

In the Supreme Court of the United States

Roman Catholic Archdiocese of San Juan, Puerto Rico,
Petitioner,

v.

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

**APPENDIX TO
EMERGENCY APPLICATION FOR STAY OF THE JUDGMENT OF THE
PUERTO RICO COURT OF FIRST INSTANCE
PENDING APPEAL AND 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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August 28, 2018

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APPENDIX A

COMMONWEALTH OF PUERTO RICO
COURT OF FIRST INSTANCE
SUPERIOR COURT OF SAN JUAN

YALÍ ACEVEDO FELICIANO, JOHN A.
WILLIAMS BERMÚDEZ, and the
Community of Marital Property Between
them, *et al.*

Plaintiffs;

v .

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., represented by MONSIGNOR
ROBERTO GONZÁLEZ NIEVES in his
capacity as Archbishop of San Juan *et al.*,

Defendants.

CIVIL NO. SJ2016CV00131

COURTROOM: 904

RE: CEASE AND DESIST ORDER
AND/OR INJUNCTION;
DECLARATORY JUDGMENT;
PERFORMANCE OF CONTRACT,
ESTOPPEL BY DEED, AND DAMAGES.

SONIA ARROYO VELAZQUEZ, JESÚS M.
FRANCO VILLAFANE and the Community
of Marital Property Between them, *et al.*,

Plaintiffs;

v .

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., represented by MONSIGNOR
ROBERTO GONZÁLEZ NIEVES in his
capacity as Archbishop of San Juan *et al.*,

Defendants

CIVIL NO. SJ2016CV00143

COURTROOM: 904

RE: CEASE AND DESIST ORDER
AND/OR INJUNCTION;
DECLARATORY JUDGMENT;
PERFORMANCE OF CONTRACT,
ESTOPPEL BY DEED, AND DAMAGES.

ELSIE ALVARADO RIVERA, ISIDORO
HERNÁNDEZ, and the Community of
Marital Property Between them, *et al.*,

Plaintiffs;

V .

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., represented by MONSIGNOR
ROBERTO GONZÁLEZ NIEVES in his
capacity as Archbishop of San Juan *et al.*,

Defendants

CIVIL NO. SJ2016CV00156

COURTROOM: 904

RE: CEASE AND DESIST ORDER
AND/OR INJUNCTION; DECLARATORY
JUDGMENT; PERFORMANCE OF
CONTRACT, ESTOPPEL BY DEED, AND
DAMAGES.

ORDER

We received the mandate from the Court of Appeals this afternoon. As there are no
pending appellate proceedings, we, once again, continue the course of action in this

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I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate
translation, to the best of my abilities, of the document in Spanish which I have seen.

SJ2016CV00131

2

case.

On March 27, 2018 we issued an order to the Marshal of this Court so that he might proceed with the seizure of property and monies of the Santa Iglesia Católica Apostólica in the amount of \$4,700,000 for the payment of the plaintiffs' pensions including bonds, securities, motor vehicles, works of art, equipment, furniture, accounts, real estate property, and any other property belonging to the Santa Iglesia Católica Apostólica y Romana and any of its branches that is located in Puerto Rico.

Due to several appellate processes, the order was stayed and for this reason was never enforced. As we have received the mandate, we order the Office of the Marshals of this Court to immediately, and without further delay, proceed to comply strictly with and enforce the seizure order issued on March 27, 2018.

Give notice hereof,

In San Juan, Puerto Rico on August 20, 2018.

Sgd. ANTHONY CUEVAS RAMOS
SUPERIOR COURT JUDGE



I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

APPENDIX B

COMMONWEALTH OF PUERTO RICO
COURT OF FIRST INSTANCE
SUPERIOR COURT OF SAN JUAN

<p>YALÍ ACEVEDO FELICIANO, JOHN A. WILLIAMS BERMÚDEZ, and the Community of Marital Property Between them, <i>et al.</i></p> <p>Plaintiffs;</p> <p>v.</p> <p>LA SANTA IGLESIA CATÓLICA APOSTÓLICA EN LA ISLA DE PUERTO RICO, INC., represented by MONSIGNOR ROBERTO GONZÁLEZ NIEVES in his capacity as Archbishop of San Juan <i>et al.</i>,</p> <p>Defendants.</p>	<p>CIVIL NO. SJ2016CV00131</p> <p>COURTROOM: 904</p> <p>RE: CEASE AND DESIST ORDER AND/OR INJUNCTION; DECLARATORY JUDGMENT; PERFORMANCE OF CONTRACT, ESTOPPEL BY DEED; DAMAGES.</p>
<p>SONIA ARROYO VELÁZQUEZ, JESÚS M. FRANCO VILLAFANE and the Community of Marital Property Between them, <i>et al.</i>,</p> <p>Plaintiffs;</p> <p>v.</p> <p>LA SANTA IGLESIA CATÓLICA APOSTÓLICA EN LA ISLA DE PUERTO RICO, INC., represented by MONSIGNOR ROBERTO GONZÁLEZ NIEVES in his capacity as Archbishop of San Juan <i>et al.</i>,</p> <p>Defendants.</p>	<p>CIVIL NO. SJ2016CV00143</p> <p>COURTROOM: 904</p> <p>RE: CEASE AND DESIST ORDER AND/OR INJUNCTION; DECLARATORY JUDGMENT; PERFORMANCE OF CONTRACT, ESTOPPEL BY DEED; DAMAGES.</p>
<p>ELSIE ALVARADO RIVERA, ISIDORO HERNÁNDEZ, and the Community of Marital Property Between them, <i>et al.</i>,</p> <p>Plaintiffs;</p> <p>v.</p> <p>LA SANTA IGLESIA CATÓLICA APOSTÓLICA EN LA ISLA DE PUERTO RICO, INC., represented by MONSIGNOR ROBERTO GONZÁLEZ NIEVES in his capacity as Archbishop of San Juan <i>et al.</i>,</p> <p>Defendants.</p>	<p>CIVIL NO. SJ2016CV00156</p> <p>COURTROOM: 904</p> <p>RE: CEASE AND DESIST ORDER AND/OR INJUNCTION; DECLARATORY JUDGMENT; PERFORMANCE OF CONTRACT, ESTOPPEL BY DEED; DAMAGES.</p>

AMENDED ORDER

Having reviewed the request filed by Plaintiffs to order the seizure of the Iglesia Católica funds to ensure payment of the pensions of the Plaintiffs-Employees', it is hereby Granted.

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I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

In this case, by way of a judgment issued July 18, 2017, the Supreme Court of Puerto Rico ruled that plaintiffs are suffering irreparable harm due to the suspension of their pension payments.

Thus, we hereby order the Marshall of this Court to proceed to seize assets and moneys from the Holy Apostolic and Roman Catholic Church and/or the Roman Catholic Church in Puerto Rico, in the amount of \$4,700,000 to answer for the payment of the Plaintiffs' pensions, including bonds, securities, motor vehicles, works of art, equipment, furniture, accounts, real estate property, and any other property belonging to the Santa Iglesia Católica Apostólica y Romana and/or Roman Catholic Church in Puerto Rico and any of its branches that are located in Puerto Rico.

Should any amount of money be seized, including wages or benefits, or movable property that is in the possession, deposit with or in the custody of third parties, we hereby order that the Marshall carry out such seizure by giving notice of a copy of this Order to said third parties thus requiring them to immediately deliver said assets or, in case their immediate delivery is impossible, retain them until they can be consigned to the Court they being unable, under penalty of contempt, to deliver these neither to the defendants nor any other natural or legal person other than the Marshall until the Court has provided otherwise. In the case of real estate property, the seizure will be made through an annotation in the Property Registry and giving notice thereof to the defendant.

The Marshall is further ordered and authorized, to, if the place, establishment, or site where the goods to be seized are located were closed, take the necessary measures (such as opening doors, breaking locks or forcing entry to the referred place or establishment) so that the seizure is not rendered futile or ineffective.

This Order may be enforced by night or day, anywhere in Puerto Rico where there are assets belonging to the Santa Iglesia Católica Apostólica y Romana and/or Roman Catholic Church in Puerto Rico. To that end, the Marshall is authorized to move outside the Judicial District for the enforcement thereof. The Marshall is further ordered and authorized, to, if the place, establishment, or site where the goods to be seized are located were closed, take the necessary measures (such as opening doors, breaking locks or forcing entry to the referred place or establishment) so that the seizure is not rendered futile or ineffective.

The Order is issued without bond, in accordance with Rule 56.3 of Civil Procedure, since the plaintiffs have already prevailed by way of a final and unappealable judgment of the Supreme Court and since it has been established that the obligation to pay arises from a public document prepared by the defendants themselves.

The Office of the Clerk shall issue, with no further order, all mandates that may be necessary to give faithful compliance to what has been ordered herein.

In San Juan, Puerto Rico on March 27, 2018, amended on August 22, 2018.

Give notice hereof.

Sgd. ANTHONY CUEVAS RAMOS
SUPERIOR COURT JUDGE

COMMONWEALTH OF PUERTO RICO
COURT OF FIRST INSTANCE
SAN JUAN PART

YALÍ ACEVEDO FELICIANO,
JOHN A. WILLIAMS BERMUDEZ
and their Conjugal Partnership, *et als*

Plaintiffs;

v .

THE HOLY CATHOLIC
APOSTOLIC CHURCH IN THE
ISLAND OF PUERTO RICO, INC.
represented by MONSIGNOR
ROBERTO GONZALEZ NIEVES in
his capacity of Archbishop of San
Juan, *et als*,

Defendants

CIVIL NO. SJ2016CV0131

COURTROOM: 904

RE: CEASE AND DESIST ORDER
AND/OR INJUNCTION,
DECLARATORY JUDGMENT,
COMPLIANCE WITH CONTRACT,
ESTOPPEL BY CONDUCT;
TORTS.

SONIA ARROYO VELAZQUEZ,
JESUS M. FRANCO VILLAFANE
and their Conjugal Partnership, *et als*

Plaintiffs;

v .

THE HOLY CATHOLIC
APOSTOLIC CHURCH IN THE
ISLAND OF PUERTO RICO, INC.,
represented by MONSIGNOR
ROBERTO GONZALEZ NIEVES in
his capacity of Archbishop of San
Juan, *et als*,

Defendants.

CIVIL NO. SJ2016CV00143

COURTROOM: 904

RE: CEASE AND DESIST ORDER
AND/OR INJUNCTION,
DECLARATORY JUDGMENT,
COMPLIANCE WITH CONTRACT,
ESTOPPEL BY CONDUCT;
TORTS.

ELSIE ALVARADO RIVERA,
ISIDORO HERNANDEZ and their
Conjugal Partnership *et als*,

Plaintiffs;

V .

THE CATHOLIC APOSTOLIC
CHURCH IN THE ISLAND OF
PUERTO RICO, INC., represented by
MONSIGNOR ROBERTO
GONZALEZ NIEVES in his capacity
of Archbishop of San Juan, *et als*,

Defendants.

CIVIL NO. SJ2016CV00156

COURTROOM: 904

RE: CEASE AND DESIST ORDER
AND/OR INJUNCTION,
DECLARATORY JUDGMENT,
COMPLIANCE WITH CONTRACT,
ESTOPPEL BY CONDUCT; TORTS

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I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

ORDER

I.

Yesterday afternoon, August 21, 2018, during the execution of the seizure, initially issued on March 27, 2018, the Marshalls performing the aforementioned execution were informed that the official name of the defendant, initially identified as the Holy Catholic, Apostolic and Roman Church in Puerto Rico, is Roman Catholic Church in Puerto Rico.¹

It should be noted that, from the date of the filing of the Complaint in this case, back on June 6, 2016, Plaintiff has identified the co-defendant with the name of the Holy Catholic, Apostolic and Roman Church in Puerto Rico. Under this name, the present lawsuit has continued its course through various appellate forums, both state and federal. That party has actively participated appearing in the writings under the name indicated above. During the past two years of litigation in the present case, the co-defendant Holy Catholic, Apostolic and Roman Church in Puerto Rico, has allowed the entire judicial process to continue and be kept under the impression that the identification of the name used at the beginning is the correct one.

This Court became aware not only that the correct name of the co-defendant is Roman Catholic Church in Puerto Rico, but that said co-defendant has given specific instructions to the Bank with an intention to hinder and/or delay the execution of any seizure. The mechanism used for such obstruction is the letter issued on August 2, 2018, which we attach to this Order.

