

# A Timeline of Events Related to Self-Rule in the Antiochian Orthodox Christian Archdiocese of North America

(Updated on **May 13, 2009**)

Deleted: April 12

On **March 3, 2009**, Metropolitan PHILIP of The Self-Ruled Antiochian Orthodox Christian Archdiocese of North America (the “Archdiocese”) issued an Archpastoral Directive that the six Diocesan Bishops in the Archdiocese are now Auxiliary Bishops and are no longer to be commemorated at Divine services unless physically present. This Archpastoral Directive has precipitated a practical and canonical crisis within the Archdiocese.

Deleted: February 26

The purpose of this document is to set forth a factual timeline of events both before and after the Archpastoral Directive, in order to avoid and dispel confusion among the Faithful in the Archdiocese.

- **March 29, 1943 - Incorporation of the Archdiocese.** The Syrian Antiochian Orthodox Archdiocese of New York and All-America (the “Archdiocese”) is formed. The Archdiocese filed its Certificate of Incorporation with the State of New York Department of State.<sup>1</sup>
- **June 22, 1972 - Constitution of Patriarchate Adopted.** On June 22, 1972, the Constitution of the Patriarchate was adopted by the Holy Synod of Antioch. It provides that “bishops” (meaning Auxiliary Bishops, not Diocesan Bishops) are nominated and elected pursuant to the Bylaws of the Patriarchate.<sup>2</sup>
- **June 24, 1975 - Articles of Reunification Signed.** According to “A Brief History of the Archdiocese” posted on the Archdiocesan website, “Metropolitan PHILIP (Saliba) of the Antiochian Archdiocese of New York and Metropolitan MICHAEL (Shaheen) of the Antiochian Archdiocese of Toledo, Ohio, and Dependencies signed the Articles of Reunification [on June 24, 1975] which restored administrative unity among all Antiochian Orthodox Christians in the United States and Canada.”<sup>3</sup>
- **August 19, 1975 - Holy Synod Ratifies Articles of Reunification.** According to “A Brief History of the Archdiocese” posted on the Archdiocesan website, on August 19, 1975, the Holy Synod of Antioch “ratified” the Articles of Reunification and “recogniz[ed] PHILIP as Metropolitan-Primate and MICHAEL as Auxiliary-Archbishop.”<sup>4</sup>
- **1976 - Amendment of Archdiocesan Constitution.** In 1976, the Archdiocesan Constitution was amended. The amended Constitution provided for the election of a single Auxiliary Bishop, who was to be nominated by a General or Special Convention and then elected by the Holy Synod of Antioch.<sup>5</sup>

<sup>1</sup> The Certificate of Incorporation is attached hereto as [Exhibit 0.5](#).

<sup>2</sup> What are believed to be official English version of the Patriarchate’s Constitution is attached hereto as Exhibit 69. For clarity, it is important to note that the Constitution, in these translations, is named “Bylaws” and that the Patriarchate Bylaws (Exhibit 70) are named “Internal Regulations of the Antiochian Chair.”

<sup>3</sup> “A Brief History of the Archdiocese” is attached hereto as Exhibit 0.8.

<sup>4</sup> See Exhibit 0.8.

- **January 9, 1983 - Consecration of Bishop ANTOUN as Auxiliary Bishop.** On January 9, 1983, Bishop ANTOUN was consecrated as an Auxiliary Bishop by, among others, Metropolitan PHILIP.<sup>6</sup>
- **April 7, 1983 - Bylaws of Patriarchate Adopted.** On April 7, 1983, the Bylaws of the Patriarchate were adopted by the Holy Synod. The Bylaws include provisions regarding “Bishops,” which are Auxiliary Bishops, not Diocesan Bishops.<sup>7</sup>
- **June 30, 1991 - Consecration of Bishop JOSEPH.** On June 30, 1991, Bishop JOSEPH was consecrated to the episcopacy at the St. Mary Cathedral in Damascus, and thereafter served as Bishop of Katana in Syria, Patriarchal Assistant, and Secretary of the Holy Synod of Antioch until 1995.<sup>8</sup>
- **July 26, 1991 - Nomination of Bishop BASIL as Auxiliary Bishop.** On July 26, 1991, Bishop BASIL (then Archimandrite Basil Essey) was nominated for Auxiliary Bishop by the General Assembly of the Archdiocese.<sup>9</sup>
- **November 14, 1991 - Election of Bishop BASIL as Auxiliary Bishop.** On November 14, 1991, the Holy Synod of Antioch elected Bishop BASIL (then Archimandrite Basil Essey) as an Auxiliary Bishop, with the titular see of Enfeh al-Koura in north Lebanon.<sup>10</sup>
- **May 31, 1992 - Consecration of Bishop BASIL.** On May 31, 1992, at St. George Cathedral in Wichita, Kansas, Bishop BASIL was consecrated to the episcopacy as an Auxiliary Bishop by Metropolitan PHILIP and three other bishops.<sup>11</sup>
- **1993 - Amendment of Archdiocesan Constitution.** In 1993, the Archdiocesan Constitution was again amended. The amended Constitution provided for the election of multiple Auxiliary Bishops, who were to be nominated by a General or Special Convention and then elected by the Holy Synod of Antioch.<sup>12</sup>

---

<sup>5</sup> The 1976 Constitution is attached hereto as Exhibit 0.6.

