No. 17A1375

In the Supreme Court of the United States

Roman Catholic Archdiocese of San Juan, Puerto Rico, and the Roman Catholic Dioceses of Ponce, Arecibo, Caguas, Mayagüez, and Fajardo-Humacao, Puerto Rico,

Petitioners,

v.

Yalí Acevedo Feliciano, Sonia Arroyo Velázquez, Elsie Alvarado Rivera, et al.,

Respondents

REPLY IN SUPPORT OF APPLICATION FOR STAY PENDING FILING AND DISPOSITION OF PETITION FOR CERTIORARI

**Directed to the Honorable Stephen Breyer,
Justice of the Supreme Court of the United States and
Circuit Justice for the United States Court of Appeals for the First Circuit**

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REPLY IN SUPPORT OF APPLICATION FOR STAY PENDING FILING AND DISPOSITION OF PETITION FOR CERTIORARI

While the brief filed by respondent Catholic Employees Pension Trust aptly articulates additional reasons why the Application should be granted, the Response filed by the respondent Plaintiffs also confirms—albeit inadvertently—that same conclusion.

For example, the Response makes no effort to rebut the Applicants' showings (a) that they and, indeed, Puerto Rico's 2.5 million Catholics and many others, will suffer irreparable injury, and (b) that the Plaintiffs will suffer no injury, if the Puerto Rico Supreme Court's decision remains in effect. To be sure, the Response recounts the injuries to the Plaintiffs *if nothing is done* to protect their pensions. But the Response doesn't dispute that the Archdiocese of San Juan—where all three schools are located—has committed to abide by the decision of the intermediate Puerto Rico Court of Appeals, and pay its contribution to the Court, which will then pay the Plaintiffs' pensions, if the Court of Appeals' decision is allowed to go into effect. Nor does the Response dispute that that decision *will* go into effect if the Puerto Rico Supreme Court's decision is stayed. The Response is therefore unable to dispute that the requested stay will eliminate the Plaintiffs' own incremental harm—while also eliminating the harm to the Applicants and those they serve. As a result, in this case the "balance" of the equities is no balance at all: all the weight falls on the side of the stay.

The Response also fails to rebut the Applicants' showing that the first question identified in the Application—on the propriety of the majority's "reconfigur[ing]" the

Church's "internal and hierarchical ecclesiastical organization," App. A-28 (Rodriguez, J., dissenting)—is worthy of this Court's review. Instead, the Response attempts to rewrite the majority opinion as having embraced the idea—which Plaintiffs *disclaimed* below—that the "Church" subject to the majority's directive is really the worldwide Roman Catholic Church, headquartered in Rome, rather than the fictional Puerto Rico-wide entity that the opinion addressed. But this attempt to rewrite the majority opinion only reinforces the need for this Court's review—in part because it raises an additional certworthy issue about the proper application of the Foreign Sovereign Immunities Act to the worldwide Catholic Church.

Finally, the Response similarly fails to rebut the Applicants' showing that the second question presented—on the procedural requirements for attaching or seizing church-owned assets—likewise merits this Court's review and reversal. Indeed, the Response doesn't even cite this Court's decision in *Connecticut* v. *Doehr*, 501 U.S. 1, 4 (1991), much less attempt to address the Application's discussion of this point head-on. And the feeble, implicit distinctions suggested by the Response do not undermine the conclusion that this issue also satisfies the "reasonable probability" and "fair prospect" requirements for a stay.

I. Plaintiffs do not dispute the irreparable harm to Applicants or the millions of Puerto Ricans they serve, and Plaintiffs' own claims of irreparable injury are belied by the Court of Appeals' decision and the Archdiocese's unequivocal commitment to comply with it.

While agreeing that the core of the irreparable harm analysis is the harm to *Applicants*, *e.g. Hollingsworth* v. *Perry*, 558 U.S. 183, 190 (2010) (per curiam); the Response does not acknowledge or dispute the Application's showing (at 34–40) that the decision of the Puerto Rico Supreme Court will impose upon Applicants, other Catholic entities, and millions of Puerto Ricans irreparable harm, of five kinds:

- abridgment of religious exercise rights;
- abridgment of free speech rights;
- harm to public safety;
- permanent deprivation of assets; and
- potential homelessness of those who presently live on diocesan properties.