Wherefore, it is necessary to amend the Seizure Order, issued on March 27, 2018, to include the aforementioned official name. In view of the foregoing, we proceed to issue a new Amended Seizure Order addressed to the Holy Catholic, Apostolic and Roman Church in Puerto Rico, and to the Roman Catholic Church in Puerto Rico, which identity of persons is the same.

II.

¹ The Marshalls told us that an unidentified person gave them a letter issued on August 2, 2018 by the Archdiocese of San Juan of Puerto Rico addressed to Scotiabank, through which, among other matters, it indicated that its official name, according to the Internal Revenue Service (IRS) is Roman Catholic Church in Puerto Rico. For purposes of this Order, we attach the aforementioned letter.

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

ORDER

In accordance with the foregoing, this Order is issued, and, as consequently, the Seizure Order is amended to be addressed to the Holy Catholic, Apostolic and Roman Church in Puerto Rico and/or to the Roman Catholic Church in Puerto Rico.

NOTIFY,

In San Juan, Puerto Rico, on August 22, 2018.

s/ ANTHONY CUEVAS RAMOS
SUPERIOR JUDGE



I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.



Arzobispado de San Juan de Puerto Rico

Vicario General y Moderador de la Curia

*P.O. Box 9021967
San Juan, Puerto Rico 00902-1967
Phone (787) 727-737*

AMENDED LETTER

August 2, 2018

Scotiabank
Legal Division
P.O. Box 362230
San Juan, Puerto Rico 00936-2230

Dear Sirs:

Receive Greetings of Peace and Wellbeing!

The Archdiocese of San Juan of Puerto Rico maintains a close banking relationship with Scotiabank. With this communication it is our intention to clarify the following:

1. Our official name according to the Internal Revenue Service (IRS) under the employer identification number 660-198351 is Roman Catholic Church in Puerto Rico.
2. As the population of Puerto Rico has grown over the years, the Holy See has established territorial divisions in our Ecclesiastical Province that at the moment are:
 - a. Archdiocese of San Juan (Roman Catholic Church in Puerto Rico),
 - b. Diocese of Ponce,
 - c. Diocese of Mayagüez
 - d. Diocese of Fajardo-Humacao,
 - e. Diocese of Caguas and
 - f. Diocese of Arecibo.
3. The Archdiocese of San Juan and the other dioceses are independent entities with individual legal personality.
4. Within the territories included in the Archdiocese and each of the five dioceses there are Parishes, Colleges, Corporations and Trusts. These are also independent of each other and enjoy individual legal status with their own Employer Identification Numbers.
5. The legal name of the Archdiocese of San Juan is **NOT the Catholic Apostolic and Roman Church in Puerto Rico** or any other name indicated above and should not be confused in any way.
6. We advise that if this Financial Institution proceeds to execute any seizure without consulting the aforementioned, we will be forced to appeal to the legal forums.

We hope that this information will be useful, and we ask that if you have any questions please contact our legal counsel, Mr. Pedro A. Busó García from the Schuster Aguiló LLC-Littler Global Law Firm, Tel: (787) 765-4646.

Sincerely,

Father Alberto Figueroa Morales
General Vicar / Curia Moderator

C: Ms. Sandra Rodriguez Guardarrama

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

Archbishop's delegate for Economic Affairs

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

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APPENDIX C

COMMONWEALTH OF PUERTO RICO
IN THE SUPREME COURT OF PUERTO RICO

YALÍ ACEVEDO FELICIANO, Y OTROS,

Plaintiffs-Appellants,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, Y OTROS,

Defendants-Appellee.

SONIA ARROYO VELÁZQUEZ, Y
OTROS,

Plaintiffs-Appellants,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, Y OTROS,

Defendants-Appellee.

ELSIE ALVARADO RIVERA, Y OTROS,

Plaintiffs-Appellants,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, Y OTROS,

Defendants-Appellee.

CASE NO.: CC-2018-0475

RE: *CERTIORARI* (from Circuit Court of
Appeals, Case No. KLCE 2018-00413)

18 AUG 24 PM 3:39
TRIBUNAL SUPLENTE
SECRETARÍA

EMERGENCY STAY APPLICATION

TO THE HONORABLE COURT:

COME NOW co-defendants Archdiocese of San Juan and Superintendence of Catholic
Schools from the Archdiocese of San Juan (hereinafter “Archdiocese of San Juan”), through its
undersigned legal representatives, and respectfully STATE and PRAY:

INTRODUCTION

1. Pursuant to this Court's Rule 45(e), Applicants respectfully request that this Court recall its mandate of August 20, 2018, and then stay that mandate as well as the Court of First Instance's Order of August 20, 2018 and its Amended Order of August 22, 2018, pending disposition of Applicants' forthcoming petition to the Supreme Court of the United States.

2. The various orders in this case calling for or implementing the seizure of assets owned by various instrumentalities of the Catholic Faith (collectively, the "Seizure Orders") are out of harmony with the federal constitution, federal statutes, and the 1898 Treaty of Paris. By ignoring or sidestepping all these authorities in order to provide relief to the Plaintiffs, this Court and the Court of First Instance have made it likely that the U.S. Supreme Court will need to intervene and reverse the Seizure Orders. Given the ongoing and permanent harm to the Archdiocese and several parishes—and the inevitable additional harm to any other Catholic entity from which the Marshal seizes assets—the Seizure Orders should be stayed pending a petition for writ of certiorari.

3. The amount of assets already seized is greater than what the Plaintiffs originally requested. There is no basis for continuing to seize assets. Indeed, the harms to the Applicants cannot possibly be justified: Because the Court of First Instance has already seized enough assets to secure any ultimate victory for the Plaintiffs, any further deprivation of assets will only harm defendants, disabling their religious mission by removing needed assets for an indefinite—and, more likely, permanent—period.

4. Indeed, as a direct result of the seizures that have already occurred, 75 families now face a week without paychecks because the Archdiocese has been deprived of funds needed to pay its (majority female) workforce. Many of these families are in poverty. And similar consequences are rippling across the Archdiocese's parishes as their assets are seized.

5. If this Application is denied, Defendants will have no choice but to seek a stay from the Supreme Court of the United States. As this application is brought in fulfillment of U.S. Supreme Court Rule 23.3, Defendants request a definitive ruling by Monday, August 27, at 11 am. A failure to act on the Application by that time will be considered a denial.

6. As explained below, this case presents five issues that are ripe for review by the Supreme Court of the United States.¹ Applicants have a reasonable probability of obtaining Supreme Court review, and a fair prospect of reversal, on each of those issues.

A. By allowing the orders issued during removal to stand, this Court and the Court of First Instance have violated 28 U.S.C. 1446, as every other appellate court to consider this issue has recognized.

7. First, this Court and the Court of First Instance have violated the federal removal statute, which states that:

Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such State court, which shall effect removal and *the State court shall proceed no further unless and until the case is remanded.*

28 U.S.C. 1446 (emphasis added).

8. Numerous courts have recognized that this statute forbids any substantive action in state or territorial courts after a removal to federal court and before remand. For example, in *Hyde Park Partners, L.P. v. Connolly*, Judge Coffin, joined by Judge Bownes and then-Judge Breyer, interpreted this statute. 839 F.2d 837 (1st Cir. 1988). That panel concluded a state court order enacted after removal “was a nullity anyway, *with or without [an] order against further [state] proceedings.*” *Id.* at 842. In doing so, the panel quoted another opinion by Justice Coffin and joined by Justice Breyer, which held that the same was true for Puerto Rico courts: “any action taken by the Puerto Rico court after removal was effected was a nullity anyway, with or without [an] order against further proceedings.” *Polyplastics, Inc. v. Transconex, Inc.*, 713 F.2d 875, 880 (1st Cir. 1983).

9. *Hyde Park Partners* further explained that “the state court had a ‘*duty ... to proceed no further in the cause. Every order thereafter made in that court was *coram non judice*, unless its jurisdiction was actually restored.*’” 839 F.2d at 842 (emphasis added). *Hyde Park Partners* thus rejected the argument that proceedings occurring outside the federal district court—there, amending the complaint in state court—can restore jurisdiction to the state court before remand is issued.

¹ This request for a Stay Application is different than previous motions presented and is filed after assets have been seized.

10. This Court has neither treated the orders as nullities nor made any efforts to stay proceedings until remand. This case was removed to federal court on February 6, and was still removed on March 26, March 27, June 11, and the morning of August 20, when the core opinions, orders, and mandates connected with the Seizure Orders were issued. Under First Circuit law, those decisions “[were] a nullity anyway, with or without” a district court “order against further proceedings.”

11. Many other courts across the United States of America have held the same. See *Maseda v. Honda Motor Co.*, 861 F.2d 1248, 1254 (11th Cir. 1988) (“Hence, after removal, the jurisdiction of the state court absolutely ceases and the state court has a duty not to proceed any further in the case.”); *South Carolina v. Moore* 447 F.2d 1067, 1072–1073 (4th Cir. 1971) (holding any continuing proceedings in state court are void); *Lowe v. Jacobs*, 243 F.2d 432, 433 (5th Cir. 1957) (“[T]he state court now loses all jurisdiction after compliance with the removal statute, until there has been a remand.”); *Hopson v. N. Am. Ins. Co.*, 233 P.2d 799, 802 (Idaho 1951) (“Congress has thereby expressly effected the removal of the cause to the Federal Court irrespective of the ultimate determination of the question as to whether or not it is removable; it is not thereafter in the State court for any purpose until and unless the cause is remanded; for that reason the State court is expressly prohibited from proceeding further until and unless it is so remanded[.]”); *Schuchman v. State*, 236 N.E.2d 830, 833 (Ind. 1968) (“In any event, the state court in this case had lost jurisdiction when it commenced the trial of this cause. This is not affected by the fact that the cause was subsequently remanded.”).

12. This Court and the Court of First Instance have violated their “duty” under the federal removal statute to refrain from action during removal. Because of this violation of federal law in a case of great consequence to both Plaintiffs and Applicants, the Supreme Court is likely to hear this case, and reverse.

13. Letting the Seizure Order continue does not benefit Plaintiffs beyond what they have requested. On the other hand, staying the case pending a petition for certiorari will allow resolution of this important question in an orderly manner.

B. The Seizure Orders violate the Treaty of Paris.

14. In addition to violating the removal statute, this Court and the Court of First Instance have also violated the 1898 Treaty of Paris.

15. In that Treaty, Spain and the United States agreed that the “relinquishment or cession” of Puerto Rico “cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of ... ecclesiastical or civic bodies ...” in Puerto Rico. 1898 Treaty of Paris, Art. 8, ¶ 2. Thus, any property rights the Catholic Church and Catholic entities in Puerto Rico had under Spanish law at the time of the Treaty continue to be rights granted them under federal law. And the Supreme Court in *Ponce v. Roman Catholic Apostolic Church* took judicial notice of the relevant Spanish law, recognizing that that law was no longer foreign law (and was hence domestic law) to the extent it affected what the Court called “insular possessions”—territories like Puerto Rico. 210 U.S. at 309. And *Ponce* specifically recognized the “corporate existence” of Catholic entities in Puerto Rico. *Id.* at 318.

16. As the Treaty of Paris and *Ponce* explain, the relevant parts of the Spanish law when the Treaty was signed are now domestic law.

17. At the time of the Treaty, moreover, Spanish law gave power to the Roman Catholic Church to give legal status to its own institutions. Under Catholic Canon law, if a country’s laws allow it, Catholic dioceses become legal entities upon creation by the Vatican. See Code of Canon Law at 373, 393. Exhibit 1.

18. At the time of the Treaty, moreover, Spanish law provided for such recognition by the central Catholic Church. For example, Article 40 of the 1851 Concordat between Spain and the Catholic Church gave the church “the right to acquire property by any legitimate means” and provided that “its property, in everything that it currently owns and acquires will be solemnly respected.” Article 4 of the same Concordat established that “[i]n all other matters pertaining to the right and exercise of ecclesiastical authority and the ministry of the holy orders, the bishops and the clergy subordinate to them shall enjoy the full freedom established by the sacred canons.” See also Exhibit 1. And the 1859 Concordat affirmed “in no uncertain terms a bishop’s canonical authority to directly govern and administer his respective diocese, autonomously from all other dioceses.” *Id.* at 3; see also Articles IV, VI, VII, XII, XV and XVI of the 1859 Concordat between the Holy See and the Spanish Crown. These concordats established that Spanish Law deferred to the Canons, which create separate legal entities for each Diocese.

