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December 13, 2012

BY HAND

Patricia L. Harrington, Clerk
Supreme Court of Virginia
100 North Ninth Street, Fifth Floor
Richmond, Virginia 23219


Re: Record No. 120919, *The Falls Church (also known as The Church at the Falls – The Falls Church) v. The Protestant Episcopal Church in the United States of America, et al.*

Dear Ms. Harrington:

Enclosed please find an original and four copies of a Motion for Temporary Suspension of Briefing Schedule, which is submitted for filing on behalf of appellees Protestant Episcopal Church in the United States of America and Protestant Episcopal Church in the Diocese of Virginia. Please return one file-stamped copy by our messenger.

Thank you for your assistance. Please do not hesitate to contact me if you have any comments or questions.

Respectfully submitted,



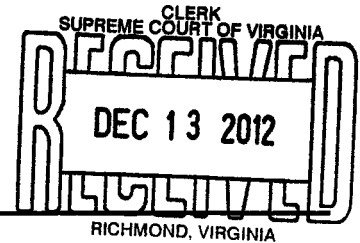
Bradfute W. Davenport, Jr.
Counsel for Appellee Protestant Episcopal
Church in the Diocese of Virginia

Enclosures

cc: All counsel of record
(by email, with enclosure)

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COPY
Record No. 120919



In the Supreme Court of Virginia

**The Falls Church (also known as The Church at the Falls –
The Falls Church),**

Appellant,

v.

**The Protestant Episcopal Church in the United States of America
and
The Protestant Episcopal Church in the Diocese of Virginia,**

Appellees.

Motion for Temporary Suspension of Briefing Schedule

Appellees Protestant Episcopal Church in the United States of America and Protestant Episcopal Church in the Diocese of Virginia respectfully move for a temporary suspension of the briefing schedule. The requested suspension would expire two weeks after the date of an Order granting or denying appellees' Petition for Rehearing of the Court's refusal of their assignment of cross-error.

Appellees state the following in support of this motion:

By Order dated October 26, 2012, the Court awarded appellant The Falls Church ("TFC") an appeal and refused appellees' assignment of cross-error. Appellees filed a timely Petition for Rehearing of the refusal of their assignment of cross-error on November 9, 2012.

By Order dated November 29, 2012, the Court granted the parties' joint motion for an extension of time and fixed the deadline for TFC's opening brief as December 12, 2012; for appellees' briefs as January 21, 2013; and for TFC's reply brief as February 11, 2013.

Counsel for appellees contacted the Office of the Clerk on December 11, 2012, to request information regarding the expected timing of a decision on their pending Petition for Rehearing, and were advised that the Court will not make that decision until its January Session (January 7-11, 2013).


The Court's decision on the Petition for Rehearing obviously will have a significant impact on appellees' briefs. Appellees accordingly request that the Court allow them sufficient time, after the issuance of its decision on the Petition for Rehearing, to respond and prepare briefs which will be of maximum assistance to the Court. We respectfully request that the current briefing schedule be suspended and that the deadline for appellees' briefs be rescheduled to the date that is two weeks after the date of an Order

granting or denying the Petition for Rehearing. We further request that the deadline for TFC's reply brief be rescheduled to the date that is three weeks after the deadline for appellees' briefs, consistent with the interval allowed by the current briefing schedule ordered on November 29, 2012.

Counsel for appellees have informed counsel for TFC of the intended filing of this motion and Counsel for TFC intends to file a response in opposition.

Respectfully submitted,

THE PROTESTANT EPISCOPAL
CHURCH IN THE DIOCESE OF
VIRGINIA

By: 
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THE PROTESTANT EPISCOPAL
CHURCH IN THE UNITED STATES
OF AMERICA

By: Mary E. Kostel, by Ralph W. Davenport, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were sent by electronic mail and U.S. first class mail to counsel for Appellant and other interested parties, named below, on this 31 day of December, 2012:

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