The Response mentions none of these harms, any one of which is sufficient to warrant a stay. Appl. 39. Moreover, as Respondent the Catholic Trust explains (at 10–11), the seizure of church assets would undercut donations to all the Applicants. These donations—the lifeblood of Applicants' operations—will be reduced if potential donors believe their contributions are likely to be seized by a government body and used for purposes that were not contemplated when the contributions were made.[1] This likely loss of donations is further irreparable harm.

1. The Response's only argument relevant to these harms is the claim (at 16) that the Seizure Order "in no way impedes the [Applicants] from contracting with

[1] Cf. Sahar Aziz, *The Laws on Providing Material Support to Terrorist Organizations: The Erosion of Constitutional Rights or a Legitimate Tool for Preventing Terrorism,* 9 Tex. J. on C.L. & C.R. 45, 92 n. 330 (2003) (describing the drastic decrease in charitable contributions by Muslims to Islamic organizations due to their fears of government prosecution).

third parties or holding property, because Puerto Rico authorities allow Church action to occur through any representative chosen by the Catholic Church." This is wrong. As explained in the affidavits submitted below by the Archbishop and Vicar General of the Archdiocese, in Puerto Rico the loss of what the law there calls "legal capacity" presents a serious risk that the entity so affected would not be allowed to enter contracts, hold property, or even open or hold a bank account. See App. K, L, M.

Moreover, the majority's legal ruling that all Puerto Rican Catholic entities must operate as representatives of the worldwide Catholic Church subjects all of those entities to enormous risks of litigation and, ultimately, liability, based on the actions of other Catholic entities. That too impedes the ability of those Catholic entities to enter contracts or get credit, since potential contract partners may well fear that these added liabilities will impede these entities' ability to perform on whatever contracts they might want to enter.

2. Having all but ignored the harm to Applicants, the Response makes a weak attempt to argue that a stay will harm the Plaintiffs. But the Response ignores two key points made repeatedly in the Application: First, if the preliminary injunction is enforced, those Plaintiffs that are still employees may lose their jobs (more valuable than their pensions) if the schools are forced to close due to a lack of funds.

Second, if the Puerto Rico Supreme Court's orders are stayed, the Court of Appeals' decision will go into effect. That decision will require the Archdiocese of San Juan—and the Archdiocese has committed—to pay its contributions to the trial court

so that it can then pay the pensions of the Plaintiffs. And this will be done without the multi-million-dollar security that Applicants lack the funds to pay—and, if they could somehow assemble the funds, would cripple them. Moreover, the Court of Appeals' opinion does not require the impermissible restructuring of the Catholic Church embraced by the Puerto Rico Supreme Court majority.

As the Application explains repeatedly (at 12–13, 39), the Archbishop stands ready to abide by the Court of Appeals' decision. Thus, granting the stay will *eliminate* the harms that Plaintiffs have alleged would otherwise flow from a stay.

Indeed, the Response accidentally concedes this point when it says (at 15) that the Plaintiffs "do not much care whether their pensions are paid by the Catholic Church or by a particular diocese." Thus, despite complaining (at 15) about the Archdiocese's non-compliance with the crippling seizure order, the Response ignores that the Plaintiffs will be paid what they are actually owed under their view of the plan's terms—but only if this Court grants the requested stay.

In sum, the Response has failed to dispute the Application's showing that (1) the Puerto Rico Supreme Court's decision will impose irreparable harm on the Applicants, and (2) the harms Plaintiffs allege are occurring to them will be abrogated if the stay is granted. They have thus failed to undermine the Application's showing that there is a likelihood of irreparable harm and that the balance of equities tips decidedly in favor of a stay

II. Plaintiffs' attempt to defend the veil-piercing aspect of the Puerto Rico Supreme Court's decision on alternative grounds runs headlong into the Foreign Sovereign Immunities Act, which itself raises an issue worthy of this Court's review.

The Response also fails to defend the "veil-piercing" aspect of the Puerto Rico Supreme Court majority's decision. As the dissenting Justice Rodriguez noted, by imagining a Puerto Rico-wide "Catholic Church" consisting of all six independent dioceses (including the Archdiocese), the majority improperly "reconfigure[ed]" the Church's "internal and hierarchical ecclesiastical organization …" Appl. App. A-28 (Rodriguez, J., dissenting). And the Response does not dispute that the creation of such an entity—and making it jointly and severally liable for the obligations of every Catholic entity on the island—would violate core principles of church autonomy, as reflected in decisions such as *Serbian Eastern Orthodox Diocese* v. *Milivojevich*, 426 U.S. 696, 709 (1976). Nor does the Response deny that, if that is what the majority has done, that decision richly warrants this Court's review and is likely to be reversed.