19. Taken together, these documents establish that in 1898 the Catholic Church had the right to transfer property to the Bishops and the Dioceses directly, to create new dioceses (and divide old ones), and to grant each diocese independent legal status under Spanish law.

20. The individual dioceses in Puerto Rico have acted in reliance on this line of well-established precedent. Not only have they conducted business—organized schools, bought property, hired employees, and done other things that require legal status—but they have participated in numerous suits individually and not through any other Catholic institution. See, e.g., *Diócesis de Arecibo v. Secretario de Justicia*, 191 D. P. R. 292 (P.R. 2014).

21. By treating all Catholic entities as one—and thus subjecting all Catholic entities to the Seizure—this Court and the Court of First Instance have violated the protections given to the Church by the Treaty of Paris.

22. This Court should stay the Seizure while the Supreme Court considers whether to grant certiorari on this issue. The question is of immense importance to every Catholic entity in Puerto Rico. Without legal personality under the Treaty of Paris or any other source, Catholic entities' ability to contract is severely burdened. Without legal personality, each Diocese will be unable to create schools, which serve thousands of children, to make payroll if its assets are seized, or to provide ongoing relief from Hurricane Maria to all 3.3 million residents of Puerto Rico.

23. Such damage has already occurred with respect to the 75 families that are no longer receiving paychecks because of the Seizure—many of the families, again, headed by poor women who lack savings to compensate for this loss. See Exhibit 2. Absent a stay, the damage will continue.

C. The Seizure Orders violate the First Amendment and RFRA.

24. As explained to this Court previously, the Seizure Orders contradict the settled First Amendment rule—rooted in the Free Exercise and Establishment Clauses—that “civil courts shall not disturb the decisions of the highest ecclesiastical tribunal within a church of hierarchical polity.” *Serbian Eastern Orthodox Diocese v. Milivojevich*, 426 U.S. 696, 709 (1976). Rather, courts “must accept such decisions as binding on them, in their application to the religious issues of doctrine or polity before them.” *Ibid*. These principles apply not just in disputes over doctrine and “the control of church policy,” but also in disputes over churches’ “*structure* and administration.” *Ibid* (emphasis added).

25. Like the Illinois Supreme Court in *Milivojevich*, this Court has improperly resolved a “quintessentially religious controvers[y]”—namely, the proper “structure” of the Roman Catholic Church in Puerto Rico—in a way contrary to the Church’s own decisions. Indeed, the core of the Seizure Orders is a reformulation of the Catholic Church’s “structure and

administration,” one that invents out of whole cloth a single Catholic juridical entity covering all of Puerto Rico. That order further rejects the legal organization of the schools, the parishes, and the Dioceses in order to graft them all into the made-up Roman Catholic entity.

26. This creation of a new church structure thus transforms a claim against three schools (and their home parishes) into a claim against every Catholic entity in the Archdiocese and, indeed, in the entire Commonwealth. Such an intrusion upon—indeed, a wholesale reorganization of—the internal governance of any religious entity falls well beyond the competence or legitimate authority of any court subject to the Constitution of the United States. For this reason as well, the case should be stayed pending a petition for certiorari.

27. For many of the same reasons, the orders of this Court violate the Religious Freedom Restoration Act (RFRA). Under RFRA, governmental entities—including Puerto Rican courts—may not substantially burden a religious organization’s exercise of religion unless they demonstrate that there is a compelling interest in burdening the organization and that the order is the least restrictive means of doing so. 42 U.S.C. § 2000bb-1; *id.* at 2000bb-2(2) (applicability to Puerto Rico); see also, *e.g.*, *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal*, 546 U.S. 418, 430 (2006).

28. Given the obvious burden now placed on the Applicants—having their funds and other property seized—there is a reasonable probability the Supreme Court will grant certiorari. There is also at least a fair prospect the Supreme Court will conclude that this Court and the Court of First Instance lacked a compelling interest in disregarding the Church’s own chosen structure, and in ordering a seizure of far more assets than requested by the Plaintiffs.

D. The Seizure Orders violate the Due Process Clause.

29. As previously explained—but ignored by this Court—the Seizure Orders conflict with the Supreme Court’s decision in *Connecticut v. Doehr*, 501 U.S. 1, 4 (1991), which held that notice, a hearing, and a bond are all required for a court to attach—much less seize—an entity’s assets to secure payment of a possible future judgment. The Seizure Orders were issued without notice to most of the Dioceses, without any opportunity for them to be heard, and without a bond protecting *any* of the Dioceses and their constituent parishes against the risk of loss entailed by those orders—including the obvious risk of ongoing pension payments to individuals who will not be able to repay them if their claims prove unjustified.

30. Aside from this devastating impact, property owned by the Dioceses is also home to dozens of students, priests, nuns and some individuals who would otherwise be homeless. Under the Seizure Orders, these individuals' homes may be seized at any moment, creating a risk that these individuals will be displaced. As noted, such actions—which affect “the security and privacy of the home and those who take shelter within it,” *James Daniel Good Real Prop.*, 510 U.S. at 61, require even greater scrutiny.

31. Given that the Seizure orders clearly conflict with *Doehr*, there is a reasonable probability the Supreme Court will grant certiorari and a fair prospect of reversal. Given this, a stay is needed to allow the Supreme Court to adjudicate this case.

E. The Court of First Instance's recklessness in failing to provide notice or a hearing before adding the Archdiocese to the Seizure Orders also violates due process.

32. On remand, the Court of First Instance has violated the Due Process Clause of the Constitution by specifically adding the Archdiocese to the Seizure Orders without notice or a hearing. That action was based on that court's erroneous conclusion—in an *ex parte* proceeding that occurred without notice or a hearing—that the Archdiocese had somehow attempted to trick the Court as to its official name.

33. The Supreme Court has determined that either the Due Process Clause of the Fifth Amendment or the Due Process Clause of the Fourteenth Amendment protects Puerto Rican residents and entities from Due Process violations. *See, e.g., Examining Bd. of Eng'rs, Architects & Surveyors v. Flores De Otero*, 426 U.S. 572, 600 (1976). Both amendments prohibit government actors from “depriv[ing]” a person of his “life, liberty, or property, without due process of law.” *Compare* U.S. Const., amend. V *with* U.S. Const. amend XIV.

34. The Plaintiffs in this suit purported to sue an entity called “The Holy Catholic Apostolic Church in the Island of Puerto Rico, Inc.”—a legally-recognized *Orthodox* entity with no relation to the Roman Catholic Church, the Defendant Archdiocese, the pension plan, or schools. Plaintiffs nonetheless claimed that they *meant* to sue instead a fictitious entity known as the “Roman Catholic and Apostolic Church in Puerto Rico,” a super-diocese of sorts with jurisdiction over all Catholic entities on the island. Nevertheless, the Marshal of the Court of First Instance still executed the Seizure Orders with the name of the Orthodox entity and a new named party by the Court of First Instance, but seized assets of the Archdiocese of San Juan. Today, Plaintiffs stated that they seek to seize the assets of all of the dioceses, parishes, temples and

property of the Catholic Faith in Puerto Rico. Thus, Plaintiffs are requesting the seizure of the bank accounts and assets of the *Academia del Perpetuo Socorro*, *Academia San Ignacio* and *Academia San José*.

35. On remand, the Court of First Instance amended its Seizure Order, adding the “Roman Catholic Church in Puerto Rico” as a Defendant and subject of its earlier order. The court failed to provide the Archdiocese with notice or a hearing before taking this action.

36. As a direct result, the Archdiocese and two of its parishes have had \$1 million of their assets seized, leaving them unable to fulfill their financial obligations to pay dozens of employees, carry out religious functions, or continue providing hurricane relief to millions of Puerto Ricans.

37. Given that this gross deprivation of property took place without the Archdiocese even receiving notice, let alone a hearing, or other due process protection, there is a reasonable probability this Court or the U.S. Supreme Court will conclude that the Court of First Instance erred in adding the “Roman Catholic Apostolic Church in Puerto Rico” without first giving notice to the parties.

CONCLUSION

For all these reasons, this Court should recall its mandate of August 20, 2018, and then stay that mandate as well as the Court of First Instance’s Order of August 20, 2018 and its Amended Order of August 22, 2018, pending disposition of Applicants’ forthcoming petition to the Supreme Court of the United States.

WHEREFORE, we very respectfully request this Honorable Court that this Court should recall its mandate of August 20, 2018, and then stay that mandate as well as the Court of First Instance’s Order of August 20, 2018 and its Amended Order of August 22, 2018, pending disposition of Applicants’ forthcoming petition to the Supreme Court of the United States.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on August 24, 2018.

IT IS CERTIFIED that on this day we are sending a true and accurate copy of this motion by certified mail and email to: German J. Brau-Ramírez, Esq. (german.brau@bioslawpr.com), Antonio Bauzá-Santos, Esq. (antonio.bauza@bioslawpr.com) and Guillermo J. Silva-Wischovich, Esq. (gsilva@bioslawpr.com), Bauza, Brau, Irizarry, Ojeda & Silva, PO Box 13669, Santurce Station, San Juan, PR 00908; Carlos A. Padilla-Vélez, Esq. (cpadilla@amoclaw.com), PO Box 194109, San Juan, Puerto Rico 00919-4109; Frank Zorrilla-Maldonado, Esq. (fzorrilla@fzmlaw.com), PO Box 191783, San Juan, Puerto Rico 00919-1786; Eda Mariel Ayala-Morales, Esq. (emayalam@hotmail.com), PO Box 360481, San Juan, Puerto Rico 00909; Jesús R. Rabell-Méndez, Esq. (jesusrabell@gmail.com), PO Box 195580, San Juan, Puerto Rico 00919-5580; Jesús M. Jiménez González-Rubio, Esq. (jimesensei@yahoo.com), Apartado 3025, Guayama, Puerto Rico 00785; José R. Rivera-Morales, Esq. (rrivera@jgl.com), Jiménez, Graffam & Lausell, PO Box 366104, San Juan, Puerto Rico 00936-6104; Frank Torres Viada, Esq. (ftv@ftorresviada.com) and Alexandra Rivera-Ríos, Esq. (ariverarios@ftorresviada.com), Bufete

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APPENDIX D

**COMMONWEALTH OF PUERTO RICO
IN THE SUPREME COURT OF PUERTO RICO**

YALÍ ACEVEDO FELICIANO, Y OTROS,
Plaintiffs-Appellee,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO RICO,
Y OTROS,

Defendants-Appellants.

SONIA ARROYO VELÁZQUEZ, Y OTROS,
Plaintiffs-Appellee,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO RICO,
Y OTROS,

Defendants-Appellants.

ELSIE ALVARADO RIVERA, Y OTROS,
Plaintiffs-Appellee,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO RICO,
Y OTROS,

Defendants-Appellants.

CASE NO.: CT-18-0008

RE: Certification (from Court of First Instance,
Civil No. SJ2016CV00131)

MOTION FOR CERTIFICACION (EXPEDITED APPEAL) PURSUANT TO RULE 23

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TRIBUNAL SUPLENTE



**COMMONWEALTH OF PUERTO RICO
IN THE SUPREME COURT OF PUERTO RICO**

YALÍ ACEVEDO FELICIANO, Y OTROS,

Plaintiffs-Appellee,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, Y OTROS,

Defendants-Appellants.

SONIA ARROYO VELÁZQUEZ, Y
OTROS,

Plaintiffs-Appellee,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, Y OTROS,

Defendants-Appellants.

ELSIE ALVARADO RIVERA, Y OTROS,

Plaintiffs-Appellee,

vs.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, Y OTROS,

Defendants-Appellants.

CASE NO.:

RE: *Certification* (from Court of First
Instance, *Civil No. SJ2016CV00131*)

MOTION FOR CERTIFICACION (EXPEDITED APPEAL) PURSUANT TO RULE 23

TO THE HONORABLE COURT:

COME NOW co-defendants Archdiocese of San Juan and Superintendence of Catholic Schools from the Archdiocese of San Juan (hereinafter “Archdiocese of San Juan”), through its undersigned legal representatives, and respectfully STATE and PRAY:

A. JURISDICTIONAL BASIS:

1. Rule 23 of the Rules of the Puerto Rico Supreme Court allow a party to file a request with this Court for a certification of a motion that is pending in a lower court (or an expedited appeal).

