



the property deeds of FPC, the terms of its corporate charter, the provisions of the denominational constitution, and the generally applicable provisions of Texas law, FPC has demonstrated the likelihood of its complete and exclusive ownership of any property held in its name. The Court also finds that Mission Presbytery has the means at its disposal and has indeed threatened imminent harm and irreparable injury, loss or damage to FPC in connection with FPC filing this action and that, if the Court does not issue the Temporary Injunction, FPC will be irreparably injured, because Presbytery will proceed to form an Administrative Commission or listening team to seize control of FPC property or its corporate operations or both. Such conduct by Mission Presbytery would render FPC without an adequate remedy at law in that an award of damages would not adequately compensate FPC for the resulting harm to its ability to conduct its various ministries. The Court therefore finds that absent a temporary injunction, the rights of FPC and its ministry will be irreparably injured, as seizure of FPC's property or corporate operations by Mission Presbytery will adversely impact donations and volunteer support by Plaintiff's congregants and that no amount of subsequent monetary reimbursement would be an adequate remedy for the irreparable damage that would be done to the mission and ministries of FPC. The Court also finds that FPC seeks protection of the ownership, possession and enjoyment of immoveable and personal property and that existing policy and prior action of Mission Presbytery demonstrates that FPC will suffer irreparable injury if injunctive relief is not granted and, thus, a monetary award is an insufficient remedy at law. Thus, the Court finds that the equities favor the issuance of this Temporary Injunction and that this Temporary Injunction is necessary to preserve the status quo between the parties pending a judgment on the merits of the underlying claims.

IT IS THEREFORE ORDERED that this Temporary Injunction be and is hereby issued against the Mission Presbytery of the Presbyterian Church (USA), its officers, agents, employees,

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and counsel, and any persons or entities in active concert or participation with the Mission Presbytery, or acting by or through the Presbytery or on its behalf or in its stead (hereinafter "Presbytery"). This Temporary Injunction pertains to all Property held by or for First Presbyterian Church of San Antonio and its civil corporation (FPC), both immovable (real) together with all buildings and improvements thereon, and movable (personal), whether corporeal or incorporeal, wherever located, whether held by, for or in the name of FPC (collectively "Property"), which real Property is more particularly described in the Appendix attached hereto. Presbytery is enjoined from filing any documents in the mortgage and conveyance records of Bexar County to assert ownership, use or control, or rights to determine ownership, use or control, to any real Property titled in the name of FPC or to assert a trust on behalf of the Presbytery or other affiliated third party over real Property titled in the name of FPC or otherwise held by or for FPC the effect of which would be to place a cloud on the title of said real Property, or otherwise interfere with or disturb FPC's ownership, use, control, or disposition of FPC's Property, or interfere with FPC's right to determine the ownership, use, control, or disposition of Property held by or for FPC or held in the possession of, control of, or owned by or titled in the name of FPC.

IT IS FURTHER ORDERED that the Mission Presbytery of the Presbyterian Church (USA), and any persons or entities in active concert or participation with it, on its behalf or in its stead, whether acting directly or indirectly, are temporarily enjoined from taking any action that could affect the property rights of FPC, including but not limited to:

- (1) Filing any documents in the mortgage and conveyance records in Bexar County, or any County where FPC's property is located, the effect of which would be to place a cloud on the title of any property titled in the name of plaintiff;
- (2) Otherwise taking any action to claim or assert ownership, use, or control of the Personal and Real Property, or a right to determine ownership, use or control of the Personal and Real Property, in the possession or control of, owned by, titled in the name of or held for the benefit of First Presbyterian Church of San Antonio;

SIGNED this 30<sup>th</sup> day of OCTOBER 2015, at 4:31 p.m.

  
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JUDGE PRESIDING

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