1 (Whereupon, Court's Ruling was hereby pronounced
2 at 2:30 p.m.)

3 **THE COURT:** All right. Court's ready to rule.
4 I don't think there's any need for any closing
5 argument. I will say that I probably heard
6 everything, at least, 12 times, and that's a
7 conservative estimate.

8 **MS. NICKLAS:** Your Honor, could we --

9 **THE COURT:** No closing. No.

10 **MS. NICKLAS:** I think there are some pieces that
11 we would like to put together.

12 **THE COURT:** I have the pieces. What I don't
13 have, you can appeal.

14 **MS. NICKLAS:** Okay.

15 **THE COURT:** Okay? All right.

16 I think that at the outset I'm going to say
17 that, you know, it's not my purview or intent to go
18 into any Ecclesiastical matters. You know, those
19 things of the Spirit and the Christian walk with the
20 National Church and First United Methodist Church is
21 completely their purview; don't mean to have
22 anything to do with that at all, and I won't.

23 I'm going to rule in this matter based upon
24 neutral principles of law that deal with a covenant
25 with the Church and or/a contract with the Church at

1 the national level and at the local level and the
2 thing I look at in all entirety is the process, the
3 process that the National Church has set forth for
4 these matters to be handled within.

5 And the timing of it was set by the Church, the
6 National Church and the Oklahoma Annual Conference,
7 and with regard to that it is clear to me that in
8 November of 2022, after a period of discernment that
9 began, approximately, May of 2022, the church asked,
10 in a letter to the District Superintendent, for a
11 vote on whether they were going to disaffiliate or
12 not. That letter was answered timely by the
13 District Superintendent on January, I believe it was
14 January 12th. You all correct me on that.

15 **MS. PLAXICO:** Your Honor --

16 **MS. NICKLAS:** December 2nd.

17 **THE COURT:** December the 2nd. I'm sorry. He
18 set December 2nd. He responded and he called for a
19 Special Session of the Church Conference in a letter
20 dated January 12th, 2023, set for January 22nd,
21 2023, at 2:30 p.m.

22 Now, for me, that date was significant because
23 attached to that letter were the membership rolls
24 that we have had a lot of testimony about today and
25 throughout this proceeding. And looking at the

1 e-mail and the rolls attached to it, I noted that it
2 was from Pastor Dodson, who is, under the
3 Discipline, the primary person who's in charge of
4 those rolls; that they had been by computer for a
5 number of years, and that when he sent them on
6 January 12th, and the letter that called for the
7 Church Conference was the same time as they got the
8 membership rolls. No persons on that membership
9 roll or the fact that it was less than it was the
10 prior year was called into question.

11 And I reviewed those membership rolls that are
12 Defendants' Exhibit No. 4, and it looks like... and
13 that's why I asked the question were there any
14 questions about whether or not Pastor Dodson did
15 what he was supposed to do with regard to those
16 rolls. I looked through them. And he's got notes
17 on the side; deceased, deceased, retired clergy,
18 senior pastor, deceased, deceased. So that tells me
19 that in this review of the membership rolls he did
20 what he was supposed to do, otherwise, he wouldn't
21 have been able to write those notes on there. And
22 then if there was a question about it, that, and the
23 prior years, which was given in substantial... I
24 guess, uploaded, if we can follow the process for
25 that, based upon the document itself, that was

1 uploaded on or about January 30th, and I don't
2 even know if that's the date, because it doesn't
3 have a date on it, so nobody really knows when it
4 was received, but if there was a discrepancy about
5 that, one would have thought that there would have
6 been some mention of it before there was a vote or
7 there was a setting of the vote. And when we talk
8 about process let's talk about that for a minute.

