

**THE PERMANENT JUDICIAL COMMISSION
OF THE SYNOD OF THE PACIFIC
OF THE PRESBYTERIAN CHURCH (U.S.A.)**

Eric Parnell, Bruce McIntosh, Cordelia)
Shieh, Margaret Gelini, Greg Roth, Marsha)
Roth, Randy Young, and the Session of)
Walnut Creek Presbyterian Church,)
)
Complainants/Appellants,)
v.)
)
The Presbytery of San Francisco,)
)
Respondent/Appellee.)
)

FINAL DECISION AND ORDER
GAPJC Remand of Case 220-03
(SPJC Remedial Case 09-04)

ARRIVAL STATEMENT

This case came before the Synod Permanent Judicial Commission (this Commission or SPJC) filed by the Complainants Eric Parnell *et al.* (Parnell *et al.*), regarding action taken by the Presbytery of San Francisco at its meeting on November 10, 2009, via a remand from the General Assembly Permanent Judicial Commission (GAPJC) in its Decision and Order, Remedial Case 220-03, which was an appeal of a decision of this Commission.

JURISDICTIONAL STATEMENT

This Commission has jurisdiction because this case was remanded by the GAPJC.

APPEARANCES

The SPJC met September 16-17, 2011 at Oakland, CA. Commissioner Dee Schilling from Redwoods Presbytery was not present. Due to a recent resignation, the Presbytery of Sacramento did not have a commissioner. Commissioner Joan Fong from the Presbytery of San Francisco was recused.

HISTORY

In April 1997, the Presbytery of San Francisco (Presbytery) enrolled Lisa Larges (the Candidate) under care as a candidate for the office of minister of the Word and Sacrament, upon transfer from the Presbytery of the Twin Cities Area. In December, 2007, the Committee on Preparation for Ministry of Presbytery conducted its final assessment and on January 15, 2008, Presbytery voted to certify the Candidate as ready for examination.

At its stated meeting of November 10, 2009, Presbytery voted to validate the Candidate's call to serve as coordinator of the organization That All May Freely Serve, pending her ordination as a minister of the Word and Sacrament. Presbytery then voted to approve the Candidate for ordination to the office of minister of the Word and Sacrament. In her examination, she presented to Presbytery both a Statement of Faith and a Statement of Departure. In the latter document and within her examination, she affirmed she was not currently in a same gender relationship.

On December 21, 2009, Appellants filed a remedial complaint against Presbytery for its approval of the Candidate for ordination who stated a departure from G-6.0106b. On January 11, 2010, the SPJC, in its Decision and Order on Preliminary Questions, accepted the case for trial and at the same time entered a Stay of Enforcement as requested by more than one-third of the commissioners present at the November meeting of Presbytery. The trial before the SPJC was held on September 23, 2010.

In its decision of September 25, 2010 (SPJC Decision), the SPJC affirmed Presbytery's action to ordain the Candidate with a departure. A minority report was also filed. The SPJC also ordered a continuation of the Stay of Enforcement in anticipation of an appeal to the GAPJC.

A Notice of Appeal was received by the Stated Clerk of the General Assembly on November 9, 2010.

As of July 10, 2011, the *Book of Order* was amended to replace G-6.0106b with the language now codified in G-2.0104b. On July 15, 2011, Presbytery filed a *Motion to Dismiss*, alleging that the Appellants' case was now moot because G-6.0106b had been replaced. However, the parties conceded the issues raised in this case were broader than G-6.0106b.

The decision in GAPJC Remedial Case 220-03, dated August 1, 2011, denied the Appellee's Motion to Dismiss. The GAPJC determined the issues raised by the Appellants in the specifications of error were broader than the applicability of G-6.0106b.

The GAPJC decision did not sustain nine of eleven specifications of error of Remedial Case 220-03. The remainder of the case was remanded to the SPJC, specifically Appellant specifications of error 10 and 11, for further decision.

