

COURT OF COMMON PLEAS OF SCHUYLKILL COUNTY
CIVIL ACTION – LAW

James E. Setcavage, Dorothy A. Setcavage,
Cindy Tancredi, and Diane Drogalis, for
themselves and on behalf of the all Parishioners
of St. George Lithuanian Roman Catholic
Parish, Shenandoah, Pennsylvania.

Plaintiffs

v.

John Oliver Barres, Bishop of the Diocese of
Allentown and Trustee of St. George
Lithuanian Roman Catholic Church,
Shenandoah, Pennsylvania, Monsignor Bernard
Flanagan, Pastor and Trustee of St. George
Roman Catholic Church, and the Roman
Catholic Diocese of Allentown, as Trustee of
St. George Roman Catholic Church,

Defendants

NO. S-2635-2009

2009 OCT - 7 P 3:54

PROSECUTOR'S
OFFICE
SCHUYLKILL COUNTY
TREAS.

Paul Domalakes, Esquire – for Plaintiffs
Joseph F. Lesson, Jr., Esquire – for Defendants

ORDER OF COURT

DOLBIN, J.

AND NOW, this 7th day of October 2009, in consideration of the
arguments of counsel IT IS HEREBY ORDERED as follows:

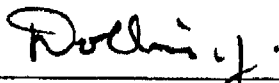
- 1. The Plaintiffs' motion to take the testimony of the Lithuanian Ambassador for purposes of this trial is GRANTED inasmuch as the Ambassador resides more than 100 miles from Pottsville, Pennsylvania. See Pa.R.C.P. 4020(3)(b).

Defendants' costs for attendance at the deposition shall be made part of the

record costs in this case upon submission by defense counsel of a certified bill of costs. Said costs shall follow the verdict in the case.

2. The parties shall submit briefs on the question of whether or not contribution to a renovation fund confers standing on the Plaintiffs to direct the manner in which such funds are to be expended or whether such contributions impinge upon the authority of the Bishop as conferred by the Statute (10 P.S. 81) or by the case law.
3. The deposition and briefs aforementioned shall be completed not later than November 30, 2009.
4. The Petition for Injunction is DENIED pending receipt of the deposition and briefs aforementioned.
5. A continued hearing is fixed for **Tuesday, December 1, 2009 at 9:30 a.m.** in Courtroom No. 1, Schuylkill County Courthouse, Pottsville, Pennsylvania.

BY THE COURT:



CYRUS PALMER DOLBIN, JUDGE