<sup>6</sup> Bishop ANTOUN’s biography is attached hereto as Exhibit 0.9.

<sup>7</sup> What is believed to be official English versions of the Patriarchate’s Bylaws is attached hereto as Exhibit 70. For clarity, it is important to note that the Patriarchate Bylaws, in this translation, are named “Internal Regulations of the Antiochian Chair.”

<sup>8</sup> See the biography of Bishop JOSEPH, attached hereto as Exhibit 35.

<sup>9</sup> See the biography of Bishop BASIL, attached hereto as Exhibit 44.

<sup>10</sup> See the biography of Bishop BASIL, attached hereto as Exhibit 44.

<sup>11</sup> See the biography of Bishop BASIL, attached hereto as Exhibit 44.

<sup>12</sup> The 1993 Constitution is attached hereto as Exhibit 0.7. It is unclear whether the Constitution was amended between 1976 and 1993.

- **1995 - Bishop JOSEPH becomes an Auxiliary Bishop in Archdiocese. In 1995, Bishop JOSEPH became an Auxiliary Bishop in the Archdiocese.**<sup>13</sup>
- **June 11, 2001 - Resolution on Autonomy.** Metropolitan PHILIP issued a letter titled “Resolution on Autonomy,” with instructions that it be read from the pulpit and published in bulletins throughout the Archdiocese.<sup>14</sup>
  - The letter stated that on June 2, 2001, the Archdiocesan Board of Trustees unanimously recommended that the General Assembly of the Archdiocese request that the Holy Synod of Antioch (the “Holy Synod”) grant autonomy to the Archdiocese.
  - The letter stated that one purpose of the resolution was “to allow our people to select their bishops.”
  - A proposed resolution was enclosed with the letter, and the Metropolitan said that proposed changes to the resolution would be accepted by his office through July 15, 2001.
- **July 26, 2001 – Los Angeles Convention.** The General Assembly met at the 45<sup>th</sup> Convention of the Archdiocese in Los Angeles. The minutes of the General Assembly reflect that the following occurred during the meeting:<sup>15</sup>
  - Attorney Charles Ajalat, Chancellor of the Archdiocese and member of its Department of Legal Affairs, presented the rationale for requesting autonomy from the Holy Synod, noting that “it is important to grasp the central teachings of Orthodox *ecclesiology* as our starting point when considering the various degrees of independence, including *Autonomy*.”
  - The General Assembly passed the resolution requesting autonomy for the Archdiocese by a vote of 97.7%.
- **June 11 and/or 12, 2002 - Presentation to Holy Synod.** The September 2002 edition of *The Word* magazine reported that the following members of the Archdiocese attended a meeting of the Holy Synod in Damascus at which Metropolitan PHILIP made a detailed presentation to the Holy Synod regarding the resolution requesting autonomy: Dr. George Farha, Fr. Joseph Antypas (pastor of St. George Church in Troy, MI and one of the priests whose public apology was posted on the Archdiocesan website on March 6, 2009), Nicola Antakli, and Fawaz El-Khoury.<sup>16</sup>

<sup>13</sup> [See the biography of Bishop JOSEPH, attached hereto as Exhibit 35.](#)

<sup>14</sup> The letter is attached hereto as [Exhibit 1.](#)

<sup>15</sup> The minutes were printed in the November 2001 edition of *The Word* magazine and were approved without amendment at the 2003 meeting of the General Assembly, according to the minutes of the 2003 General Assembly. The minutes are attached hereto as [Exhibit 2.](#)

<sup>16</sup> The article is attached hereto as [Exhibit 3.](#)

- **June 13, 2002 - Synodal Decision.** The Holy Synod issued a “Synodal Decision.” The English translation contained in a June 26, 2002, press release<sup>17</sup> from the Archdiocese stated the following:
  - The Holy Synod “recognizes [the] Archdiocese as autonomous.”
  - The Holy Synod “decided to establish a committee [of] six to eight persons, appointed equally” by Patriarch IGNATIUS IV and Metropolitan PHILIP to “propose a constitution for this autonomous Archdiocese, to be presented to the Holy Synod of Antioch, in order to acquire its final canonical status.”
- **June 27, 2002 - Letter about Synodal Decision.** In a letter<sup>18</sup> to be read from the pulpits in the Archdiocese, Metropolitan PHILIP shared the “good news” of the June 13 “Synodal Decision” and said that its English translation was approved by the author of the Synodal Decision, Metropolitan GEORGE (Khodre) of Mount Lebanon.<sup>19</sup>
- **November 8-9, 2002 - Meeting of the Board of Trustees.**<sup>20</sup>
  - **Report of Metropolitan PHILIP.** The minutes of the November 8-9, 2002, meeting of the Board of Trustees contain the following details from Metropolitan PHILIP regarding the June 2002 meeting of the Holy Synod:
    - “[T]he meeting of the Holy Synod was extremely difficult. From Tuesday through Friday, discussions focused on one and only one topic: the autonomy which Metropolitan PHILIP sought for our North American Archdiocese.”
    - “It seemed to be extremely difficult to get the members of the Holy Synod to understand that the Autonomy we are seeking amounts to nothing more and nothing less than the authority to nominate and elect our own bishops. Aside from this specific request, we are not seeking to change anything else.”
    - “The deliberations were finally brought to a halt when a resolution granting our Autonomy was introduced by Metropolitan GEORGE (Khodr) of Mount Lebanon and subsequently ratified by the members of the Holy Synod. The full text of this resolution was printed in both Arabic and English in the September issue of the WORD Magazine.”