9 If you agree with the Defendants' theory that
10 they can cancel and reschedule the date of the vote
11 in a manner that doesn't comply with the
12 requirements under 2553, that means that although
13 they set deadlines for when this stuff is to be
14 done, with the first deadline in April in this case,
15 that they would have the ability to completely
16 manipulate and strip all rights under the
17 disaffiliation process by just continuing to cancel
18 and reschedule, and churches would not have the
19 opportunity to disaffiliate if they so chose. That
20 can't be the literal meaning or the spirit and
21 intent of 2553. It makes no sense.

22 And let me say this, the Church set the
23 deadlines; wasn't the church members. The Church
24 set the deadlines for how the process is to be done.

25 And then when I looked at the Book of

1 Discipline, and it talks about a process called the
2 CCP, which is a process for the assessment of local
3 church potential or the, basically, the
4 communication with the church potential or
5 conversation about church potential. Nowhere is
6 that mentioned in 2553 which is a disaffiliation
7 process.

8 They talk about church viability. And so
9 Reverend Stinson was probably the clearest on that.
10 He said there wasn't a process for a church
11 viability study with regard to disaffiliation. So
12 he had to create one. Now, when you look at 2553 it
13 says, and it says that you can make changes as long
14 as they're not inconsistent with the disaffiliation
15 process. "Annual Conference may develop additional
16 standard terms that are not inconsistent with the
17 standard form of this paragraph."

18 Well, the Annual Conference didn't make the CCV,
19 that was done whole cloth by the District
20 Superintendent or the Bishop, or I don't know who.
21 I mean, it reminds me of Butterfly McQueen, don't
22 nobody know who's birthing babies around there, and
23 who did the CCV, whose idea it was, where it came
24 from. The Bishop said he takes ultimate
25 responsibility. The District Superintendent said,

1 well, I did, but I did after consultation. I didn't
2 get a straight answer on that yet. Who's on first?
3 Who knows anything about birthing babies? Because
4 it's an unauthorized procedure. There's no
5 procedure for that, and Stinson was probably the
6 best testimony on that. So he had to figure it out,
7 and he says on Plaintiff's Exhibit No. 26, to
8 District Superintendent McCullough, "As you have
9 been informed, Reverend Chris Tiger, retired United
10 Methodist elder and coach, has agreed to work with
11 The Conference leadership in developing a process
12 which adapts the Conversation on Church Potential to
13 fit the context of churches who are considering
14 disaffiliation." That means there wasn't one, and
15 that was January 24th, two days after he had...
16 two days after the Church Conference was supposed to
17 be held. So they're figuring it out, and they
18 didn't do it timely.

19 He called for the Conference to be held on the
20 22nd. And if you can cancel and reschedule,
21 cancel and reschedule, and then what's disturbing
22 about that, if they were going to cancel and
23 reschedule, when I looked at the timeline again,
24 March 8th, I believe, was the last time anything was
25 done. That's two months, almost three months before

1 it came to this court. Nothing happened. Nothing
2 happened. And then the testimony was, well, we had
3 an Annual Conference meeting and a Special
4 Conference that was set. Well, the National Church
5 knew that and Oklahoma Conference knew that when
6 they set the process in place for the CCV. They
7 knew that ahead of time. They had already scheduled
8 all that stuff. And then, there was no testimony
9 that Reverend Stinson wasn't empowered by himself to
10 move forward with the two meetings that were left.
11 He didn't need an Annual Conference for that. These
12 were meetings he was supposed to hold. He didn't
13 even hold the meetings.

14 So when we talk about they had to do paperwork
15 and they were doing this and they were doing that,
16 okay, I understand that, but you scheduled it. Your
17 schedule. And that schedule is important because if
18 it is not adhered to in a consistent, concise
19 fashion, even if you're out of line by doing the
20 CCV, if you go ahead and do it, and got it done, we
21 probably wouldn't be sitting here today. But all of
22 a sudden everything stopped, so the church didn't
23 get to meet the April conference to have their
24 church voted on for disaffiliation. That's
25 troubling to me. That's troubling.