B. PENDING CASE IN COURT OF FIRST INSTANCE:

2. The Certification is requested in the case of *Yali Acevedo v. La Santa Iglesia Católica Apostólica y Romana en la Isla de Puerto Rico*, Civil No. SJ2016CV00131.

C. ORDERS THAT ARE SUBJECT TO REVIEW

3. On August 27, 2018, the Archdiocese filed a Motion for Reconsideration of several orders issued by the Court of First Instance. See Appendix 1-23.

4. The orders include changing the name of the defendant in the case even though Plaintiffs did not request said change. See Appendix, August 22, 2018, Order.

5. The Court of First Instance also changed the name of the entity subject to the seizure order. See Appendix, p. 11-14, August 22, 2018, Seizure Order.

6. The Court of First Instance denied the Archdiocese's request for a Motion to Dismiss based on previous rulings issued by the Court of First Instance. See Appendix, August 22, 2018, Order and Motion to Dismiss.

7. All of this occurred, as explained in the stay application filed on Friday, the Court of First Instance issued a seizure order before the United States District Court remanded this case.

D. DISCUSSION OF MATTERS THAT SHOULD BE CONSIDERED BY THIS COURT¹

8. On August 22, 2018, the Court of First Instance changed the name of the defendant to an entity now known as "*Roman Catholic Church in Puerto Rico*" based on an interpretation of a document that was handed by an unknown individual to a marshal.

9. The Court of First Instance, without a request from any party, changed the name of the defendant to include the name of the Social Security number of the Archdiocese, completely changing the nature of the case without any notice or process given to the Archdiocese.

10. The Court of First Instance also allowed an amendment to the pleadings in the case in a period of less than 24 hours and now allowed a Fifth Amended Complaint.

11. These actions squarely violate the legal holdings of several courts of appeal and state courts of last resort on how to interpret 28 U.S.C. 1446, and also contradict Supreme Court precedent regarding the Due Process Clause. See, e.g., *Hyde Park Partners, L.P. v. Connolly*, 839 F.2d 837, 880 (1st Cir. 1988); *Grannis v. Ordean*, 234 U.S. 385, 394 (1914).

12. The actions of the Court of First Instance have staggering consequences: seventy-five families have been denied paychecks and multiple Catholic entities' bank accounts have been

¹ The Archdiocese incorporates all of the arguments raised in the Stay Application filed on August 24, 2018 in *Acevedo Feliciano v. La Santa Iglesia Católica, Apostólica en la Isla de Puerto Rico*, Case No. CC-2018-0475

emptied. Several parishes have been affected. A parish that serves Haitian immigrants has had all of its assets seized. One of Puerto Rico's principal financial institutions has stated that it does not understand the scope of the seizure order, when it includes "dependencies" of the Roman Catholic Church, but put a freeze on several Catholic institutions.

13. True, the Court of First Instance could hear the Archdiocese's Motion for Reconsideration first. But absent a stay and an expedited appeal, devastating harms would occur to many Catholic entities, their employees, and the mission of the Catholic Church. The importance of this appeal to these Catholic entities requires immediate review by this Court.

14. Indeed, devastating harm will result unless the orders are quickly evaluated and corrected:

- a. Without prompt evaluation, the seventy-five families whose breadwinners have presently lost their jobs could be joined by hundreds more, many of whom rely on their jobs for health insurance.
- b. The longer the errors below stand, the access of Catholics to sacred rites of baptism, marriage, and even mass may be hindered as the entities whose assets are seized struggle to remain open.
- c. Further relief from Hurricane Maria will be hindered as the Archdiocese and other Catholic entities cannot use their seized bank accounts to assist in relief efforts.
- d. As the Marshal continues to seize assets without respecting the needs of Parishes, he will take from entities that serve some of the poorest neighborhoods in all of Puerto Rico.

15. Only a swift resolution of this appeal can protect the assets already seized; Plaintiffs may well move to receive some portion of the assets. But they are not entitled to the assets at this stage in the litigation, and any distribution would be difficult to reverse.

Accordingly, the Archdiocese moves that, in addition to granting a stay, this Court accept jurisdiction over the Motion for Reconsideration of the August 20 and August 22 orders and grant a certification (a highly expedited appeal).

For all these reasons, this Court should grant a Certification, allow an expedited appeal of the August 22, orders, and stay the amended seizure order issued by the Court of First Instance.

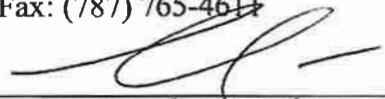
RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on August 24, 2018.

IT IS CERTIFIED that on this day we are sending a true and accurate copy of this motion by certified mail and email to: German J. Brau-Ramírez, Esq. (german.brau@bioslawpr.com), Antonio Bauzá-Santos, Esq. (antonio.bauza@bioslawpr.com) and Guillermo J. Silva-Wischovich, Esq. (gsilva@bioslawpr.com), Bauza, Brau, Irizarry, Ojeda & Silva, PO Box 13669, Santurce Station, San Juan, PR 00908; Carlos A. Padilla-Vélez, Esq. (cpadilla@amoclaw.com), PO Box 194109, San Juan, Puerto Rico 00919-4109; Frank Zorrilla-Maldonado, Esq. (fzorrilla@fzmlaw.com), PO Box 191783, San Juan, Puerto Rico 00919-1786; Eda Mariel Ayala-Morales, Esq. (emayalam@hotmail.com), PO Box 360481, San Juan, Puerto Rico 00909; Jesús R. Rabell-Méndez, Esq. (jesusrabell@gmail.com), PO Box 195580, San Juan, Puerto Rico 00919-5580; Jesús M. Jiménez González-Rubio, Esq. (jimesensei@yahoo.com), Apartado 3025, Guayama, Puerto Rico 00785; José R. Rivera-Morales, Esq. (rrivera@jgl.com), Jiménez, Graffam & Lausell, PO Box 366104, San Juan, Puerto Rico 00936-6104; Frank Torres Viada, Esq. (ftv@ftorresviada.com) and Alexandra Rivera-Ríos, Esq. (ariverarios@ftorresviada.com), Bufete Frank Torres-Viada, PO Box 192084, San Juan, Puerto Rico 00919-2084; Félix J. Montañez-Miranda, Esq. (fmontanezmiran@yahoo.com), PO Box 364131, San Juan, Puerto Rico 00936-4131; Jorge Alexis Torres-Montes, Esq. (lcdo.torresmontes@yahoo.com), 3260 Emilio Fagot Ave., Ponce, Puerto Rico 00730-4603; Fernando E. Agrait-Betancourt, Esq. (agraitfe@agraitlawpr.com), Centro de Seguros Bldg., Suite 414, 701 Ponce de León Ave., San Juan, Puerto Rico 00907; Lourdes Arroyo-Portela, Esq. (larroyo@amgprlaw.com) and César R. Rosario-Vega, Esq. (rosario@amgprlaw.com), Adsuar Muñoz Goyco Seda & Pérez-Ochoa, P.S.C., PO Box 70294, San Juan, Puerto Rico 00936-8294; José Franco Rivera, Esq. (jrf_law@hotmail.com), P.O. Box 16834, San Juan, Puerto Rico 00907-6834; Omar Torres Rodríguez, Esq. (ojtrlaw@gmail.com), MCS Plaza Suite 819, 255 Ave. Ponce de León, Hato Rey, Puerto Rico, 00917; Iván Fernández, Rodríguez & Fernández, Esq. (ifernandezvallejo@gmail.com), P.O. Box 191894, San Juan, Puerto Rico 00919-1894; Eduardo Vera, Esq. (evera@landronvera.com) and Eileen Landrón, Esq. (elandron@landronvera.com), Landrón Vera, LLC, 1606 Ave. Ponce de León, Suite 501, Edif. Borgocirín, San Juan, Puerto Rico, 00909.

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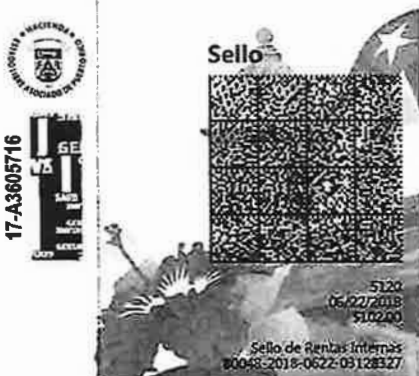
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APPENDIX E

SUPREME COURT OF PUERTO RICO

Yalí Acevedo Feliciano, <i>et al.</i> Petitioners V. Roman, Catholic, Apostolic Church, <i>et al.</i> , Respondents	CC-2018 -0475	<i>Certiorari</i>
Sonia Arroyo Velazquez, <i>et al.</i> Petitioners V. Roman, Catholic, Apostolic Church, <i>et al.</i> Respondents		
Elsie Alvarado Rivera, <i>et al.</i> Petitioners V. Roman, Catholic, Apostolic Church, <i>et al.</i> Respondents		

ORDER

San Juan, Puerto Rico, August 27, 2018.

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

CERTIFIED TRANSLATION

We have reviewed the motion titled “Emergency Stay Application” Motion filed by the Archdiocese of San Juan and the Superintendence of Catholic Schools of the Archdiocese of San Juan and it is hereby denied.

This was agreed by the Court and certified by the Clerk of the Supreme Court. Associate Justice Colón Pérez would issue a stay. Chief Judge Oronoz Rodríguez and Associate Justice Rodríguez Rodríguez did not intervene.

[SIGNED]

Juan Ernesto Davila Rivera

Supreme Court Clerk



I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

APPENDIX F

SWORN DECLARATION

I, Roberto Octavio González-Nieves, O.F.M., of legal age, single, Archbishop of the “Metropolitan Archdiocese of San Juan de Puerto Rico” (“Archdiocese of San Juan”), and resident of San Juan, Puerto Rico, declare as follows:

1. My name and personal circumstances are as stated above.

2. I was appointed by Pope John Paul II as Archbishop of the Archdiocese of San Juan de Puerto Rico on March 26, 1999, and was installed as such on May 8, 1999, a position that I continue to hold as of this date.

3. The Archdiocese of San Juan’s assigned geographical area includes the Municipalities of Carolina, Trujillo Alto, San Juan, Cataño, Guaynabo, Bayamón, Toa Alta, Toa Baja and Dorado, with an estimated population of approximately 920,000 Catholics.

4. There is no single entity of the Catholic Church in Puerto Rico that represents or oversees all Catholic entities in the territory. For example, the Archdiocese of San Juan has no independent authority over the five other dioceses located in Puerto Rico, or their constituent parishes and other institutions. Rather, each diocese and the archdiocese operates under the direction of the Holy See in Rome.

5. As part of its pastoral activities to evangelize the residents of the Catholic faith within its assigned geographical territory, the Archdiocese of San Juan engages, for example, in the following efforts: (1) operates various catechesis centers within the Municipalities of San Juan, Guaynabo and Bayamón; (2) operates television (Teleoro Channel 13) and radio stations (RadioOro FM92.5 and AM-81); (3) maintains a Metropolitan Ecclesiastical Tribunal to adjudicate penal and marital controversies; (4) administers *Archdiocesan Commission of Liturgy and Popular Piety* (by its acronym in Spanish, “CALPP”), to inform and teach about the Constitution of the Sacred Liturgy (*Sacrosanctum concilium*) adopted by the Second Vatican Council; (5) operates a charity for needy individuals known as “*Caritas de Puerto Rico*”; (6) maintains Vicariates on matters, such as, seminarians and priesthood vocation, Catholic education, family, culture, health, liturgical celebrations, social pastoral, youth, ecumenism, interfaith relations, amongst others; and (7) is one of the content contributors to the weekly newspaper known in Spanish as “El Visitante”.

6. To conduct the above mentioned pastoral activities, the Archdiocese of San Juan collects funds provided voluntarily by individuals of the Catholic faith, possesses real estate within

its assigned geographical territory, and owns property, amongst other ecclesiastical sites and/or goods used, or services provided.