Prior to convening, this Commission voted not to accept additional information or argument from the parties to consider as part of the remand. This Commission determined that the record was complete. This decision was communicated to the parties and acknowledged. A document was received from Presbytery, followed by a response from the Appellant. Neither of these submissions was considered by this Commission during its deliberations.

PROCEDURAL COMMENTS

At trial, all specifications of error referred to the former section G-6.0106b of the *Book of Order*. This commission now finds itself under instruction from the GAPJC to rule, independent of that former section, "on the Appellants' contention that Scripture and the Confessions prohibit certain sexual behavior." We must assume from the Order, notwithstanding a substantial amendment to the former section G-6.0106b, that such a determination still has a direct bearing

on the ordination qualifications of the candidate in this case. We must trust that such an assumption is correct.

SPECIFICATIONS OF ERROR

NOTE: These Specifications of Error, while written in the form of error alleged on the part of the SPJC, are answered to address the action of the Presbytery, which the SPJC understands to be the intent of the GAPJC remand.

Specification of Error No. 10. The SPJC erred by not correcting the doctrinal error and abuse of discretion exercised by the Presbytery of San Francisco in this ordination decision.

This specification of error is not sustained. See explanation below Specification of Error No. 11.

Specification of Error No. 11. The SPJC erred when it failed to rule on the constitutionality of the ordination decision itself, limiting its comments to presbytery process only.

This specification of error is not sustained.

Presbyterian polity makes clear that the burden for determining fitness for ordination rests with the council responsible for ordination. Recent constitutional changes (Amendment 10-A and the new Form of Government) have only strengthened the centrality of this principle. In addition, as a part of that examination process, candidates may express a departure from ordination standards (2006 PUP AI (GA, *Minutes*, 2006, 28-29, 523, Item 06-1) and the Knox Authoritative Interpretation (GA, *Minutes*, 2008, 42, 43, 379, Item 05-12)). If a candidate declares a departure, the examining council is to determine whether the candidate's departure is from the essentials of Reformed faith and polity (G-2.0105).

The Presbytery of San Francisco, both through its COM and as a body of the whole, considered the candidate's departure. Presbytery determined it did not constitute a departure from the essentials of Reformed faith and polity and therefore fell within the permissible bounds of Freedom of Conscience (G-2.0105).

Presbytery did not commit doctrinal error in its decision to accept the departure and to ordain the candidate. The record and trial testimony make clear that interpretations of scripture and the confessions, and the conclusions that result from those interpretations, have not been uniform in the history and practice of the Church. Nor are those interpretations uniform among theologians and biblical scholars within the denomination, as witness testimony and the record make clear. This vast diversity of interpretation of scripture and the confessions regarding human sexuality evident in the record is also manifest across the churches and members of the

denomination. Such thoughtful disagreement among reasonable and faithful Presbyterians is itself an important and faithful part of the Reformed tradition. This range of interpretations reached through thoughtful and prayerful discernment is, in itself, evidence that the candidate's departure cannot be from an essential of Reformed faith and polity. Disagreements over particular passages of scripture and confessions, and their interpretation in light of scripture and confessions as a whole, preclude designating such passages as somehow uniquely central to determining the fitness and faithfulness of a candidate for office. Rather, such disagreements call for the exercise of mutual forbearance toward one another (F-3.0105). This Commission holds that in the case of this particular candidate and her particular departure, the Presbytery of San Francisco's ordination decision did not constitute a doctrinal error, nor was it an abuse of discretion.