1 The best case scenario is everybody was busy,
2 worst case scenario is that the National Church sat
3 on it so they'd miss it. All right? I don't know
4 which one it was, but that's what the result of what
5 happened is.

6 So the local church called a Church Conference
7 and they had a vote. Let's talk about that. The
8 vote was done based upon the church roll of
9 Pastor Dodson, which I believe was done in good
10 faith and he probably took a whole lot of time doing
11 it, it looks like, to me, with all those addresses,
12 people he contacted, folks -- taking people off who
13 died. But when you talk about the church roll the
14 National and the Oklahoma Conference has a role to
15 play in that, too. If they thought that those rolls
16 weren't good and something is wrong with them, then
17 why didn't they say anything or do anything official
18 about it? And none of the pastors did either. And
19 Pastor Dodson, bless his heart, was straightforward
20 about it and said those numbers were just carried
21 over from the prior year. So when it came time to
22 vote on disaffiliation he has no dog in the fight.
23 None. And big numbers help him. Okay? Big numbers
24 help him, makes him look like he's got a great
25 growing church. There would be no reason for him to

1 make the number smaller if that's not what it was.
2 There's no impetus on his behalf to do that. And
3 then when there was an issue with the membership
4 numbers, what does the Bishop's office, the
5 Superintendent, Ms. Malloy do? They do nothing.
6 They don't go in and say there's a membership issue
7 so we've got to stop this process and make sure
8 everybody who wants to vote is voting. That doesn't
9 happen.

10 So it's disingenuous to me that there was a real
11 concern about the membership rolls when there was
12 opportunity with the letter that went out, after the
13 vote was canceled, to say that, and nobody did.
14 Nobody mentioned it at all. So, to me, it doesn't
15 have a lot of credibility to say that that's an
16 issue. It's also not Ecclesiastical. It is a
17 numbers thing. You count heads and you vote. That
18 has nothing to do with the doctrinal issues, me
19 looking at whether or not a certain theological,
20 doctrinal argument or sermon, who's going to preach
21 in the pulpit, none of that stuff. It is simply
22 looking at, under neutral principles of law, what
23 happened in this case.

24 So, first of all, the Church, under 2553, had no
25 authority or no right under the process that they

1 adopted to ask for a CCV to start out with, on
2 viability. And then I listened, trying to figure
3 out why would you do a viability study on a church
4 who says they're getting ready to go, when you claim
5 you're so busy you don't have enough staff to do the
6 disaffiliation process. So you're going to layer
7 another process on top of that when you already know
8 you don't have enough staff. It doesn't add up.
9 Doesn't add up.

10 And then, it would have been all right if the
11 Church had done what they said they were going to
12 do, but they dropped it. Dropped it in March,
13 didn't finish it in time for the local church to
14 have the vote in April, and I think that was
15 intentional. That's the way it looks, and I have
16 heard nothing to the contrary.

17 When we talk about notice, I looked at 246 under
18 the Book of Discipline and then I went to 248. It's
19 interesting. It says that, basically, that the
20 membership, well, that you can call one, by one of
21 the following; the Pastor, the Church Council or
22 10 percent of the professing membership of the local
23 church. That's what the church did here. The
24 Administrative Council called the Church Conference.
25 And then when it comes to notice, the notice

1 provisions are the same for both.

2 When I looked at 248, unless I missed my guess
3 reading all this stuff, it talks about the bulletin,
4 talks about from the pulpit, or both, the preferred
5 methods I think it said. And then they also did the
6 newsletter. And it says with regard to e-mail that
7 if possible. I think it was if possible they can
8 e-mail, too. That make sense, too, because some
9 people don't have e-mails. Old dinosaurs in my
10 church don't have it, and I'm one of them. I get
11 enough reading here at the office.

12 So with regard to e-mails, sometimes that won't
13 get it to people. Newsletter, I always read it.
14 Letters from the church, I always read those. But
15 they didn't require letters because letters are cost
16 prohibitive.

