

## Re: Posting Trustees Injunction Information Update on the Realm

From: K Donalson (kdonalson@mtpleasantbaptist.org)

To: michealep@cs.com

Date: Friday, March 22, 2024 at 10:12 AM EDT

We have not posted any information from the lawsuit on the Realm and will not be doing so. This meeting is not an official church meeting.

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**From:** Micheal E P Davis <michealep@cs.com>

**Sent:** Friday, March 22, 2024 9:23:31 AM

**To:** Ezekiel Pinkney <epinkney@mtpleasantbaptist.org>; K Donalson <kdonalson@mtpleasantbaptist.org>; Antonio Clemons <tony\_be\_nice@hotmail.com>; Melissa Holt <mholt@mtpleasantbaptist.org>

**Cc:** Felicia Hawkins <fhawkins@mtpleasantbaptist.org>; Robert Bullett <rbullett@yahoo.com>; silaswerts <silaswerts@aol.com>; Cheryl Tilmman <wctillman2004@yahoo.com>; gakneebaby <gakneebaby@yahoo.com>; svalexander52@gmail.com <svalexander52@gmail.com>; Leon Todd <ltodd@mtpleasantbaptist.org>; Mary Todd <mejtodd@verizon.net>; Mona Benbow <benbwma1@gmail.com>; mthurma1@travelers.com <mthurma1@travelers.com>; Lester Best <bestfam2@verizon.net>; Willie Hassell <hassellw@live.com>; grover.gibson <grover.gibson@verizon.net>; dhurdleboakye@gmail.com <dhurdleboakye@gmail.com>; dendavis@prodigy.net <dendavis@prodigy.net>; captainsamsnyder@icloud.com <captainsamsnyder@icloud.com>; shaunj167 <shaunj167@gmail.com>; Gwen H. <gholoman5@gmail.com>; Gerald Bazemore <gabazemore@gmail.com>; Samuel Massenberg <SMassenberg@mtpleasantbaptist.org>; lubells2005@gmail.com <lubells2005@gmail.com>; Marlon Sharpe <mdiggity@gmail.com>

**Subject:** Posting Trustees Injunction Information Update on the Realm

The Trustees request the authorization to place the Trustees Injunction Information Update Announcement on the Realm. The "Update" for all who wish to participate will be provided on March 26, 2024, Tuesday, at 6:30 PM. The ZOOM information is provided below.

Topic: Injunction Information Update

Time: Mar 26, 2024 6:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/89814568245?pwd=btbUh5b60dTQwgceMeSKV1bitJ3TE1.1>

Meeting ID: 898 1456 8245

Passcode: 361162-

One tap mobile

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+16469313860,,89814568245#,,,,\*361162# US

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Dial by your location

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- +1 309 205 3325 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US

Meeting ID: 898 1456 8245

Passcode: 361162

POC: MPBC Trustee Micheal E. P. Davis, 571-217-2227.

Submitted on Behalf of the MPBC Trustee Ministry

DHB



## Re: MPBC Board of Trustees v. Pastor Donalson-Judge's Decision (s)

From: K Donalson (kdonalson@mtpleasantbaptist.org)

To: michealep@cs.com; mholt@mtpleasantbaptist.org; mthurma1@travelers.com; tony\_be\_nice@hotmail.com; epinkney@mtpleasantbaptist.org

Cc: gakneebaby@yahoo.com; rbullett@yahoo.com; michealep@cs.com; silaswerts@aol.com; wctillman2004@yahoo.com

Date: Tuesday, February 13, 2024 at 04:37 PM EST

We are in receipt of the documents from our lawyer and are figuring out the best way to allow the church to see the full documents and not a summary. Once that decision is made, we will let everyone know.

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**From:** Micheal E P Davis <michealep@cs.com>

**Sent:** Tuesday, February 13, 2024 2:48:20 PM

**To:** Melissa Holt <mholt@mtpleasantbaptist.org>; K Donalson <kdonalson@mtpleasantbaptist.org>; mthurma1@travelers.com <mthurma1@travelers.com>; Antonio Clemons <tony\_be\_nice@hotmail.com>; Ezekiel Pinkney <epinkney@mtpleasantbaptist.org>

**Cc:** gakneebaby <gakneebaby@yahoo.com>; Robert Bullett <rbullett@yahoo.com>; Micheal E P Davis <michealep@cs.com>; silaswerts <silaswerts@aol.com>; Cheryl Tilmman <wctillman2004@yahoo.com>

**Subject:** MPBC Board of Trustees v. Pastor Donalson-Judge's Decision (s)

Good Afternoon Rev Holt, attached are Hon. Richard E. Gardiner Judge, Fairfax County Circuit Court signed versions of the Temporary Injunction and Demurrer. I also sent this email to the Senior Pastor. I recommend the two documents are posted on the MPBC Realm. A summary is posted below.

1. The Judge ruled against the Senior Pastor's Lawyer to demurrer the Trustee's Complaint (Dismiss a case). He ruled that the court accepts the factual assertions provided from the Trustees' Complaint, who IAW the MPBC bylaws 3.2 G and Virginia Law 57 are executing their responsibilities as representatives of MPBC Church. As such, a "True and a Formal" Hearing will be held in the court to hear the complaint (Date TBD).

Attached is an extraction from the Judge Gardiner's Transcript. It outlines in greater detail his legal reasoning for his decision.

"With regard to the demurrer to Count -- count I, the demurrer is overruled. The Court -- I believe that as to Count I, which is the claim for declaratory judgment that the trustees, first of all, have standing to bring this suit, seeking the declaratory judgment concerning the expenditures by the defendant. I don't believe, as I said yesterday, and I'll repeat just so the record is complete, that this matter concerns an ecclesiastical question.

And as I said, with regard to Count I, the claim for declaratory judgment, I --I'm overruling the demurrer because I believe that the contract -- excuse me, the Complaint sets out sufficient facts showing that there is an ongoing dispute between the trustees, given their fiduciary obligations, and between -- with the defendant and that there is dispute about

what can happen in the future. And so I think a declaratory judgment is perfectly appropriate here, given the allegations in the Complaint.

Judge Gardiner's complete transcript is attached to the Demurrer for review and analysis.

2. Judge Gardiner also signed the Temporary Injunction. His decision was that the Senior Pastor cannot:

a) Expending or directing others to expend any moneys not expressly allocated in the Mount Pleasant Baptist Church budget, as ratified in the Church's annual business meeting, or as such budget is amended in a congregational meeting properly held pursuant to the Church's Bylaws.

b) Taking any actions to remove any individual Trustees except that Dr. Donalson, in his role as Senior Pastor, may recommend said removal (in conjunction with the Trustees) pursuant to the process articulated under Section 3.2(F) of the Church's Bylaws.

Judge Gardiner's complete transcript for the Temporary Injunction is attached for review and analysis. I will send the rulings to Rev Holt, Rev Pinkney and Rev Donalson and request they post it on the realm. With the approval of the Trustees, I will post the judge's decision on the Trustees' website this morning.