The ordination process permits departure and exercise of freedom of conscience within certain bounds. Presbytery is responsible for determining whether the candidate has departed from essentials of Reformed faith and polity (G-2.1015). Presbytery has the authority to carry out this constitutional obligation and "[t]his determination is a judgment for which higher judicatories should substitute their judgment only for the most extraordinary reasons." (2006, #217-1, *Minutes* p. 455, *Hope, et.al. v. Pby of San Francisco*, citing *Rankin v. National Capitol Union Presbytery UPC Minutes*, 1981, p. 113). This Commission finds that no extraordinary reasons exist to overturn Presbytery's judgment. Presbytery appropriately followed its prescribed process, as well as those ordered by this Commission and the GAPJC (SPJC Case 08-01, *Naegeli et al. v Presbytery of San Francisco* and GAPJC Case 219-11 *Naegeli et al. v. Presbytery of San Francisco*) to address the doctrinal and constitutional questions before it.

Having determined that Presbytery's decision to ordain the candidate was neither doctrinal error nor an abuse of its discretion, this Commission finds the decision to ordain the candidate is constitutionally valid in both its process and its content.

DECISION AND ORDER

This Commission, by unanimous vote, declines to direct Presbytery to reexamine the candidate.

IT IS THEREFORE ORDERED that the decision of Presbytery to ordain the Candidate, with a departure, is affirmed.

IT IS FURTHER ORDERED that, by unanimous vote, this Commission does hereby file a Stay of Enforcement in continuation of the Stay filed originally by the Presbytery of San Francisco (D-6.0103a(2)). This stay will expire in 45 days of the receipt of this decision by the parties, if no appeal is filed, or upon the receipt of the decision of the GAPJC if appealed.

IT IS FURTHER ORDERED that the Stated Clerk of the Presbytery of San Francisco report this Decision to Presbytery at its first meeting after receipt of this decision, that Presbytery enter the full Decision upon its minutes, and that an excerpt from those minutes showing entry of the Decision be sent to the Stated Clerk of the Synod (D-7.0701).

IT IS FURTHER ORDERED that the Stated Clerk of the Synod of the Pacific report this Decision to the Synod at its first meeting after receipt of this decision and that the Synod enter the full Decision upon its minutes.

**DISSENTING OPINION OF
Melvin Khachigian, Jean McClain, and Kenneth M. Robbins**

The rules that scripture and the confessions are used to determine ordination standards, and the affirmative answers to required ordination questions by each candidate have not, in fact, changed with the adoption of the *Book of Order* 2011-2013. Under Section W-4.4003, each of the questions for ordination bears, in some degree, upon this matter, but questions 3 and 4, subsections c and d, are particularly relevant. The third question (subsection c) reads, “Do you sincerely receive and adopt the essential tenets of the reformed faith as expressed in the confessions of our church as authentic and reliable expositions of what scripture leads us to believe and do, and will you be instructed and led by those confessions as you lead the people of God?” In other words, in addition to the essential tenets of the reformed faith do you understand that those essential tenets are expressed in the confessions and are reliable expositions of what scripture says and will you be led by that? The fourth question (subsection d) asks, “Will you fulfill your ministry in obedience to Jesus Christ, under authority of scripture, and be continually guided by our confessions?”

The issue therefore becomes this: If scripture and the confessions specifically prohibit certain sexual behavior and a candidate for ordination specifically refuses to be bound by those prohibitions, can he or she answer affirmatively to the third ordination question? In addition, is such a refusal effectively to answer no to the fourth ordination question in the sense that a refusal to teach those matters consistently with the confessions amounts to a decision which refuses to be guided by the confessions and scripture?

The GAPJC is asking this Commission to determine whether scripture and the confessions prohibit certain sexual behavior, specifically homosexuality. If a candidate for ordination refuses to be bound by those scriptural interpretations and the guidance of those confessions, does such a refusal amount to negative answers to parts of the ordination questions, therefore barring ordination of that candidate?

SCRIPTURE

The expert testimony at trial in this case consisted of what can only be described as an all-star cast. Testifying on behalf of the Appellants were Dr. John Thompson, Professor of Historical Theology at Fuller Theological Seminary; Dr. Dale Bruner, Retired Professor from Whitworth College and published commentator of the scripture; and finally, Dr. Robert Gagnon, New Testament Scholar at Pittsburg Theological Seminary and published author. Testifying on behalf of the Appellee were Dr. Jack Rogers, Retired Professor, former moderator of the General Assembly and published author; and Dr. Mark Achtemeier, Professor of Theology and Ethics, Pastor, and published author. Dr. Achtemeier served on the Peace Unity and Purity Task Force.