17 So they took a vote, sent e-mails out, and they
18 sent the newsletter, and sent a ballot, then they
19 had a vote. 16 ballots were received via e-mail. I
20 thought that was interesting, too. Folks hot and
21 heavy, Defendants were, about e-mailing everybody,
22 except when it came for them to receive their votes
23 by e-mail. And despite the COVID era that we're in
24 the Church wanted them all to be there in person.
25 That didn't square, it didn't. But of the 80, 60

1 votes 75 percent were for disaffiliation; 20 votes,
2 25 percent were against disaffiliation.

3 So they did the ballots correctly. Nobody said
4 anything about the ballots. Pastor was aware of
5 them, and no one tried to stop the vote. They
6 answered the questions that were asked, which was
7 interesting to me, too, because the District already
8 had that information. Most of the information that
9 was sent and gathered in a short time frame was
10 already in the hands of the National and the
11 District, and I don't know which exhibit that was.
12 I think I -- is it -- Plaintiff's Exhibit No. 17. I
13 read, I looked at those numbers, too, found them
14 interesting.

15 Found that despite the fact that there were less
16 people at Oklahoma First UMC, that they had a higher
17 percentage of payment of their assessments than some
18 of the other churches, lower than some. St. Luke's
19 in Oklahoma City was 36 percent and First UMC's,
20 44 percent. So if you're talking about viability,
21 one would have thought you might have gone to
22 Oklahoma City St. Luke's and checked them, since
23 they were paying less. There was no, nothing I
24 could find that militated to the Church implementing
25 the viability study in this case. Nothing at all.

1 None at all. And it looked like it was done to slow
2 down their ability to disaffiliate. I may be wrong
3 about that, but that's what it looked like, to me.

4 The financial question sent to the church none
5 of them talk about membership. They had been paying
6 their assessments at a higher rate than most of the
7 other churches with more members. They had an
8 outreach in the community and had been sustaining
9 that for a number of years. There was no reason to
10 talk to them about performance, that I can see,
11 based upon the evidence I heard come from both the
12 Plaintiff and Defendants' witnesses.

13 Let's say I'm wrong about the viability study.
14 The disaffiliation of the local church under 2553
15 says you have to do it, make that determination
16 before you set a Church Conference. And we know
17 that wasn't done because the CCV wasn't even... the
18 process wasn't even in place, if I read the e-mails
19 and the documents that are attached to both the
20 Plaintiff and Defendants' exhibits. Nobody even
21 knew how to do one with the disaffiliation process.
22 And if you're going to do one, do what you say
23 you're going to do and do it in a timely manner,
24 since you all are the ones that have set the time.

25 And with regard to that, on Paragraph 4(a),

1 Standard Terms of the Disaffiliation Agreement, it
2 says, "The General Council on Finance and
3 Administration shall develop a standard form for
4 Disaffiliation Agreements to protect the United
5 Methodist Church." That means they drafted it, and
6 it was drafted to protect the National Church, not
7 the locals. So it says, "The agreement shall
8 include a recognition of the validity and
9 applicability of 2501, notwithstanding the release
10 of property therefrom." So they're saying we're
11 going to let you leave and take your property with
12 you. That kind of reminds me of, you ain't got to
13 go home, but you got to go home and take all your
14 stuff with you, and don't come back, basically.

15 The Church is saying, if you want to get; get.
16 Take your stuff and go. Right? "Annual conferences
17 may develop additional standard terms that are not
18 inconsistent with the standard form of this
19 paragraph." Okay? Annual conferences.

20 So let's look at 213. 213 and 212, says,
21 Churches in Transitional Communities. And it says
22 that you can do -- "Special attention must be given
23 to forms of ministry required in such communities"
24 and "The local church is required to respond to the
25 changes that are occurring in its surrounding

1 community and to organize its mission and ministry
2 accordingly."