5807
7. Any freezing of assets and/or seizure of real estate or property belonging to the Archdiocese of San Juan will prevent it from carrying out its pastoral and ecclesiastical ministerial duties to the individuals of the Catholic faith (as well as to persons of other religious beliefs and nonbelievers since through Caritas and our Catholic schools we serve all peoples) within the assigned geographical area of the Archdiocese of San Juan. For example, in the case of the Archdiocese of San Juan's own pastoral and ecclesiastical ministerial duties, contribution to charitable activities, such as "Caritas de Puerto Rico", would have to end; the Metropolitan Ecclesiastical Tribunal would have to cease operation; and the Archdiocese of San Juan will be unable to conduct any of its ministerial duties, as required by the Catholic Canon Law. Also, it would have an effect on Catholic parishes and schools (including during the summer sessions and camps). The seizure of funds or property will impact the parishes' ability to hold their scheduled masses, conduct marriages, baptisms, and first communions.

8. A freeze will also make it difficult if not impossible for the Archdiocese, parishes and other Catholic entities to provide ongoing relief to victims of Hurricane Maria and of the general poverty that pervades some parts of Puerto Rico. A freeze will also make it impossible for parishes to run their traditional summer camps or activities for impoverished or troubled Puerto Rico youth, regardless of their religious affiliation. A freeze will also silence the Archdiocese's Catholic radio and television stations charged with preaching the gospel to Puerto Rico's residents.

9. A freeze will also likely displace all or many of the Catholic clergy, nuns, monks, employees and otherwise homeless people who currently live and/or sleep on property owned by the Archdiocese, its parishes or other affiliated institutions. I estimate that some dozens of people may face a risk of displacement in the event of a freeze.

10. Any freezing of assets and/or seizure of real estate or property belonging to other dioceses in Puerto Rico could have similar effects on those dioceses as well as their constituent parishes, employees and members.

11. The aforementioned facts are true and I can attest to the same based on my personal knowledge, as well as the information made available to me through the Archdiocese of San Juan's records kept in the course of its regularly conducted activities.

The foregoing is sworn to by me, in San Juan, Puerto Rico, this 29th of May, 2018.

The foregoing is sworn to by me, in San Juan, Puerto Rico, this 29th of May, 2018.

Roberto Octavio González-Nieves
Roberto Octavio González-Nieves, O.F.M.

Affidavit No. 11,120

Signed and sworn before me by Monsignor Roberto Octavio González-Nieves, O.F.M., of the aforementioned personal circumstances, whom I attest to have identified via his driver's license, issued by the Puerto Rico Department of Transportation and Public Works.

In San Juan, Puerto Rico, this 29th of May, 2018.

E. Placer
NOTARY PUBLIC



RECIBO

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Sello de Asistencia Legal
80004-2018-0426-42723032

APPENDIX G

SWORN DECLARATION

I, Roberto Octavio González-Nieves, O.F.M., of legal age, single, Archbishop of the “Metropolitan Archdiocese of San Juan, Puerto Rico” (“Archdiocese of San Juan”), and resident of San Juan, Puerto Rico, declare as follows:

1. My name and personal circumstances are as stated above.
2. I was appointed by Pope John Paul II as Archbishop of the Archdiocese of San Juan de Puerto Rico on March 26, 1999, and was installed as such on May 8, 1999, a position that I continue to hold as of this date.
3. As stated in my Sworn Declaration of May 29, 2018, there is no single entity of the Catholic Church in Puerto Rico that represents or oversees all Catholic entities in the territory.
4. I am not an officer, agent or representative, and do not oversee a juridical entity known as the “Roman, Catholic, Apostolic Church in Puerto Rico” (known in Spanish, “*Iglesia Católica, Apostólica y Romana en Puerto Rico*”). Since I do not preside over said entity, and am not authorized to represent that entity, I cannot take any action to comply with an order directed towards that entity.
5. The orders issued by the Court of First Instance on March 16 and 26, 2018, and the Puerto Rico Supreme Court on May 24, 2018, are directed to the “Roman Catholic, Apostolic Church in Puerto Rico.” As such, the Archdiocese of San Juan cannot comply with said orders because none of them, based on their plain language, are directed to the Archdiocese of San Juan, or me, as the Archbishop of the Archdiocese of San Juan.

6. If the orders refer to the Holy See, it is not and should not be a party in this case. The Holy See is the only Roman Catholic entity with authority to oversee all six Catholic dioceses—including the Archdiocese—located in Puerto Rico. As an Archbishop, I am not authorized to represent the Holy See.

The foregoing is sworn to by me in San Juan, Puerto Rico, this 1st day of June, 2018.

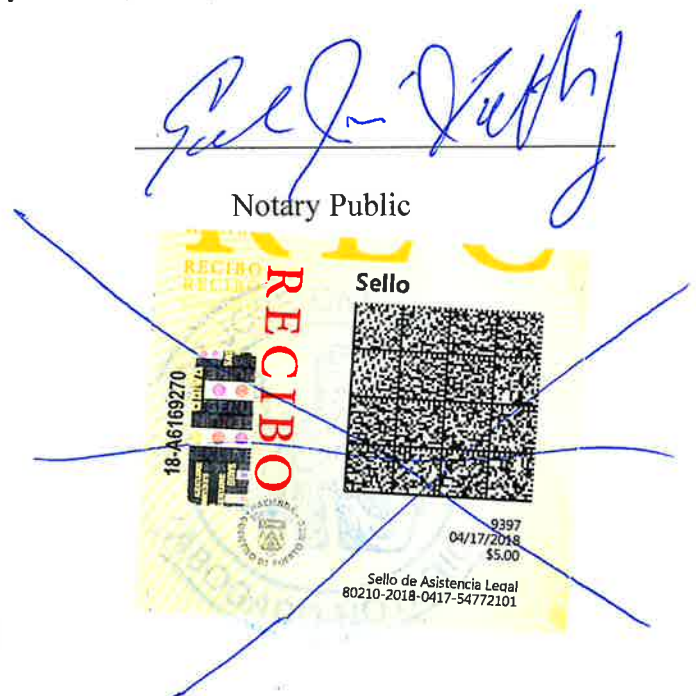


Roberto Octavio González Nieves

Affidavit No. 427

Signed and sworn before me by Archbishop Roberto Octavio González-Nieves, O.F.M. of the aforementioned personal circumstances, whom I attest to have identified via my personal knowledge.

In San Juan, Puerto Rico this 1st day of June, 2018.



APPENDIX H

SWORN DECLARATION

I, Alberto Figueroa Morales, of legal age, single, Vicar General of the “Metropolitan Archdiocese of San Juan, Puerto Rico” (“Archdiocese of San Juan”), and resident of San Juan, Puerto Rico, declare as follows:

1. My name and personal circumstances are as stated above.
2. I am the Vicar General of the Archdiocese. Pursuant to the duties of my position, I am responsible for the administration of the Archdiocese. Thus, I have personal knowledge of the operations of the Archdiocese.
3. On May 24, 2018, the Supreme Court of Puerto Rico reinstated two orders issued by the Court of First Instance on March 16 and 26, 2018, which had been reversed by the Court of Appeals.
4. The March 16, 2018, order states that the Archdiocese of San Juan does not have legal capacity.
5. If the Archdiocese does not have legal capacity, it cannot operate adequately.
6. The Archdiocese needs legal capacity to acquire goods and property; maintain bank accounts; execute contracts; provide services; comply with the requirements established by local and federal laws, including the local Treasury Department and the Internal Revenue Service; vindicate her rights against other entities; pay payroll taxes and operate radio and television stations, among other matters.
7. If the Archdiocese cannot have bank accounts, execute contracts and acquire goods it cannot purchase means that are necessary for providing religious services. This includes religious objects (hosts, etc.) needed for mass, baptisms, marriages and confirmations.
8. The Archdiocese has a serious concern that banks and financial institutions will not let her or the parishes maintain bank accounts because the Archdiocese does not have legal personality, according to the order issued. An inability to maintain a bank account would have an enormous detrimental effect on the daily operations of the Archdiocese or a parish. For example, besides its inability to purchases goods needed for religious services, the Archdiocese would have no safe place to store contributions provided by members and would be seriously impaired in its ability to pay and retain employees,

provide assistance to the needy, care for its religious buildings, pay costs for seminarians, monks and nuns, operate health clinics and catechesis centers, and maintain a Metropolitan Ecclesiastical Tribunal to adjudicate penal and marital controversies. Each of these effects will seriously impair the Archdiocese's ability to achieve her religious mission.

9. If the Archdiocese and parishes do not have legal capacity, third parties can question the title of the property of their churches, the cathedral, schools and other buildings. The Archdiocese has a serious concern that the lack of legal capacity will impair her right and the parishes' right to maintain, operate and administrate this property, thereby seriously impairing her ability to achieve her religious mission.
10. If the Archdiocese cannot comply with local and federal regulations, it cannot have employees and issue its payroll. As such, the Archdiocese has a serious concern that, without legal capacity, it will not be able to comply with her obligations in relation to payroll matters, thereby seriously impairing the achievement of her religious mission.
11. If the Archdiocese does not have legal capacity, it cannot operate several charities, including United Against Hunger and Cáritas de Puerto Rico, which are essential to comply with the need to evangelize and provide help to needy sectors of Puerto Rico. The Archdiocese has a serious concern that, without legal capacity, she will not be able to provide charitable goods and services to needy sectors in San Juan and the municipalities of Carolina, Trujillo Alto, San Juan, Cataño, Guaynabo, Bayamón, Toa Alta, Toa Baja and Dorado, with an estimated population of approximately 920,000 Catholics. The deprivation of the Archdiocese's ability to operate these charitable efforts would seriously impair her ability to achieve her religious mission.
12. If the Archdiocese does not have legal capacity, it cannot operate television (Teleoro Channel 13) and radio stations (RadioOro FM92.5 and AM-81). The Archdiocese has a serious concern that, without legal capacity, local and federal regulators will not allow her to own or operate television and radio stations. The Archdiocese's inability to operate these organs of evangelization would seriously impair her ability to achieve her religious mission.
13. If the Archdiocese and the parishes do not have legal capacity, they will not be recognized as legal entities by the Commonwealth of Puerto Rico and the United States

of America. Thus, they may not have access to utilities such as power and water. Those utilities are needed to operate seminaries, churches, schools, charities, shelters for homeless and needy people, health clinics and the offices of the Archdiocese - all essential to the achievement of her religious missions.

14. The order issued states that the Archdiocese does not have legal personality. As such, the Archdiocese will suffer irreparable injury because she may not be able to appear in cases and vindicate her rights to pursue claims against any entity, including municipal, state or federal agencies. The order has a chilling effect on the Archdiocese's ability to petition the government, and will make the Archdiocese unable to vindicate her rights and those of the Catholic faithful if it does not have legal capacity.
15. If the order is left in place, the Archdiocese will suffer irreparable injury because it will not be able to properly carry on its obligation and functions. All of the services and property of the Archdiocese are committed to the evangelization of the Catholic Faith, which is the principal purpose of the Archdiocese.
16. The order reinstated by the Puerto Rico Supreme Court has left the Archdiocese in a legal limbo, since the Court has confirmed that she does not exist while it considers a Petition for Writ of *Certiorari*. As such, the Court can maintain the Archdiocese in a legal limbo for months or years while it decides the Petition for Writ of *Certiorari*.
- The foregoing is sworn to by me in San Juan, Puerto Rico, this 7th day of June, 2018.


Alberto Figueroa Morales

Affidavit No. 408

Signed and sworn before me by Alberto Figueroa Morales, Vicar General of the Archdiocese of San Juan, of the aforementioned personal circumstances, whom I attest to have identified via his driver's license, no. 1436 922, issued by the Puerto Rico Department of Transportation and Public Works.

In San Juan, Puerto Rico this 7th day of June, 2018.