Each of the witnesses provided a unique and interesting view of scriptural interpretation in various contexts.

The transcript of the trial proceedings in this matter is 394 pages long, most of which is taken up with the various discussions of these experts regarding the interpretation of the scriptural passages, the confessions, and the early commentaries as well as various processes for scriptural interpretation. It is not necessary for this Dissent to fully expound upon the testimony received. A summary of the important details will suffice.

Several passages of scripture were cited by the various experts and reference was made to others relating to sexual ethics and marriage. Specific references about homosexual behavior were cited as well as passages about creation, marriage, sexual fidelity in general and Jesus' approach to each of these. It is sufficient for these purposes to refer to the following passages specifically dealing with or referring to homosexuality: Genesis 19, Leviticus 20:13, 1 Corinthians 6:9, 1 Timothy 1:10, Romans 1:27 and 2 Peter 2:6-7.

As indicated, many other passages were referenced, but these passages were specifically on point. Each of these passages appear to proscribe homosexual behavior.

The witnesses each posited various approaches to scriptural interpretation but they all agreed that the beginning of the interpretive process is to return to the original language, either in Hebrew or in Greek, to determine the actual text of what was being said in the language of the time. Dr. Bruner, (transcript at p. 140), describes the following process of interpretation. Speaking of the New Testament, he returns to the original Greek, followed by a review of the historical commentaries on the classic teaching of the church through the ages. He begins with commentaries in ancient times (Augustine and Chrysostom as examples), moves to Aquinas in Medieval times, Luther and Calvin in the 16th Century, then perhaps Bengali, Johanus, and Matthew Henry in the 18th Century, Wescott and Meyers in the 19th Century before turning to the 20th Century commentaries. These names were given as examples of commentators. In addition, he would look to the confessions and other statements, letters, and comments of church fathers to help interpret not only the setting and the cultural context but also the intent of the authors. Each of the parties essentially agrees upon this approach, except that Dr. Rogers places more emphasis upon the 20th Century commentaries of the last 50 years.

With respect to scripture, the evidence is overwhelming. The church, and before that the Jewish law and traditions, have, throughout all of the ages until about 50 years ago, universally and singularly condemned homosexual acts as a violation of God's law. It is only within the last 50 years or so that some scholars have began to differ on that view. We are not persuaded by the evidence presented in the scriptures themselves and in the testimonial evidence that such new interpretations represent an accurate view of the scripture.

With regard to the interpretation of scripture on the issue at hand, a specific quote by Dr. Dale Bruner (transcript p. 43 lines 12-18) is particularly enlightening. Dr. Bruner said:

I recognize there are only six or seven references to this problem. How many times does God have to say it to be influential? Scripture is equivocal, it's

equivocal on marriage, on women, on slavery, on a bunch of issues. On homosexuality it's unequivocal, and I find that quite compelling.

A review of the scriptures provided would suggest Dr. Bruner is right. It is quite compelling that multiple books in both the Old and New Testaments from different authors and sources in different times and cultures, all agree that homosexual practice violates God's law.

CONFESSIONS

We now turn to the confessions. The Appellants quoted the Heidelberg Catechism, question 87 which is identified as Section 4.087 in the *Book of Confessions*, as supportive of its position. Question 87 reads:

Q. Can those who do not turn to God from their ungrateful impenitent life be saved? A: Certainly not! Scripture says, "Surely you know that the unjust will never come into possession of the Kingdom of God. Make no mistake: No fornicator or idolater, none who are guilty either of adultery or of homosexual perversion, no thieves or grabbers or drunkards or slanderers or swindlers will possess the Kingdom of God."