3 It makes no sense for the National Church to
4 require a dialogue about churches in transitional
5 communities when they, at that point in time, are in
6 the middle of a disaffiliation process. Makes no
7 sense. Even if I don't think it makes sense, let me
8 read what it says.

9 It says, "Local church shall be regarded as a
10 principal base of mission from which unjust
11 structures of society shall be confronted,
12 evangelization shall occur."

13 "Decisions concerning ministry in transitional
14 communities be made after thorough consultation has
15 taken place."

16 Well, if they're disaffiliating you're not going
17 to have to make decisions about the pastors, because
18 they're going to be gone.

19 "Commitment of resources in terms of money and
20 personnel to the ministries in transitional
21 communities be of sufficient longevity." They're
22 trying to leave. What, so what need is there for
23 that under 212?

24 And then it stays, "The ministry of the local
25 church may be enhanced by a review and possible

1 development of some form of cooperative ministry."
2 Well, they had already done that. They had the
3 Christian Experience there that's under United
4 Methodist Church, that was already in the church and
5 was going to stay in the church. So all of the
6 reasons for this study are -- seem to be in 213 is
7 the process for assessment of local church
8 potential. You had the -- already the National
9 Church had the economic information and they had the
10 Church of Christian Experience. Is that what it is,
11 Christian Experience? Right there --

12 **MS. NICKLAS:** Christ Experience.

13 **THE COURT:** Christ Experience. All you had to
14 do was go ask them -- They're right there -- about
15 what's going on, what's happening, under the CCP in
16 213, so it made no sense to transmogrify that to an
17 impediment to keep the church, to stall or slow the
18 church's progress up on disaffiliation.

19 I make no ruling one way or another about
20 whether they should or shouldn't. It's not my
21 business. It's the church's decision about whether
22 they affiliate or disaffiliate. That's for the
23 people at the church to decide and the church to
24 decide, but you've got to stick to the process that
25 you have outlined for everybody else who followed

1 it, and you can't change it in midstream on the,
2 what I call, flimsy basis that has been argued in
3 this case. It flies in the face of the evidence and
4 it flies in the face of the process and procedure
5 that has been set forth for everybody else to
6 follow.

7 And in that respect, this Court finds that the
8 Plaintiff, First United Methodist Church, has been
9 harmed, and that they have also demonstrated that
10 they have a likelihood of success on the merits.

11 Now, let's talk about the remedy for that. When
12 the Plaintiffs missed out on the April 2023 vote on
13 disaffiliation they missed out on 55 other churches
14 who had the right to vote on disaffiliation in
15 the... was it the Annual Conference?

16 **MS. NICKLAS:** Yes.

17 **THE COURT:** Who are now gone. So now all you
18 have left are those churches who probably, or I
19 don't know, you know, you never know, but are made
20 up of churches that are staying, that's the majority
21 of who's probably going to be left, which means the
22 chances of First United Methodist being allowed and
23 authorized to disaffiliate are... have been damaged.

24 So I first find that they don't have to go
25 through the CCV process because it was an

1 extraordinary process based on the evidence that I
2 heard and saw in the documents that were introduced
3 as exhibits, and was not a process sanctioned by
4 2553, in the manner in which it was done. That the
5 canceling of the Conference for the church to vote
6 on it was done in violation of 2553. There was no
7 real reason, except for this
8 last-minute-Johnny-come-lately process that had not
9 been required of anybody else and was not authorized
10 to be done in the manner in which it was done and in
11 a timing in which it was done.

12 So the Church Conference also wasn't held in 120
13 days from the request of the Plaintiffs, which is
14 another violation of 2553. And the National Church
15 set up the process and the timelines, and what is
16 important about that is these delays have
17 jeopardized this church's ability to govern
18 themselves according to the processes put in place
19 by the National Church. If there's any ambiguities
20 or question marks about how it's to be interpreted,
21 then under general neutral principles of contract it
22 is interpreted against the drafter, which is the
23 National Church.