APPENDIX I

SWORN DECLARATION

I, Alberto Figueroa Morales, of legal age, single, Vicar General of the "Metropolitan Archdiocese of San Juan, Puerto Rico" ("Archdiocese of San Juan"), and resident of San Juan, Puerto Rico, declare as follows:

1. My name and personal circumstances are as stated above.
2. I am the Vicar General of the Archdiocese. Pursuant to the duties of my position, I am responsible for the administration of the Archdiocese. Thus, I have personal knowledge of the operations of the Archdiocese of San Juan.
3. The Archdiocese of San Juan's assigned geographical area includes the Municipalities of Carolina, Trujillo Alto, San Juan, Cataño, Guaynabo, Bayamón, Toa Alta, Toa Baja and Dorado, with an estimated population of approximately 920,000 Catholics.
4. On August 17, 2018, the Supreme Court of Puerto Rico denied the Second Motion for Reconsideration filed by the Archdiocese of San Juan, and reinstated a seizure order issued by the Court of First Instance on March 27, 2018.
5. On August 22, 2018, the Marshal of the Court of First Instance started freezing assets of the Archdiocese of San Juan. The accounts include the operational accounts of the Archdiocese of San Juan, the Seminary of St. John Baptist (San Juan Bautista); the San Mateo Parish, the San Andrés Parish; the Center of Evangelization and Catechesis; the Youth Pastoral; the account for donations for the Television Station Teleoro; the Archdiocese's Solidarity Fund; the Account of Donations received; the account for Deacons; the Society to Protect Children and the Sanctuary of Our Mother of Providence.
6. Also, the Marshal has obtained a hold of accounts of the Catechesis of the Bayamón Vicary; the Department of Catechesis of the Rio Piedras Vicary; the Foundation of the Cardenal Luis Aponte Martínez; the Milagrosa Parish; the San Andres Parish; the Parish of the Secular Union of the Clergy; the St. Phillip

the Apostol (*San Felipe Apostol*); Parish Mary Mother of Mercy (*Parroquia María Madre de la Misericordia*) and the Department of the Deacons.

7. The seizure order and freezing of accounts has interrupted the Archdiocese's operations and forced the Archdiocese to terminate seventy – five employees.
8. The order has shut down
 - (a) catechesis centers;
 - (b) the Metropolitan Ecclesiastical Tribunal to adjudicate penal and marital controversies;
 - (c) institutions that operate for needy individuals;
 - (d) Apostolic Vicariates, including seminarians and priesthood vocation, and
 - (e) has adversely affected Catholic education, family, culture, health, liturgical celebrations, social pastoral, youth, ecumenism, amongst others.
9. Pursuant to the seizure, the parishes cannot pay their staff or priests, buy property (including hosts) or utilities. The seizure of funds or property impact the parishes' ability to hold their scheduled masses and conduct marriages, baptisms, and first communions. Moreover, as they rely economically on the voluntary contribution of the Catholic faith believers, the parishes may experience a reduction of attendance.
10. A continuation of the seizure order will prevent the Archdiocese of San Juan and its parishes from carrying out their pastoral and ecclesiastical ministerial duties to the individuals of the Catholic faith within the assigned geographical area of the Archdiocese of San Juan. For example, in the case of the Archdiocese of San Juan's own pastoral and ecclesiastical ministerial duties, contribution to charitable activities, such as "Caritas de Puerto Rico", would have to end; and the Archdiocese of San Juan will be unable to conduct any of its ministerial duties, as required by the Catholic Canon Law.

11. A continuation of the seizure order will have the effect of effectively shutting down a diocese established in 1511.

The foregoing is sworn to by me in San Juan, Puerto Rico, this 24th day of August, 2018.

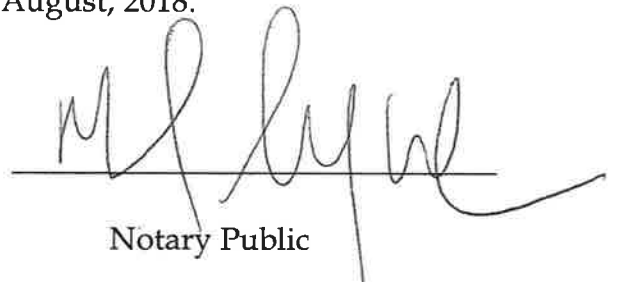


Alberto Figueroa Morales

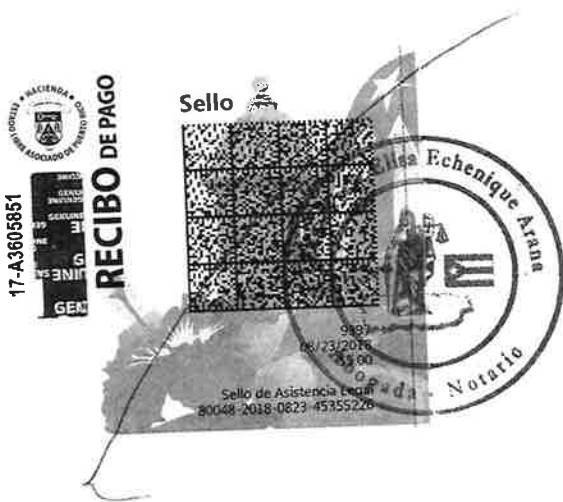
Affidavit No. 568

Signed and sworn before me by Alberto Figueroa Morales, Vicar General of the Archdiocese of San Juan, of the aforementioned personal circumstances, whom I attest to have identified via his driver's license, no. 1436922, issued by the Puerto Rico Department of Transportation and Public Works.

In San Juan, Puerto Rico this 24th day of August, 2018.



Notary Public



APPENDIX J

LIST OF PLAINTIFFS

1. Yalí Acevedo Feliciano, John A. Williams Bermúdez and their conjugal partnership
2. Juan D. Albarrán Rodríguez
3. Carmen M. Almódovar Oliva
4. Miguel E. Alonso Reyes, Mary L. De Graux Villafaña and their conjugal partnership
5. Iraida Alvarado Garcés
6. Luis Aponte Santiago, Lourdes Isern and their conjugal partnership
7. Milagros Arroyo Reyes, José A. Solís Ríos and their conjugal partnership
8. Enid Ávila Cardona, Boris Corujo Orraca and their conjugal partnership
9. Ana Ayala Torres, Ramón Ortiz and their conjugal partnership
10. Esther C. Barrera
11. Gloria Caraballo Figueroa, Jorge Luis Leavitt and their conjugal partnership
12. Gloria M. Cerra Quiñones, Jaime López Díaz and their conjugal partnership
13. Ernesto N. Chiesa Figueroa, María E. Báez Bello and their conjugal partnership
14. Vilmarie Chioldes Carbia
15. Mayradagmar Colón Nieves
16. Ramonita Covas Bernier
17. Maria M. Cruz Cassé, José F. Umpierre Rivera and their conjugal partnership
18. Luz D. Cruz Rodríguez
19. Ana Rosa Cuesta Del Valle

20. Francisco E. De Los Santos Aquino, María Del C. Ortiz Navarro and their conjugal partnership
21. Yolanda M. Elizondo Del Pino
22. Virgilio Espinal Wallace, Santa Lebrón Ferrera and their conjugal partnership
23. Aida Teresa Febres Hernández, Juan R. García Loubriel and their conjugal partnership
24. María José Fernández Magadán
25. Eneida Fernández Moreno
26. Clara E. Fernández Sissa
27. Sarita Font Rodríguez, José M. Castro Pavía and their conjugal partnership
28. Alfredo García, Maribel Casanova and their conjugal partnership
29. Liz García Dávila
30. Vanessa García Dávila, Héctor Jorge Monserrate and their conjugal partnership
31. Ivelisse García Vega, Francisco J. Miranda Del Valle and their conjugal partnership
32. Lymaris González Sierra, Reynaldo Ortiz and their conjugal partnership
33. Elba Gutiérrez Schmidt
34. Héctor Julián Lanzó Roldán, Lydia Rivera Flores and their conjugal partnership
35. José Manuel Leavitt Rey
36. Carmen E. Ledesma Méndez, Claudio E. Acarón Bonilla and their conjugal partnership
37. Clarita Lidin de Rom, Carlos Rom Goris and their conjugal partnership
38. Teresa López Guzmán

39. Ligia López Oliver
40. Christine M. Lugo Quesada
41. Carlixta Martínez Vilorio, Ronny Echevarría and their conjugal partnership
42. Milagros Matos Alvarez, Antonio Manuel Taveras and their conjugal partnership
43. Awilda Meléndez Ríos, Edwin Sánchez Maldonado and their conjugal partnership
44. Edda 1. Meléndez Rivera
45. Yeidy R. Oliver Hernández
46. Jesús Ortiz García, Marta Villamil Rodríguez and their conjugal partnership
47. Diana Ortiz Rodríguez
48. Nerirosa Otero Romero, Alberto Del Toro and their conjugal partnership
49. Carmen Priscilla Pavía Cabanillas
50. Francisca Ramírez, Luis Darío Tineo Sánchez and their conjugal partnership
51. Milagros Ramos, Alonso De Hoyos and their conjugal partnership
52. Juan M. Ramos Pizarro, Dora Carrasquillo Márquez and their conjugal partnership
53. Iraida Rinaldi Ríos, Fernando Quiñones Aponte and their conjugal partnership
54. Carlos Juan Rivera Padua, Noelia M. Torres Cotts and their conjugal partnership
55. Georgina Rivera Rodríguez
56. Diana Roche Rodríguez Ríos
57. Angela Rodríguez Colón, Pedro A. Del Valle Ferrer and their conjugal partnership
58. Genoveva Rodríguez Rosa

59. Carlos Ruiz Porrata, Sylvia Ramos Moreau and their conjugal partnership
60. Carmen C. Ruiz Rexach
61. Marlene Ruiz, Jorge A. Saldarriaga Barragán and their conjugal partnership
62. María Victoria Saiz Martínez, Ramiro Jordán Sarria and their conjugal partnership
63. Oscar Sánchez Del Campo Delgado
64. Diana Sardiña Hernández, Jorge Escobar and their conjugal partnership
65. Yolanda Seda Benítez, Manuel A. Pérez Sánchez and their conjugal partnership
66. Estrella Sissa De León
67. Cristina Soriano
68. Amelia Sotomayor Díaz
69. Ramona Stokes Gimenez
70. Luis Darío Tineo Sánchez, Francisca Ramírez Núñez and their conjugal partnership
71. Rita T. Toro Monserrate, Miguel A. Hernández Feliciano and their conjugal partnership
72. Noelia Torres Cotts, Carlos J. Rivera Padua and their conjugal partnership
73. Lianis Z. Vélez Pérez, Julio Rodríguez Odum and their conjugal partnership
74. Sonia Arroyo Velázquez, Jesús M. Franco Villafañe and their conjugal partnership
75. Héctor Luis Báez Rodríguez
76. Ana Teresita Borges Rodríguez
77. Alicia Castillo Peña, William Mangual Martínez and their conjugal partnership

78. Miriam Cortés Pérez
79. Elsie De Jesús Rosado
80. Isabel Del Valle Rivera
81. Sara J. Disdier Caballero
82. Elena Durán Sobrino
83. María M. Espinosa Miranda, Ariel Pagán Rodríguez and their conjugal partnership
84. Marlia Feliciano Santana, Carlos M. Meléndez and their conjugal partnership
85. Amarilis Flores Ruiz, Alfonso García Ruiz and their conjugal partnership
86. Eva J. Freire, Félix J. Lugo Soto and their conjugal partnership
87. Ivette Fuentes Febles
88. Glenda García Martínez
89. María T. Geswaldo Medina
90. Sandra Ivette Grau Morales, Pedro R. Villalta Bernabe and their conjugal partnership
91. Ivelisse Laboy Ruiz, Mark A. Neste and their conjugal partnership
92. Mari Angelie Lamboglia Vila, José F. Adrover Robles and their conjugal partnership
93. Ana Doris Lladó Silva
94. Leslie Janette López Báez, Juan Carlos González Rodríguez and their conjugal partnership
95. Nilsa López Marcano
96. Tensy Machargo Enríquez

97. Omayra Marrero Santiago, Miguel Ángel Lozada and their conjugal partnership
98. Florin M. Martínez Fontán, Ángel M. De La Rosa Schuck and their conjugal partnership
99. Nilda Martínez Méndez, Eliezer Tulier Polanco and their conjugal partnership
100. Janice Mercado Corujo, Vicente Román Arriaga and their conjugal partnership
101. Nereida Montes Burgos, Samuel Monge Pérez and their conjugal partnership
102. Lillian Otero Cabrera
103. Alma Padilla Morales
104. Minu Derbhis Pagán Ramos, Ismael Placa Estremera and their conjugal partnership
105. Ana L. Pérez Pérez
106. Eileen Pérez Reyes, José Javier Santos Mimoso and their conjugal partnership
107. Lourdes Puig Sánchez, Carlos E. Chapel Palerm and their conjugal partnership
108. Ayricell Quintana Muñiz
109. Sonia M. Ramos González, Reinaldo Santana and their conjugal partnership
110. Nilda Rivas Laboy, Juan Medina Castro and their conjugal partnership
111. Pedro Rivera Ortiz
112. Margarita Rivera Rosado
113. Wanda Rivera Vega, Ernesto Maldonado Ojeda and their conjugal partnership
114. Evelyn D. Rodríguez Soto
115. Gladys J. Rodríguez Suliveres;
116. Brenda Rodriguez Toro De Damiani, Nicholas Damiani López and their conjugal partnership