During his testimony, Dr. Rogers expressed surprise that the reference to the Heidelberg Catechism was quoted. He was troubled by it because he has come to understand that the original Heidelberg Catechism did not contain the words "or of homosexual perversion." Indeed, he testified that when it came to his attention that this may have been a mistranslation, he was able to speak to one of the two gentlemen responsible for the translation and obtained what he says was a statement from one of them that it seemed to be required in that context, so they inserted it.

Dr. Rogers asserted that since the phrase was not part of the original document it should not be referenced as a source of authority. Indeed, if that is the case, and we have reason to believe that it is, there is an uncertain cloud that may hang over that particular provision of the Heidelberg Catechism. Nevertheless, the provision was in existence at the time of the reunification of the church and was accepted as part of the *Book of Confessions*. It is currently published as a portion of the *Book of Confessions*, and is continually and repeatedly referenced in the index to the *Book of Confessions* as it refers to homosexuality. There is nothing sanctified about the original draft of the Heidelberg Catechism such that the church would not be free to modify it as it deemed necessary. Indeed, the church appears to be in the process of reviewing this section of the Heidelberg Catechism for just such a potential modification. The best evidence for this proposition are the extensive changes that have been made to the Westminster Confession of Faith rather than the adoption of a mere translation of its original form. The list of these may be found at the beginning of that confession in footnote "a". The problem is that neither the confession, nor any part of it may be negated on the testimony of one witness referencing hearsay evidence concerning how the Catechism was more recently translated. Nor does it subtract from its current authority, notwithstanding the compelling nature of the potential problem with that section.

Were this the only reference to homosexual behavior in the *Book of Confessions* this might be more troubling. However, the Larger Catechism in question 139 found at section 7.249 reads as follows: “Q. What are the sins forbidden in the Seventh Commandment?” A. The sins forbidden in the Seventh Commandment besides the neglect of the duties required are: adultery, fornication, rape, incest, sodomy, and all unnatural lusts, all unclean imaginations, thoughts, purposes..... “ One can readily see that the sin of sodomy is proscribed amongst the list of other sexual sins listed by the larger Catechism. In addition the Westminster Confession’s teaching on marriage as a union between one man and one woman found at section 6.131/6.133 is instructive regarding sexuality as it is ordained by God. Marriage is further reflected upon in the Second Helvetic Confession at 5.246 and in other confessions as well.

Last, but not least, the Heidelberg Catechism at 4.108 asks question 108: “Q. What does the seventh commandment teach? A. That all unchastity is condemned by God, and that we should therefore detest it from the heart, and live chaste and disciplined lives, whether in holy wedlock or in single life.”

Chastity in this case refers to abstinence from corrupt or unlawful intercourse since it refers to chastity in holy wedlock. This section should sound familiar. It is a foundation of the former *Book of Order* Section G.6-0106b, “fidelity in marriage and chastity in singleness.” It may have been removed from the *Book of Order*, but the requirement is alive and well in the *Book of Confessions*, such that sexual activity outside of marriage as our confessions define marriage is proscribed.

So what are we to make of all of this?

- First, it is abundantly clear that when scripture speaks directly of homosexuality it condemns the practice.
- Second, when scripture speaks of sexuality generally it describes the blessing of a union between one man and one woman in holy matrimony. No other form of human sexuality is blessed by scripture.
- Third, nowhere in scripture is there found any provision that blesses, condones or even tolerates homosexual activity.
- Fourth, the confessions speak volumes about marriage and universally condemn sexual practices which are considered perversions, specifically sodomy, a homosexual practice.
- Fifth, to the extent one gives credence to the current status of the *Book of Confessions* as it relates to the translation of the Heidelberg Catechism question 87, as we believe we must until otherwise changed, homosexual practices are condemned.
- Sixth, for 1,950 or so years the church universally considered the practice of homosexuality sinful behavior. The commentators and translators of the Bible all agree.