24 With regard to the deadlines, there's a
25 September 6th deadline that if they don't make

1 that deadline then they won't be on the December
2 conference to disaffiliate, and at that point no one
3 else is going to be allowed to disaffiliate.

4 So in an effort to put the Plaintiff in the same
5 position they were in, like everyone else, this
6 Court finds that a Annual Conference, I heard
7 Bishop Nunn talk about he can call one. He can call
8 a Special Conference, and he did that on several
9 occasions in the beginning of 2023.

10 Well, whatever conference he calls must be
11 called at least 30 days prior to September 6th,
12 2023. And in order to put the Plaintiff back where
13 they would have been, except for the conduct
14 delaying them by the National Church, I am ordering
15 that those 55 churches and their delegates also vote
16 in the next called Conference, along with those
17 churches that are still a remaining part of the
18 Conference. That's the only way you're going to put
19 them back in a position they were in before the harm
20 that was dealt to them by the National Church.

21 So those 55 churches that would have been
22 involved in the vote in April are also going to be
23 allowed to vote in whatever conference that is
24 called next, and this Court orders it to be held at
25 least 30 days prior to September 6th of 2023.

1 That puts everybody back in the same place they were
2 in before the actions of the National Church.

3 Now, I will say this, had Reverend Stinson had
4 the meetings he was supposed to have and this had
5 been moved along, none of you all would be here, but
6 you had from November of 2022, you had the meeting
7 in February, then everything stopped. And the fact
8 that you all, the National Church was busy with
9 other things, it's your timeline, so you're stuck
10 with it.

11 You can't excuse the delay because you had other
12 things going on, or don't put timelines in place
13 that will deprive people of their ability to choose
14 how they want to handle the disaffiliation process
15 with the deadlines that you all have put in place.
16 It's not fair to them and it violates the covenant
17 that you all have set forth in 2553,
18 covenant/contract, because the contract in some
19 respects is a covenant. You didn't follow it.

20 Now, I don't know what's going to happen, that's
21 not my job. I have no say in it, no stake in it.
22 Do the process the way it was intended and then if
23 they disaffiliate, or they're not, has nothing to do
24 with me, and I'm not interested in that. I'm
25 interested in if you've got a process, you're going

1 to follow it, and you're not going to use it in a
2 way to deprive the people who are the repository of
3 a, what appears to be an adhesion contract anyway,
4 under 2553. The National Church made all the rules,
5 made them all, there wasn't a whole lot of input, I
6 don't think, from the local churches on that
7 disaffiliation process. Maybe there was. And if
8 there was, they were told to take it or leave it,
9 and that came from the witness stand testimony. But
10 if you're going to do that, you're going to follow
11 it. All right?

12 Does anyone have any questions? And is there
13 anything -- let's go to Plaintiff first. Anything
14 you'd like to add? You were saying that you wanted
15 to do a closing argument, and I don't think I needed
16 to hear it. Maybe I missed something that you all
17 might want to let me know about.

18 **MS. NICKLAS:** Yes. If I understand correctly,
19 the vote on February 5th of First Church is
20 recognized?

21 **THE COURT:** Yes, it is.

22 **MS. NICKLAS:** And they proceed, and the only
23 thing left for them to do is to be ratified by an
24 Annual Conference?

25 **THE COURT:** That's correct.

1 **MS. NICKLAS:** And I may not have understood.
2 You said that would need to take place 30 days prior
3 to September 6th?

4 **THE COURT:** At least 30 days prior to
5 September 6th, and has to be made up of the same
6 membership of delegates that would have been there,
7 if they had made the April vote.

8 **MS. NICKLAS:** Okay. So by August 6th there
9 needs to be a Conference to vote on First Church?