1. Instead of defending the majority's decision on its own terms, the Response tries to defend it on an alternative ground—and in the process attempts to rewrite the decision. The Response now apparently claims that the Puerto Rico Supreme Court has really mandated a judgment against not just the Dioceses, their Parishes, and other Catholic entities, but the *worldwide* Catholic Church. Not only does every page of the Response—excepting page 12—reference the Order as applying to "the Church" as a single entity, but numerous statements in the Response are difficult to interpret any other way.

Indeed, on page 2, the Response quotes with apparent approval the statement in a certificate of the Puerto Rico State Department that "the 'ROMAN CATHOLIC APOSTOLIC CHURCH' has its own legal personality *as it is a part of the Vatican state* …" And on pages 13–14, the Response argues that, if the organization of the various Catholic entities is as Applicants describe, and Applicants are "separate parties from the Catholic Church, there should be no reason to anticipate that any of the dioceses will be affected." The implicit explanation is that somehow only entities of the Catholic Church *outside* Puerto Rico will be affected.

But this attempt to defend the majority's conclusion does not help the Plaintiffs, for two reasons. *First*, it is flatly inconsistent with the Plaintiffs' own position in the Puerto Rico courts—specifically, their explanation as to why the FSIA does not apply. For example, in the Puerto Rico Court of Appeals, the Plaintiffs stated unequivocally:

> "The FSIA does not apply to this case. The respondent did not sue the Holy See or the Vatican State. The Complaint is against the Catholic Church *in the Island of Puerto Rico*. In the Complaint there are references to the Archdiocese of San Juan and Monsignor Roberto González Nieves, Archbishop of San Juan."

Reply App. A-25 (Spanish). In other words, consistent with the Puerto Rico Supreme Court majority, the Plaintiffs were alleging then that the entity against whom a judgment was sought was a distinct (albeit fictional) entity, "the Catholic Church in the Island of Puerto Rico," headed, in Plaintiffs' view, by the Archbishop. And it was through this fiction—also embraced by the majority—that the Plaintiffs were able to escape the requirements of the FSIA.

Now, however, Plaintiffs are faced with the reality that the majority has seized on the Plaintiffs' own fiction to "reconfigure" the Church's "internal and hierarchical ecclesiastical organization." Appl. App. A-28 (Rodriguez, J., dissenting). Having sold the majority on this fiction, Plaintiffs cannot now backpedal and claim there is no "reconfiguring" of the Church's organization because they were really suing the entire Catholic Church—headed by the Holy See in Rome—all along.

Second, even if this Court were to allow the Plaintiffs, through creative reinterpretation, to now defend the majority's decision on this alternative ground, that effort would raise an additional question that would also be worthy of this Court's review: whether a plaintiff in a U.S. court can avoid the requirements of the FSIA in a lawsuit against the worldwide Catholic Church, simply by adding the relevant U.S. jurisdiction (here, "in Puerto Rico") to the Church's name.

The FSIA specifies that "a foreign state shall be immune from the jurisdiction of the courts of the United States and of the States." 28 U.S.C. 1604. And the United States and several circuit decisions have long recognized the Holy See—the seat of the worldwide Roman Catholic Church—as a foreign state. See, *e.g.*, *Americans United for Separation of Church & State* v. *Reagan*, 786 F.2d 194, 197 (3d Cir. 1986) (noting that diplomatic relations between the United States and the Holy See began in 1984); *Doe* v. *Holy See*, 557 F.3d 1066, 1071 (9th Cir. 2009); *O'Bryan* v. *Holy See*, 556 F.3d 361, 373 (6th Cir. 2009); *Dale* v. *Colagiovanni*, 443 F.3d 425, 427 (5th Cir. 2006). Because none of FSIA's exceptions has been alleged or shown to apply, the Holy See—and hence the worldwide Roman Catholic Church—is immune from legal

action under these authorities. Those authorities thus conflict with the approach taken in the Response, which it now tries to attribute to the Puerto Rico Supreme Court majority.

In short, the Response's attempt to rewrite the Puerto Rico Supreme Court's decision is no reason to deny the forthcoming petition for certiorari, and no reason to deny the stay. To the contrary, that attempt merely highlights the implausibility of the majority's approach, and the consequent need for this Court's review.