Given the testimony, the overwhelming nature of scripture speaking for itself and as further expanded upon by the confessions and explained in the commentaries of the age we return to the quote of Dr. Bruner that scripture is unequivocal about homosexuality.

The confessions are unequivocal as well. The commentaries, but for the last 50 years or so, are equally unequivocal.

At trial, the Appellant asserted that Scripture and the confessions prohibit homosexual behavior as a matter of doctrine. In its remand, the GAPJC determined that it was error not to rule on that doctrinal assertion.

While the foregoing discussion is necessary to flesh out the depth and breadth of this matter, the answer to the issue of whether homosexual behavior is sinful as a matter of doctrine was answered centuries ago. I Timothy 1:8-10 discussing why we have the Law says:

Now we know that the Law is good, if one uses it lawfully, understanding this, that the Law is not laid down for the just but for the lawless and disobedient, for the ungodly, and sinners, for the unholy and profane, for those who strike their fathers and mothers, for murders, the sexually immoral, men who practice homosexuality, enslavers, liars, perjurers, and whatever else is contrary to sound doctrine (emphasis added).

FORBEARANCE

Appellee urges upon this Commission and the Church the virtue of forbearance. The Peace, Unity and Purity Task Force pleads that we forbear one with another in matters of interpretation and practice.

There is always a tension between that which is true and good, and the forbearance we may owe to one another on account of different views of what may be the truth. Section F-3.0104 of the *Book of Order* is referred to in its prior form by Complainant/Appellant. It reads:

That truth is in order to goodness; and the great touchstone of truth, its tendency to promote holiness, according to our Savior's rule, "By their fruits ye shall know them." And no opinion can be more pernicious or more absurd than that which brings truth and falsehood upon a level, and represents it as of no consequence what a man's opinions are. On the contrary, we are persuaded that there is an inseparable connection between faith and practice, truth and duty. Otherwise it would be of no consequence either to discover truth or to embrace it.

Immediately following that section in the *Book of Order* is Section F-3.0105 entitled Mutual Forbearance. That section reads:

That, while under the conviction of the above principle, we think it necessary to make effectual provision that all who are admitted as teachers be of sound faith, we also believe that there are truths and forms with respect to which men of good characters and principles may differ. And in all of these we think it is the duty both of private Christians and societies

to exercise mutual forbearance toward each other.

In its brief, Appellee suggests that forbearance is essentially a chief virtue and should prevail over a sense of truth and goodness since reasonable persons disagree on the issue of homosexuality as sinful behavior. This is a misplaced assertion.

By its very construction, Section F-3.0105 specifically recognizes that mutual forbearance is exercised under the conviction of the above principle, truth and goodness (emphasis added). It also fully recognizes that all who are admitted as teachers are to be of sound faith. This construction clearly recognizes there are truths over which disagreements are not reasonable.

There is even more at stake here than statutory priority. The arguments of Appellee seem to suggest we really cannot know truth when we disagree so we should simply forbear one another in that disagreement.

There are truths, the denial of which cannot and should not expect forbearance. (Again see I Timothy 1 and Romans 1.) There are points of departure from scripture and our confessions that may not be excused lest theological anarchy prevail and all sight of truth be lost in the indifference. There are departures from faith and practice which exceed independence and amount to rebellion. They also exceed the bounds of freedom of conscience described in Section G-2.0105. A refusal to acknowledge the truth of scripture and the authority of the confessions is such a departure and is exactly what the candidate for ordination in this case did in her examination.

CONCLUSION

We, therefore, would find that under the scriptures and as expressed in the confessions, homosexual behavior is sinful behavior in need of confession and redemption, no more, but certainly no less, than any other sin.

Having made that determination, the question becomes what impact, if any, does this have upon the candidate's eligibility for ordination? As previously indicated, the questions for ordination, specifically the third question referenced above, must be examined. If a candidate for ordination rejects the conclusion that homosexual activity is sinful, as described in the scriptures and in the confessions, how then can that candidate proclaim that the Reformed faith as expressed in those confessions is an authentic and reliable exposition of scripture? And how can she or he be instructed by and led by those confessions as they lead the people of God? We must answer in the negative; she or he cannot.