10 **THE COURT:** They need to call one. And I did
11 that because I wanted to give the Church time to put
12 the wheels in place to do it, or to take this matter
13 up and give the Appellate Courts time to look at it
14 also.

15 **MS. NICKLAS:** And we're referring to an Annual
16 Conference that --

17 **THE COURT:** Whatever Conference --

18 **MS. NICKLAS:** -- ratifies?

19 **THE COURT:** -- that needs to be held to ratify
20 the vote on disaffiliation.

21 **MS. NICKLAS:** Okay.

22 **MR. PLOURDE:** I just want to make sure I
23 understand.

24 **THE COURT:** Sure.

25 **MR. PLOURDE:** We have an Annual Conference

1 meeting scheduled for October and that was the date
2 that they were trying to make it by, was for the
3 Annual Conference meeting in October, when they
4 filed this lawsuit.

5 **THE COURT:** No, they were trying to ensure they
6 wouldn't get kicked, delayed past the October
7 deadline, and I'm saying do it in August.

8 **MS. NICKLAS:** Actually, Your Honor, we were
9 asking that we be deemed disaffiliated as of April.
10 We are not -- we do not believe we can get a fair
11 consideration in October, so that is not what we
12 were wanting.

13 **THE COURT:** All right.

14 **MR. PLOURDE:** I just want to make sure you
15 understand, Your Honor, that you are overriding a
16 lot of provisions in the Discipline.

17 **THE COURT:** You're not following them.

18 **MR. PLOURDE:** Overriding a lot of provisions in
19 the Discipline --

20 **THE COURT:** Not a lot of them. I read them. I
21 read 212. I read 213.

22 **MR. PLOURDE:** If you let me finish.

23 **THE COURT:** All right. I will.

24 **MR. PLOURDE:** That apply to calling an Annual
25 Conference. The Bishop can call an Annual

1 Conference, but there has to be sufficient notice
2 and there has to be sufficient materials and the
3 like put in place in order to have that Annual
4 Conference, and there isn't time between today,
5 which is July 17th and August 6th to be able to do
6 that, and I just want to make the Court aware of
7 that.

8 **THE COURT:** Timing is yours.

9 **MR. PLOURDE:** And we've already got that
10 conference set in October.

11 **MS. PLAXICO:** And we --

12 **THE COURT:** I'm just --

13 **MS. PLAXICO:** Sorry.

14 **THE COURT:** Let me tell you what my sense of
15 things is, is that if I don't set a date certain
16 that this matter won't make it on the October
17 docket, and so I'm trying to build in time for your
18 appeal and a response and answer back from the
19 Supreme Court, and time to get it on so that it's
20 past October and they're not on there and then we're
21 back in here again because the same thing is going
22 on. Now, I would hope that that didn't occur.

23 **MR. PLOURDE:** There won't be anything to vote on
24 at the October Conference if you order the Annual
25 Conference --

1 **THE COURT:** I think you all do more than just
2 vote on this at the October conference, don't you?
3 I think there's more going on in there --

4 **MR. PLOURDE:** For the other churches.

5 **THE COURT:** Yes, okay.

6 **MR. PLOURDE:** But what I'm saying is we've
7 already got that October Conference to vote on
8 disaffiliations.

9 **THE COURT:** I would feel better about it,
10 Mr. Plourde, if they hadn't sat and sat and sat up
11 till now. All right? They came here in June.

12 **MR. PLOURDE:** I just want to make sure you
13 understand, Judge.

14 **THE COURT:** I understand exactly what -- I said
15 what the dates were. If they had not been sitting
16 since February the 8th, or more, March the 8th,
17 waiting on something to be done, and everybody
18 running around not knowing nothing about nothing and
19 it's stagnating, I would have had more faith that
20 the Church would do expeditiously what needed to be
21 done. I would have, but I don't, and that's my
22 call, so --

23 **MR. PLOURDE:** But you're ordering --

24 **THE COURT:** Yeah.