2. The Response also cites this Court's decision in *Ponce* v. *Roman Catholic Church* and a few Puerto Rico Supreme Court cases in support of the theory that the worldwide Catholic Church routinely appears in Puerto Rico cases. That is incorrect.

For example, in *Ponce*, the reporter's background on the case explains that the "Roman Catholic Church in Porto Rico" brought a suit "*through the Bishop of that diocese* against the municipality of Ponce." *Ponce* v. *Roman Catholic Apostolic Church*, 210 U.S. 296, 297 (1908). In other words, the specific Catholic entity involved in the suit was the (then) Diocese of Puerto Rico. Contrary to the Response, the broader Catholic Church did not appear in the case. And contrary to the Puerto Rico Supreme Court majority, the Catholic entity appearing there was not some "uber-diocese" that would have authority over all the dioceses and other Catholic entities that would subsequently be created in Puerto Rico, but merely the one diocese that then existed.

So too in the other cases—exclusively from the Puerto Rico Supreme Court—cited in the Response. For example, the most recent case cited by Plaintiffs (at 1 n.2),

Asociación de Vecinos de Villa Caparra, Inc. v. *Iglesia Católica*, 117 P.R. Dec. 346 (1986) (Spanish), concerned an entity styled the Catholic Church *of Puerto Rico* and a local Catholic entity, the school and parish of San José of Villa Caparra. *Id.* at 349-50. There was no indication that the worldwide Catholic Church was a party, nor any indication that all Catholic entities in Puerto Rico were parties in that case.

To be sure, on some occasions, parties or counsel could have been more precise in defining who they are or represent. For example, some of the Applicants' prior attorneys in this case referred to themselves as representing the "Catholic Church" in some early proceedings in this case—but before the Fourth (and final) amended complaint. See Plaintiffs' Appendix A. However, they never filed an appearance on behalf of the "Roman Catholic Apostolic Church in Puerto Rico", the fictional entity created by the Puerto Rico Supreme Court. Nor did they purport to represent the Holy See or the other dioceses, only the Archdiocese of San Juan. In context, it was always clear that the attorneys were representing a specific Puerto Rico Catholic entity.

In any event, as the Archbishop explained below, neither he nor any other Catholic official in Puerto Rico has *authority* to represent the Holy See or the worldwide Catholic Church. See App. L-1–2. And even if they had that authority, the Plaintiffs could not maintain such a suit without complying with the FSIA, which they indisputably have not done.

3. In another apparent attempt to defend the majority's decision on alternative grounds, the Response claims (at 6) that "the Catholic Church did not present any

evidence as to its legal personality." But the Puerto Rico Supreme Court did not fault Applicants for any such failure, nor could it.

Moreover, several times during the proceedings below, the Applicants in fact demonstrated that (a) pursuant to Canon Law and papal directive, each diocese of the Church in Puerto Rico is a separate entity, and (b) there is no Puerto Rico-wide Catholic entity with authority to sue and be sued, or otherwise direct the Church's affairs there.[2] Moreover, based on the evidence presented in the trial court, the Court of Appeals issued a comprehensive decision properly explaining, recognizing and respecting the Church's internal organization. See Appl. App. F.

4. In another apparent attempt to defend the majority's decision on alternative grounds, the Response also claims (at 13) that this proceeding is an "untimely attack" on the Puerto Rico Supreme Court's July 18, 2017 decision, which held that a preliminary injunction was justified, and remanded to the trial court to determine

[2] The Response also attempts to contest this conclusion by offering (at 11) its own interpretation of "Church Law." But counsel's speculation about the proper interpretation of the Church's own law cannot trump the Archbishop's sworn declaration as to how that law is understood and applied within the Church.

Indeed, contrary to the newly-minted "ecclesiastical province" argument raised by the Response (at 11), the dioceses (including the Archdiocese) are the only entities that have legal personality, under Article 373 of Catholic Canon Law, allowing them to hold property, sue and be sued, etc. An ecclesiastical province lacks those powers and enjoys "juridical personality" only within the Church, not vis-à-vis civil law.

That said, this portion of the Response reconfirms that, to establish the identity of the responsible parties in this case, it is necessary to examine Catholic Canon Law, even though the Puerto Rico Supreme Court refused to do so and determined that it would not examine "papal bulls." Obviously, the Archbishop is qualified to opine on the proper meaning of Canon Law, and his opinions have not been contradicted by any other evidence.

the injunction's nature and scope. But in its most recent decision affirming the trial court's orders, the Puerto Rico Supreme Court did not rely upon any such procedural default.