Therefore, one who rejects the teachings of scripture and the confessions cannot honestly answer this question in the affirmative. In a like manner, in question 4, how can any candidate for ordination pledge obedience to Jesus Christ "under the authority of scripture" and be continually guided by our confessions? We do not believe that any candidate for ordination rejecting the church's understanding of scripture and the confessions regarding homosexual

conduct can honestly answer that question in the affirmative either. Since the rejection of both of those questions automatically arises by the rejection of the teachings of scripture and the confessions, it would follow that candidates who refuse to be bound by our understanding of scripture and the confessions answer no to each of these questions and have therefore disqualified themselves from ordination.

There is no question in the facts of this case as presented at trial that the statement of the candidate for ordination in question in the proceedings before us amounts to a refusal to be bound by not only the prior section G-6.0106b of the *Book of Order* but also by the confessions and scripture as we have discussed above. Such a refusal is tantamount to a “no” answer to at least ordination questions 3 and 4.

We, therefore, would find:

Specification of Error 10 (as we read it to apply to San Francisco Presbytery)

For the foregoing reasons we would find that the Presbytery of San Francisco abused its discretion by accepting the scruple of the candidate determining it not to be in violation of the Scriptures and Confessions.

Specification of Error 11 (as we read it to apply to San Francisco Presbytery)

For the same reasons we would find the Presbytery erred in that by her own statements the candidate has rendered herself constitutionally ineligible for ordination.

DATE

Dated this 17th day of September, 2011

Signed _____
Ruth Goldthwaite, Moderator
Permanent Judicial Commission of the Synod of the Pacific

James Bennett, Clerk
Permanent Judicial Commission of the Synod of the Pacific

CERTIFICATES

We certify that the foregoing is a full and correct copy of the decision of the Permanent Judicial Commission of the Synod of the Pacific, Presbyterian Church (U.S.A.), in the Remand from GAPJC Case 220-03 from SPJC Remedial Case No. 09-04, Parnell *et al.*, Complainants, v. The Presbytery of San Francisco, Respondent, made and announced at Oakland, CA, on September 17, 2011.

Ruth Goldthwaite, Moderator
Permanent Judicial Commission of the Synod of the Pacific

James Bennett, Clerk
Permanent Judicial Commission of the Synod of the Pacific

I certify that I did transmit a certified copy of the foregoing to the following persons by certified mail, return receipt requested, directing Wendy G. Warner to deposit it in the United States mail at Modesto, CA, on September 17, 2011.

The Rev. Mary Holder Naegeli
535 Wimbledon Road
Walnut Creek, California 94598

Elder Pamela Byers
c/o Calvary Presbyterian Church
2515 Fillmore Street
San Francisco, CA 94116

The Rev. Katherine Runyeon, Clerk
The Presbytery of San Francisco
2024 Durant Avenue
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The Rev. Wendy Warner
Stated Clerk
Synod of the Pacific
200 Kentucky St, Suite B
Petaluma, CA 94952-3825

The Permanent Judicial Commission of the Synod of the Pacific

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the Synod of the Pacific by delivering it in person to Wendy G. Warner on September 17, 2011.

James Bennett, Clerk
Permanent Judicial Commission of the Synod of the Pacific

I certify that I received a certified copy of the foregoing, that it is a full and correct copy of the decision of the Permanent Judicial Commission of the Synod of the Pacific, made on September 17, 2011, in the Remand from GAPJC Case 220-03 from SPJC Remedial Case No. 09-04, Parnell *et al.*, Complainants, v. The Presbytery of San Francisco, Respondent.

Dated at Oakland, CA on September 17, 2011.

Wendy G. Warner, Stated Clerk
Synod of the Pacific