117. Yolanda Rodríguez Toro De Gil, Luis A. Gil Borgos and their conjugal partnership
118. Jeanette Roig López, José A. Rivera And Their Conjugal Partnership
119. Eddie W. Santiago Figueroa
120. Carmen J. Santiago Hernández
121. Fe Migdalia Santiago Padilla
122. Carmen Santini Rivera
123. Dora Elisa Soler Muñiz
124. Magda E. Toledo Rodríguez
125. Tahira E. Vargas Gómez, Joan Vargas and their conjugal partnership
126. Leonor Vélez Ortiz, Israel Menchaca Dobal and their conjugal partnership
127. Yolanda Vélez Rosado, Fernando Sánchez Saldaña Dobal and their conjugal partnership
128. Brenda Wharton Flores
129. Elsie Alvarado Rivera, Isidoro Hernández and their conjugal partnership
130. Esther M. Alvarez Meléndez, Javier O. Torres and their conjugal partnership
131. Margarita Álvarez Rodríguez
132. Lionel Arroyo Carrero
133. Ada L. Arroyo Sánchez, José A. Hernández Nieves and their conjugal partnership
134. Zenaida Basora Urrutia, Mermes Román Amador and their conjugal partnership
135. Luis A. Carrión Pérez

136. Silvia E. Casiano Tellado, Gerardo F. López Muñoz and their conjugal partnership
137. Bárbara V. Casiano Velázquez
138. Luisa M. Castro Rivera, Jaime Luis García Garda and their conjugal partnership
139. Carmen M. Crespo
140. Andrés Durán Castaños, Vanessa Figueroa González and their conjugal partnership
141. Zonya Espinosa Tarniella
142. Dora Fernández Padilla
143. Gladys M. Figueroa Gautier, Richard Zambrana and their conjugal partnership
144. Audilia Fuentes Santos
145. Lourdes Godén Gaud, Eliud A. Serrano González and their conjugal partnership
146. Jossie A. González Ventura, Edgardo Reyes Morales and their conjugal partnership
147. Rosa D. Hernández Rosado, Ricardo Lebrón Maldonado and their conjugal partnership
148. Janine Hidalgo Santiago, Héctor Martínez Tosado and their conjugal partnership
149. Alice M. Huyke Souffront, Carlos E. Jiménez Torres and their conjugal partnership
150. Olga M. Jaume Tapia, Antonio Ginés Montalvo and their conjugal partnership
151. María L. Julia Julia, Miguel Ángel Ríos Gerena and their conjugal partnership
152. Ana R. Julia Savarit
153. Linda López Arriaga, José Reyes Rosario and their conjugal partnership

154. Arlene López Cancel
155. Luis A. Martínez Vázquez
156. Felícita Montañez Figueroa, Miguel A. Albarrán Reyes and their conjugal partnership
157. Asmara Morales Yepes
158. Carmen T. Morris Zamora
159. Vivian Ortiz Schettini;
160. María De Los A. Pacheco Rodríguez, Alfred Demel and their conjugal partnership
161. Yanira Padilla Santiago
162. Eliezer Parrilla Meléndez, María García Montañez and their conjugal partnership
163. Liza Polanco Pagán, Walter Ricardo Bonilla Santaliz And Their Conjugal Partnership
164. Myrna Quijano Guillama
165. Sonia Rivera Colón, Jorge Ariel Vázquez Román and their conjugal partnership
166. Iris Rodríguez Delgado
167. Ángel F. Rolón Rivera, Maria Teresa Del Valle and their conjugal partnership
168. Ginnette Rosado Sánchez, Eugenio René Chinae and their conjugal partnership
169. Javier Rosado Torres, Maria S. Urango Salcedo and their conjugal partnership
170. Fanivel Rosario Santiago
171. Adela Sabatier Águila, Rudy E. Mayol Kauffmann and their conjugal partnership

- 172. Ana Sierra Díaz, César Manuel Sierra Rondón and their conjugal partnership
- 173. Mayra E. Soto Guzmán, José A. Candelaria Maldonado and their conjugal partnership
- 174. Nelly-Ann Suárez Pesante
- 175. Ana M. Tirado Colón, Yarim E. Cros Vázquez and their conjugal partnership
- 176. Clara L. Tirado Rios, Samuel López Pérez and their conjugal partnership
- 177. Aurin Valcarcel Cervera
- 178. Mirtelina Vázquez Robles, José V, Torres Rivera and their conjugal partnership
- 179. Miriam Villardefrancos Vergara
- 180. Lourdes M. Zegrí Prieto, Carlos E. Rentas Giusti and their conjugal partnership

APPENDIX K

ESTADO LIBRE ASOCIADO DE PUERTO RICO
TRIBUNAL DE PRIMERA INSTANCIA
SALA SUPERIOR DE SAN JUAN

YALÍ ACEVEDO FELICIANO, JOHN A.
WILLIAMS BERMUDEZ y la Sociedad
Legal de Bienes Gananciales compuesta
por ambos, *et als*,

Parte Demandante;

V.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., representada por
MONSEÑOR ROBERTO GONZÁLEZ
NIEVES en su capacidad como Arzobispo
de San Juan, *et als*,

Parte Demandada.

CIVIL NÚM. SJ2016CV00131

SALA: 904

SOBRE: ORDEN DE CESE Y
DESISTA Y/O INJUNCTION;
SENTENCIA DECLARATORIA;
CUMPLIMIENTO DE
CONTRATO; IMPEDIMENTO
POR ACTOS PROPIOS; DAÑOS Y
PERJUICIOS.

SONIA ARROYO VELÁZQUEZ, JESÚS
M. FRANCO VILLAFANE y la Sociedad
Legal de Bienes Gananciales compuesta
por ambos, *et als*,

Parte Demandante;

V.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., representada por
MONSEÑOR ROBERTO GONZÁLEZ
NIEVES en su capacidad como Arzobispo
de San Juan, *et als*,

Parte Demandada.

CIVIL NÚM. SJ2016CV00143

SALA: 904

SOBRE: ORDEN DE CESE Y
DESISTA Y/O INJUNCTION;
SENTENCIA DECLARATORIA;
CUMPLIMIENTO DE
CONTRATO; IMPEDIMENTO
POR ACTOS PROPIOS; DAÑOS Y
PERJUICIOS.

ELSIE ALVARADO RIVERA, ISIDORO
HERNÁNDEZ y la Sociedad Legal de
Bienes Gananciales Compuesta por
Ambos, *et als*,

Parte Demandante;

V.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., representada por
MONSEÑOR ROBERTO GONZÁLEZ
NIEVES en su capacidad como Arzobispo
de San Juan, *et als*,

Parte Demandada.

CIVIL NÚM. SJ2016CV00156

SALA: 904

SOBRE: ORDEN DE CESE Y
DESISTA Y/O INJUNCTION;
SENTENCIA DECLARATORIA;
CUMPLIMIENTO DE
CONTRATO; IMPEDIMENTO
POR ACTOS PROPIOS; DAÑOS Y
PERJUICIOS.

ORDEN

En la tarde de hoy hemos recibido el mandato del Tribunal de Apelaciones. No quedando asuntos pendientes en los foros apelativos, tomamos nuevamente el curso de acción en el presente

caso.

Con fecha del pasado 27 de marzo de 2018, procedimos a emitir la Orden al Alguacil de este Tribunal para que proceda a embargar bienes y dinero de la Santa Iglesia Católica Apostólica y Romana en la cantidad de \$4,700,000 para responder por el pago de las pensiones de los demandantes asegurar el pago de las pensiones de los demandantes, incluyendo bonos, valores, vehículos de motor, obras de arte, equipos, muebles, cuentas, bienes inmuebles y cualquier otro bien perteneciente a la Santa Iglesia Católica Apostólica y Romana, y cualquiera de sus dependencias, que este ubicado en Puerto Rico.

Por razón de los diversos trámites apelativos, dicha orden quedó paralizada por lo que nunca logró ejecutarse. En vista del recibo del mandato, se le ordena a la Oficina de Alguaciles de este Tribunal a que, inmediatamente y sin demora alguna, proceda a darle fiel cumplimiento y ejecución a la orden de embargo emitida el pasado 27 de marzo del 2018.

Notifíquese,

En San Juan, Puerto Rico a 20 de agosto de 2018.

f/ANTHONY CUEVAS RAMOS
JUEZ SUPERIOR

APPENDIX L

ESTADO LIBRE ASOCIADO DE PUERTO RICO
TRIBUNAL DE PRIMERA INSTANCIA
SALA SUPERIOR DE SAN JUAN

<p>YALÍ ACEVEDO FELICIANO, JOHN A. WILLIAMS BERMUDEZ y la Sociedad Legal de Bienes Gananciales compuesta por ambos, <i>et als</i>,</p> <p>Parte Demandante;</p> <p>V.</p> <p>LA SANTA IGLESIA CATÓLICA APOSTÓLICA EN LA ISLA DE PUERTO RICO, INC., representada por MONSEÑOR ROBERTO GONZÁLEZ NIEVES en su capacidad como Arzobispo de San Juan, <i>et als</i>,</p> <p>Parte Demandada.</p>	<p>CIVIL NÚM. SJ2016CV00131</p> <p>SALA: 904</p> <p>SOBRE: ORDEN DE CESE Y DESISTA Y/O INJUNCTION; SENTENCIA DECLARATORIA; CUMPLIMIENTO DE CONTRATO; IMPEDIMENTO POR ACTOS PROPIOS; DAÑOS Y PERJUICIOS.</p>
<p>SONIA ARROYO VELÁZQUEZ, JESÚS M. FRANCO VILLAFANE y la Sociedad Legal de Bienes Gananciales compuesta por ambos, <i>et als</i>,</p> <p>Parte Demandante;</p> <p>V.</p> <p>LA SANTA IGLESIA CATÓLICA APOSTÓLICA EN LA ISLA DE PUERTO RICO, INC., representada por MONSEÑOR ROBERTO GONZÁLEZ NIEVES en su capacidad como Arzobispo de San Juan, <i>et als</i>,</p> <p>Parte Demandada.</p>	<p>CIVIL NÚM. SJ2016CV00143</p> <p>SALA: 904</p> <p>SOBRE: ORDEN DE CESE Y DESISTA Y/O INJUNCTION; SENTENCIA DECLARATORIA; CUMPLIMIENTO DE CONTRATO; IMPEDIMENTO POR ACTOS PROPIOS; DAÑOS Y PERJUICIOS.</p>
<p>ELSIE ALVARADO RIVERA, ISIDORO HERNÁNDEZ y la Sociedad Legal de Bienes Gananciales Compuesta por Ambos, <i>et als</i>,</p> <p>Parte Demandante;</p> <p>V.</p> <p>LA SANTA IGLESIA CATÓLICA APOSTÓLICA EN LA ISLA DE PUERTO RICO, INC., representada por MONSEÑOR ROBERTO GONZÁLEZ NIEVES en su capacidad como Arzobispo de San Juan, <i>et als</i>,</p> <p>Parte Demandada.</p>	<p>CIVIL NÚM. SJ2016CV00156</p> <p>SALA: 904</p> <p>SOBRE: ORDEN DE CESE Y DESISTA Y/O INJUNCTION; SENTENCIA DECLARATORIA; CUMPLIMIENTO DE CONTRATO; IMPEDIMENTO POR ACTOS PROPIOS; DAÑOS Y PERJUICIOS.</p>

ORDEN ENMENDADA

Atendida la solicitud presentada por la parte demandante para que se ordene el Embargo de Fondos de la Iglesia Católica, para asegurar el pago de las pensiones de los empleados demandantes, se le declara Con Lugar.

