

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI AT KANSAS CITY

COLONIAL PRESBYTERIAN CHURCH)
)
 Plaintiff,)
)
 v.)
)
 HEARTLAND PRESBYTERY)
)
 Defendant.)

Case Number: 1016-CV24909
DIVISION 5

EX PARTE RESTRAINING ORDER

Now on this 18th day of August, 2010, Plaintiff's Application for Restraining Order comes before the Court for hearing. Plaintiff appears by and through counsel, J. Brett Milbourn of Walters, Bender, Strohbahn & Vaughan, P.C. and Ryan Terril of Terril Law Firm, LLC.

The Court having reviewed the *Verified Petition* of The Colonial Presbyterian Church ("Colonial"), along with the exhibits attached; having reviewed the Memorandum and authorities filed in support of the *Application for Restraining Order*; having heard the statements of counsel; and being otherwise informed regarding the merits and the law with respect to these matters, finds that the Plaintiff has met the preliminary requirements for the issuance of a Restraining Order, pursuant to Rule 92.02. Good cause having been shown.

IT IS ORDERED that Defendant Heartland Presbytery, as well as each of its members, officers, agents, servants, employees, attorneys, and persons acting in concert with it, including but not limited to Defendant Heartland's "Administrative Commission," is hereby restrained from:

1. exercising any purported power to interfere, dissolve, or assume jurisdiction over Colonial and The Colonial Church, including its Session and corporate trustees, or interfere in

any way with Colonial's administration and operation, including its rights and responsibilities to its congregation, and its right to meet and conduct corporate and congregation business;

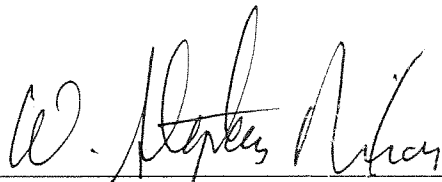
2. accessing Colonial Church's records, including membership rolls, corporate minutes, financial records, membership directories, other corporate records, and materials distributed for congregational information;

3. taking any action that would interfere with or place a cloud over the title on the Colonial Property as described in the *Verified Petition for Declaratory and Injunctive Relief and to Quiet Title*, or with Colonial's rights to the personal property thereon and all funds and other assets deposited with any financial institution titled in the name of Colonial.

IT IS FURTHER ORDERED, that Plaintiff shall post bond in the sum of \$ 100,000.

This Restraining Order shall remain in effect until modified or superseded by further order of this Court.

This matter is set for hearing on whether or not to keep this temporary restraining order in place on August 27, 2010, at 3:00 PM, in Division 5, 415 East 12th Street-4th Floor, Kansas City, MO 64106.



W. STEPHEN NIXON
JUDGE OF THE CIRCUIT COURT

Dated this 18th day of August, 2010.

TRO Issued at: 2:20 PM

A TRUE COPY - ATTEST
CIRCUIT COURT OF JACKSON COUNTY, MO
COURT ADMINISTRATOR'S OFFICE
DEPARTMENT OF CIVIL RECORDS

BY  DCA