In any event, as the Court of Appeals' decision illustrates, it was far from certain in July 2017 what kind of preliminary injunction would ultimately issue, or which entity or entities would be subject to it. For that and other reasons, the July 18, 2017, decision was not final, and therefore outside this Court's jurisdiction. See 28 U.S.C. 1258; *Cox Broadcasting Corp.* v. *Cohn*, 420 U.S. 469, 480 (1975). Applicants therefore could not have successfully petitioned for certiorari at that time.

5. Finally, like the Puerto Rico Supreme Court, Plaintiffs rely upon this Court's decision in *Jones* v. *Wolf*, 443 U.S. 595 (1979), claiming that this is a "neutral action." Response 15. But Plaintiffs do not respond to the Application's explanation that even neutral laws, when applied in a way that burdens a church's exercise of religion, are subject to strict scrutiny. See Appl. 32 & n.11 (citing *Hosanna-Tabor Evangelical Lutheran Church & Sch.* v. *EEOC*, 565 U.S. 171, 188 (2012); Oral Argument Transcript at 38. *Hosanna-Tabor Evangelical Lutheran Church & Sch.* v. *EEOC*, 565 U.S. 171 (2012) (Scalia, J.); *id.* at 57 (Kagan J.) (suggesting a distinction between institutional autonomy and individual conscience)). Moreover, even *Jones* holds that the determination of the relevant rights should occur "before the dispute erupts." 443 U.S. at 606.

Here, *Ponce* makes it clear that the Catholic Church has always had the authority to conduct its affairs in Puerto Rico using the organization it deems best.

210 U.S. at 323–324. The Catholic Church has done so by authorizing local dioceses to enter into contracts, with those dioceses—and only those entities—responsible for the contracts they create. The Response does not engage any of these problems with their reliance on *Jones*—all of which were raised in the application. Appl. 27—28, 32 & n. 11.

Contrary to the Response, moreover, the Applicants' position is not an effort to "be the judge of their own obligations," to "have their cake and eat it too" or to escape the obligations imposed on "any other private employer." Response 17-18. Without a showing necessary to pierce the relevant corporate veil or veils, no other "private employer" headquartered abroad could be subjected to suit and judgment in Puerto Rico based on the actions of a wholly owned subsidiary corporation. Similarly, no other "private employer" headquartered in Puerto Rico could be automatically subjected to judgment—and seizure of its assets—based upon an order issued against a separately incorporated sister company, based on a lawsuit served only on that company.

Under the church autonomy doctrine (and RFRA), and this Court's decision in *Ponce* recognizing the authority of the worldwide Catholic Church to organize itself in Puerto Rico as it sees fit, Puerto Rico courts are obliged to respect the self-adopted organization of the Catholic Church just as they would respect the self-adopted organization of a privately or publicly owned corporate family. As the trial court stated, the Puerto Rico Legislative Assembly has not approved any legislation establishing that the Catholic Church or its entities has to be incorporated in Puerto

Rico. Appl. App. I-5. Applicants seek no special favors. They are complying with the laws of the Commonwealth of Puerto Rico.

In short, the decision below—whether as written or as reinterpreted by the Plaintiffs—discriminates against the Catholic Church even as it violates fundamental church autonomy principles. It would expose every church that delegates to local entities the authority to enter contracts to full liability for the actions of those entities, irrespective of domicile, and irrespective of legal formalities. Regardless whether Plaintiffs' interpretation of the majority's decision is correct, this violation of church autonomy and RFRA assuredly satisfies the "reasonable probability" and "fair prospect" requirements. See Appl. 28.

III. Plaintiffs do not seriously dispute that the "provisional" remedy of seizing $4.7 million from any and all Catholic entities violates the legal standard for attaching or seizing assets, or that this issue satisfies the "reasonable probability" and "fair prospect" requirements.

The Response's attempts to dodge the second question identified in the Application fare no better. The Response does not even mention this question, much less dispute that it merits this Court's review and reversal. Nor does the Response even cite *Connecticut* v. *Doehr*, 501 U.S. 1, 4 (1991), or *United States* v. *James Daniel Good Real Prop.*, 510 U.S. 43, 61 (1993), which, as explained in the Application (at 29–32), hold that a court may not authorize prejudgment attachment against an entity without notice, bond, or a hearing. The Response also ignores the Application's showing (at 32–34) that, even without *Doehr*, the strict scrutiny required by both the Free Exercise Clause and RFRA require notice, a hearing, and a bond when the assets of a religious entity are threatened.