En este caso, mediante su sentencia del 18 de julio de 2017, el Tribunal Supremo de Puerto Rico resolvió que los demandantes están sufriendo daños irreparables por la suspensión del pago de sus pensiones.

Se ordena, en virtud de ello, al Alguacil de este Tribunal que proceda a embargar bienes y dineros de la Santa Iglesia Católica Apostólica y Romana y/o Roman Catholic Church in Puerto Rico, en una cantidad de \$4,700,000 para responder por el pago de las pensiones de los demandantes, incluyendo bonos, valores, vehículos de motor, obras de arte, equipos, muebles, cuentas, bienes inmuebles y cualquier otro bien perteneciente a la Santa Iglesia Católica Apostólica y Romana y/o Roman Catholic Church in Puerto Rico y cualquiera de sus dependencias, que esté ubicada en Puerto Rico.

De realizarse el embargo sobre sumas de dinero, incluyendo salarios o beneficios, o bienes muebles que se encuentren bajo posesión, depósito o custodia de terceros, se ordena que el Señor Alguacil realice dicho embargo notificando con copia de esta orden a dichos terceros requiriéndoles que le entreguen de inmediato dichos bienes o que, en caso de que su entrega inmediata sea imposible, retengan los mismos hasta tanto puedan consignarlos en el tribunal sin que puedan, so pena de desacato, entregar estos ni a los demandados ni a ninguna otra persona natural o jurídica que no sea el Señor Alguacil mientras el Tribunal no disponga otra cosa. En el caso de bienes inmuebles, su embargo se efectuará anotándolo en el Registro de la Propiedad y notificándolo a la demandada.

Se ordena y autoriza, además, al Señor Alguacil para que, si el lugar, local o sitio donde se encuentren localizados los bienes a embargarse se encuentre cerrado, este tome las medidas que fueran necesarias (tales como abrir puertas, romper candados o forzar su entrada al referido lugar o local) para que no haga fútil o inoperante el embargo.

La presente orden podrá ser diligenciada de noche o de día, en cualquier lugar de Puerto Rico en que existan bienes pertenecientes a la Santa Iglesia Católica Apostólica y Romana y/o Roman Catholic Church in Puerto Rico. A estos fines, se autoriza al Alguacil a desplazarse fuera del Distrito Judicial para su ejecución. Se ordena y autoriza, además, al Señor Alguacil para que, si el lugar, local o sitio donde se encuentren localizados los bienes a embargarse se encuentre cerrado, este tome las medidas que fueron necesarias (tales como abrir puertas, romper candados o forzar su entrada al referido lugar o local) para que no haga fútil o inoperante el embargo.

Se expide la orden libre de fianza, conforme a la Regla 56.3 de las de Procedimiento Civil, por haber prevalecido ya los demandantes mediante sentencia final y firme del Tribunal de Supremo y haber quedado establecido que la obligación de pago surge de un documento de carácter público preparado por la propia parte demandada.

La Secretaría expedirá, sin requerir ulterior orden, todos aquellos mandamientos que sean necesarios para dar fiel cumplimiento con lo aquí ordenado.

En San Juan, Puerto Rico, a 27 de marzo de 2018, enmendada hoy, 22 de agosto de 2018.

Notifíquese.

/ /ANTHONY CUEVAS RAMOS
JUEZ SUPERIOR

ESTADO LIBRE ASOCIADO DE PUERTO RICO
TRIBUNAL DE PRIMERA INSTANCIA
SALA SUPERIOR DE SAN JUAN

YALÍ ACEVEDO FELICIANO, JOHN A.
WILLIAMS BERMUDEZ y la Sociedad
Legal de Bienes Gananciales compuesta
por ambos, *et als*,

Parte Demandante;

V.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., representada por
MONSEÑOR ROBERTO GONZÁLEZ
NIEVES en su capacidad como Arzobispo
de San Juan, *et als*,

Parte Demandada.

CIVIL NÚM. SJ2016CV0131

SALA: 904

SOBRE: ORDEN DE CESE Y
DESISTA Y/O INJUNCTION;
SENTENCIA DECLARATORIA;
CUMPLIMIENTO DE
CONTRATO; IMPEDIMENTO
POR ACTOS PROPIOS; DAÑOS Y
PERJUICIOS.

SONIA ARROYO VELÁZQUEZ, JESÚS
M. FRANCO VILLAFANE y la Sociedad
Legal de Bienes Gananciales compuesta
por ambos, *et als*,
Parte Demandante;

V.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., representada por
MONSEÑOR ROBERTO GONZÁLEZ
NIEVES en su capacidad como Arzobispo
de San Juan, *et als*,

Parte Demandada.

CIVIL NÚM. SJ2016CV00143

SALA: 904

SOBRE: ORDEN DE CESE Y
DESISTA Y/O INJUNCTION;
SENTENCIA DECLARATORIA;
CUMPLIMIENTO DE
CONTRATO; IMPEDIMENTO
POR ACTOS PROPIOS; DAÑOS Y
PERJUICIOS.

ELSIE ALVARADO RIVERA, ISIDORO
HERNÁNDEZ y la Sociedad Legal de
Bienes Gananciales Compuesta por
Ambos, *et als*,
Parte Demandante;

V.

LA SANTA IGLESIA CATÓLICA
APOSTÓLICA EN LA ISLA DE PUERTO
RICO, INC., representada por
MONSEÑOR ROBERTO GONZÁLEZ
NIEVES en su capacidad como Arzobispo
de San Juan, *et als*,

Parte Demandada.

CIVIL NÚM. SJ2016CV00156

SALA: 904

SOBRE: ORDEN DE CESE Y
DESISTA Y/O INJUNCTION;
SENTENCIA DECLARATORIA;
CUMPLIMIENTO DE
CONTRATO; IMPEDIMENTO
POR ACTOS PROPIOS; DAÑOS Y
PERJUICIOS.

RESOLUCIÓN

I.

En la tarde de ayer, 21 de agosto de 2018, durante la ejecución del embargo,

emitido inicialmente el 27 de marzo de 2018, se les informó a los alguaciles que realizaban la referida ejecución, que el nombre oficial de la parte demandada, identificada inicialmente como la Santa Iglesia Católica, Apostólica y Romana en Puerto Rico, lo es Roman Catholic Church in Puerto Rico.¹

Cabe señalar, que, desde la fecha de la presentación de la demanda en este caso, allá para el 6 de junio de 2016, la parte demandante ha identificado a la codemandada con el nombre de la Santa Iglesia Católica, Apostólica y Romana en Puerto Rico. Bajo este nombre, el presente pleito ha seguido su curso a través de diversos foros apelativos, tanto estatales como federales. Dicha parte ha participado activamente compareciendo en los escritos bajo el nombre antes indicado. Durante los pasados dos años de litigio en el presente caso, la codemandada Santa Iglesia Católica, Apostólica y Romana en Puerto Rico, ha permitido que todo el proceso judicial continúe y se mantenga bajo la impresión de que la identificación del nombre utilizado al inicio, es el correcto.

Este Tribunal advino en conocimiento no solo que el nombre correcto de la parte codemandada es Roman Catholic Church in Puerto Rico, sino que dicha parte codemandada ha dado instrucciones específicas a la Banca con miras a entorpecer y/o dilatar la ejecución de cualquier embargo. El mecanismo utilizado para tal entorpecimiento, lo es la carta emitida el 2 de agosto de 2018, que anejamos en el presente escrito.

Por todo lo cual, se hace preciso enmendar la Orden de Embargo, emitida el 27 de marzo de 2018, para incluir el referido nombre oficial. En vista de lo anterior, se procede a emitir nueva Orden de Embargo Enmendada dirigida a la Santa Iglesia Católica, Apostólica y Romana en Puerto Rico, así como a Roman Catholic Church in Puerto Rico, cuya identidad de personas es la misma.

II.

RESOLUCIÓN

A tenor con lo anterior, se emite la presente Resolución, y, en su consecuencia, se enmienda la Orden de Embargo para que sea dirigida a la Santa Iglesia Católica, Apostólica y Romana en Puerto Rico y/o a Roman Catholic Church in Puerto Rico.

¹ Los alguaciles nos indicaron que una persona, no identificada, les hizo entrega de una carta emitida el 2 de agosto de 2018 por el Arzobispado de San Juan de Puerto Rico dirigida al Banco Scotiabank, mediante la cual, entre otros asuntos, le señaló que su nombre oficial, según el Internal Revenue Service (IRS) es Roman Catholic Church in Puerto Rico. Para efectos de la presente Resolución, anejamos la referida Carta.

NOTIFIQUESE.

En San Juan, Puerto Rico, a 22 de agosto de 2018.

**f/ ANTHONY CUEVAS RAMOS
JUEZ SUPERIOR**



Arzobispado de San Juan de Puerto Rico

Vicario General y Moderador de la Curia

P.O. Box 9021967
San Juan, Puerto Rico 00902-1967
Teléfono (787) 727-737

CARTA CORREGIDA

2 de agosto de 2018

Scotiabank
División Legal
P.O. Box 362230
San Juan, Puerto Rico 00936-2230

Estimados Señores:

¡Reciban un saludo de Paz y Bien!

La Arquidiócesis de San Juan de Puerto Rico mantiene una estrecha relación bancaria con el Scotiabank. Es nuestra intención aclarar con esta comunicación lo siguiente:

1. Nuestro nombre oficial según el Internal Revenue Service (IRS) bajo el número de Seguro Social Patronal 660-198351 es Roman Catholic Church in Puerto Rico.
2. Al crecer la población de Puerto Rico a través de los años la Santa Sede ha establecido divisiones territoriales en nuestra Provincia Eclesiástica que al momento Son:
 - a. Arquidiócesis de San Juan (Roman Catholic Church in Puerto Rico),
 - b. Diócesis de Ponce,
 - c. Diócesis de Mayagüez,
 - d. Diócesis de Pajardo-Humacao,
 - e. Diócesis de Caguas y
 - f. Diócesis de Arecibo.
3. La Arquidiócesis de San Juan y las demás diócesis son entidades independientes con personalidad jurídica individuales.
4. Dentro de los territorios comprendidos en la Arquidiócesis y cada una de las cinco diócesis existen Parroquias, Colegios, Corporaciones y Fideicomisos. Éstas también son independientes unas de las otras y gozan de personalidad jurídica individual con sus propios números de Seguro Social Patronal.
5. El nombre jurídico de la Arquidiócesis de San Juan **NO es Iglesia Católica Apostólica y Romana en Puerto Rico** ni ningún otro nombre del arriba indicado y no debe confundirse de ninguna manera.
6. Alertamos que de esta Institución Financiera proceder a ejecutar cualquier embargo sin consultar lo antes expuesto, nos veremos en la obligación de recurrir a los foros legales.

Esperamos que esta información les sea de utilidad y les rogamos que de tener alguna duda se comuniquen con nuestro asesor legal, licenciado Pedro A. Busó García del bufete Shuster, Aguiló LLC-Littler Global Tel: (787) 765-4646.

Atentamente,

Padre Alberto Figueró Morales
Vicario General/Moderador de la Curia

C: Sra. Sandra Rodríguez Guardarrama
Delegada del Arzobispo para Asuntos Económicos

APPENDIX M

EN EL TRIBUNAL SUPREMO DE PUERTO RICO

Yali Acevedo Feliciano, et
al.

Peticionarios

v.

Iglesia Católica, Apostólica
y Romana, et al.

Recurridos

CC-2018-0475 *Certiorari*

Sonia Arroyo Velázquez, et
al.

Peticionarios

v.

Iglesia Católica, Apostólica
y Romana, et al.

Recurridos

Elsie Alvarado Rivera, et
al.

Peticionarios

v.

Iglesia Católica, Apostólica
y Romana, et al.

Recurridos

RESOLUCIÓN

San Juan, Puerto Rico, a 27 de agosto de 2018.

Examinada la moción titulada "Emergency Stay Application" presentada por la Arquidiócesis de San Juan y la Superintendencia de Escuelas Católicas de la Arquidiócesis de San Juan, se provee no ha lugar.

Lo acordó el Tribunal y certifica el Secretario del Tribunal Supremo. El Juez Asociado señor Colón Pérez paralizaría. La Jueza Presidenta Oronoz Rodríguez y la Juez Asociada señora Rodríguez Rodríguez no intervinieron.



Juan Ernesto Dávila Rivera
Secretario del Tribunal Supremo