25 **MR. PLOURDE:** -- what can be done in October,

1 what can be done at the already October Annual...
2 already set October --

3 **THE COURT:** Could have been done in April, too.

4 **MS. PLAXICO:** Exactly, Your Honor. Exactly the
5 point, or they could deem us disaffiliated now.
6 They're the ones that blew us past April.

7 **THE COURT:** Yes. You know, to me, it's
8 disingenuous to argue about time now. So I'm just
9 trying to build in some time for more legal work if
10 it needs to be done. That's what I'm trying to
11 build in, because I've got a feeling I'm going to
12 see somebody back here in August and that will give
13 the Appellate Courts, and me, if I have to, time to
14 do something before October, one way or the other,
15 depending on what happens. That's why I did what I
16 did. There's a reason for it.

17 And then the Bishop testified he can call one,
18 and he said he has, for what appear to be less
19 reasons than this. I listened to him carefully.

20 So, anything further?

21 **MS. PLAXICO:** No, Your Honor. Thank you so much
22 for your patience and special scheduling you gave
23 us. Much appreciated.

24 **THE COURT:** You know, we've had about a 10 or
25 15 percent increase, if that, in our caseloads, and

1 so trying to get the attention to this one and the
2 time in terms of the Court time has been taxing, I
3 know on you all also. So I appreciate the advocacy
4 on behalf of both of you all for your clients.
5 You've done an excellent job for them, on both
6 sides. And I appreciate you all's patience with me.
7 You've done an excellent job on both sides. All
8 right?

9 So Petitioner's counsel, if you will draft the
10 Order for me. I want it in five days. Five working
11 days. If not, we'll have to set an expedited motion
12 to settle.

13 **MS. NICKLAS:** Your Honor, just in order to make
14 sure we don't have any disagreements, I assume you
15 want the Findings of Fact as you've laid out in that
16 Order?

17 **THE COURT:** Just what I said.

18 **MS. NICKLAS:** Or how would you like the Order?

19 **THE COURT:** I'm going to leave it to you all.
20 Nobody asked for Findings of Fact, but I like to lay
21 out why I'm doing what I'm doing so people
22 understand what my thought process is. Okay?
23 Hopefully I've done that. If not, I'm sure somebody
24 will let me know.

25 Court will be in recess.

1 The Temporary Restraining Order, in all
2 respects, do I need to leave that in place?

3 **MS. PLAXICO:** Yes, please, Your Honor.

4 **THE COURT:** All right. In all respects, except
5 those things that relate to my Order.

6 (Whereupon, proceedings concluded at 3:11 p.m.)
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1 IN THE DISTRICT COURT OF OKLAHOMA COUNTY

2 STATE OF OKLAHOMA

3 THE FIRST UNITED METHODIST)
4 CHURCH OF OKLAHOMA CITY, an)
5 incorporated religious)
6 association acting by and through)
7 its duly Elected Trustees,)

8 Plaintiff,)

9 vs.)

CASE NO. CJ-2023-3075

10 THE OKLAHOMA ANNUAL CONFERENCE)
11 OF THE UNITED METHODIST CHURCH,)
12 INC., et al,)

13 Defendants.)

14 CERTIFICATE

15 I, Tara Nixon, Certified Shorthand Reporter,
16 Registered Professional Reporter, Certified Realtime
17 Reporter, Certified Realtime Captioner, and Official
18 Court Reporter for Oklahoma County, do hereby
19 certify that the foregoing transcript in the
20 above-styled case is a true, correct, and partial
21 transcript of proceedings had on the 17th day of
22 July, 2023.

23 Dated this 18th day of July, 2023.



24 *Tara L. Nixon* Tara L. Nixon
25 Tara Nixon, RPR of CRR, CRC
State of Oklahoma
Certified Shorthand Reporter
CSR #1542 CSR # 1542
My Certificate Expires Expires 12-31-2023