1. Instead, the Response suggests, albeit only implicitly, that *Doehr* is distinguishable on factual grounds. The Response thus attempts (at 8) to reframe the relief imposed below—i.e., an order requiring Applicants to pay $4.7 million or have all their property seized—as "not ordered as a *provisional* remedy to secure an eventual judgment, but rather under the Puerto Rico Court of First Instance's civil contempt power." The Response thus apparently claims that, because this is supposedly a contempt proceeding, *Doehr* does not apply.

But here again, the Response's reframing of the lower courts' decisions does not hold up to examination. The majority opinion of the Puerto Rico Supreme Court does not rely upon the courts' contempt power, but rather upon its authority to issue preliminary injunctions—also termed "interim measure[s]." See Appl. App. A-21-23; E-2; F-45. Moreover, the trial court's March 26 and March 27 orders only mention contempt in the context of a *threat* of contempt, one that the Sheriff was authorized to make to *third parties*. Appl. App. G-2. These orders do not hold Applicants or the Catholic Church in contempt. See Appl. App. G, H. And if either Applicants or the Catholic Church were already in contempt in March, Plaintiffs would have had no need—as the Puerto Rico Supreme Court put it—to later "request[] that the Catholic Church be found in contempt" on *June 1*. Appl. App. A-34–35.

In short, nothing in the record suggests that the trial court's orders or the majority opinion held Applicants in contempt. Indeed, most of the Applicants, the five Dioceses, had not even filed petitions for intervention when the March 26 and 27 orders were issued. And, as the Response elsewhere admits (at 4), the July 18, 2017

proceedings concerned a preliminary injunction "pending final disposition of all claims in the case."

The Response also runs headlong into several explicit portions of the majority's analysis. For example, the majority's discussion of whether a bond was required necessitated that the court conclude that the payments were "[a] provisional remedy," Appl. App. A-21. If it had concluded that the Seizure Orders were not a provisional remedy, the Puerto Rico Supreme Court's analysis of Puerto Rico Rule of Civil Procedure 56.3 would have made no sense. *Ibid.* And if this wasn't clear enough, the Court pointed out on the next page—A-22—that its mandated order was a "preliminary injunction [with] the objective of maintaining the status quo while the case is being resolved." (citation omitted).

2. The Response also implicitly suggests that all the Dioceses had personal notice and an opportunity to be heard. The Response claims either that Applicants were "aware" of the case, *e.g.* Response 6, or that they were represented by the Catholic Church, *e.g.* Response 9 ("the different dioceses and parishes in Puerto Rico were not separate from the Catholic Church, but rather, part of the Church."). But the second alternative merely highlights the importance of this Court's review of the first question identified in the Application—which is focused on the majority's veil-piercing holding. And the first allegation highlights the importance of granting review on the second question identified in the Application: Merely being aware of the potential for a ruling is simply not the same as having notice, a hearing, and a bond based on a concrete proposed attachment or seizure, as required by *Doehr*.

In any event, before the March 16 and March 26 orders of the trial court, *none* of the applicants was aware that a $4.7 million "interim" attachment and seizure order might be entered against them. Neither the Plaintiffs nor any court had previously suggested such an interim remedy. Indeed, neither the trial court nor the Puerto Rico Supreme Court has ever specified *which* of the independent Applicants is required to contribute to the $4.7 million security, or in what amounts. And those too are independent violations of *Doehr*'s notice requirement.

In short, the Response does nothing to undercut Applicants' showing that the second question identified in the Application satisfies the "reasonable probability" and "fair prospect" requirements.

CONCLUSION

Analysis of the Response reconfirms that the requirements for a stay are met here. Moreover, without a stay, the mandate of the Puerto Rico Supreme Court will issue, and all the assets of all Catholic entities in Puerto Rico will be subject to seizure, on the morning of Monday, June 25.

For these reasons, and all those explained in the Application, a stay should be granted. Applicants also respectfully suggest that a decision granting the stay by 5pm on Friday, June 22 would give them adequate time to inform the Puerto Rico courts that they are forbidden from seizing the assets of Catholic entities in Puerto Rico.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2018, I caused to be sent by United States mail as well as email a copy of the foregoing to the following counsel of record:

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