<sup>17</sup> The June 26, 2002, press release is attached hereto as [Exhibit 4](#).

<sup>18</sup> The June 27, 2002, letter is attached hereto as [Exhibit 5](#).

<sup>19</sup> According to sources familiar with the matter, Metropolitan GEORGE denied approving any English translation of the Synodal Decision. Although this denial remains undocumented to date, and should be treated accordingly, it may help account for some of the confusion registered by the Patriarch with respect to differences in agendas between the groups who met in Geneva in November 2002. This puzzlement is evidenced in the October 1, 2003 open letter from the Patriarch which is reproduced in its entirety in [Exhibit 11](#), attached hereto.

<sup>20</sup> The minutes of the November 8-9, 2002, Board of Trustees meeting are attached hereto as [Exhibit 5.5](#).

- “Some details still need to be worked out, and this task will be accomplished when a delegation of Bishop Basil, V. Rev. Joseph Antypas, Dr. George J. Farha and Mr. Charles R. Ajalat meets with the delegation from the Patriarchate in Geneva on the 20<sup>th</sup>, 21<sup>st</sup>, and, if necessary, 22<sup>nd</sup> of November 2002.”
- Open Discussion Regarding Autonomy. The minutes of the Board of Trustees meeting also included a summary of an “open discussion on the subject of Autonomy”:
  - “It was considered to be essential that the members of our delegation to Geneva have with them and be prepared to present the draft of a constitution that spells out the intentions and the thinking and the vision of Metropolitan PHILIP concerning the way our Autonomous Archdiocese will function and operate and relate to the Patriarchate of Antioch, of which we will continue to be an integral and vital part.”
  - “In response, His Eminence indicated that, with invaluable assistance from Mrs. Anne Glynn Mackoul, he has been working on such a draft for our delegation to present in Geneva.”
  - “In response to this information, it was definitely the consensus of the Board members that our Antiochian Archdiocese should always remain a single, united, and undivided entity with a strong centralized governing administration.”
- **November 18-22, 2002 - Geneva Resolution.**
  - An article in the February 2003 edition of *The Word* magazine<sup>21</sup> reported that the following occurred on November 18-22, 2002:
    - The joint committee established by the Holy Synod in June 2002 met in Geneva, Switzerland.
    - The committee’s Archdiocesan representatives were Bishop BASIL, Charles Ajalat, Dr. George Farha, and Fr. Joseph Antypas.<sup>22</sup>
    - The result of the meeting was a resolution regarding autonomy to be submitted for adoption at the spring 2003 meeting of the Holy Synod (the “Geneva Resolution”).
    - The Geneva Resolution was unanimously agreed upon by the committee, “except for one detail which will be left to the discretion of the [Holy] Synod.”<sup>23</sup>

<sup>21</sup> The February 2003 article is attached hereto as [Exhibit 6](#).

<sup>22</sup> Dr. George Farha and Fr. Joseph Antypas also attended the Holy Synod meeting in October 2003 where the Damascus Resolution was adopted. See [Exhibit 13](#).

<sup>23</sup> Based on the copy of the Geneva Resolution enclosed with a letter dated June 10, 2003, from Metropolitan PHILIP, it appears that the “detail” that was to be left to the discretion of the Holy Synod concerned whether the Metropolitan alone could issue the praxis of the Diocesan Bishops. See [Exhibit 11](#), attached hereto.

- The Geneva Resolution “will form the basis upon which amendments to the constitutions of both the Patriarchate of Antioch and the Archdiocese . . . will need to be made in order to reflect the *new reality* of autonomy of the Archdiocese of North America.” (Emphasis added).
- In a letter to the clergy and faithful of the Archdiocese dated June 10, 2003, Metropolitan PHILIP enclosed a copy of a modified Geneva Resolution (the “Modified Geneva Resolution”).<sup>24</sup> Among other things, the Geneva Resolution stated the following:
  - “2. Governance. The Autonomous Archdiocese is governed by the Holy Scriptures, the Sacred Tradition, the Holy Canons, the Constitution of the Church of Antioch to the extent the said Constitution is not inconsistent with this Resolution and by its Constitution and By-laws, as may be amended from time to time and by its own legislative, executive and disciplinary organs.” (Emphasis added.)
  - “3. Recognition of Diocesan Bishops and Local Synod. The present auxiliary bishops of the Archdiocese, Bishop ANTOUN, Bishop JOSEPH, Bishop BASIL, and Bishop DEMETRI shall become the first diocesan bishops of four of the existing regions of the Autonomous Archdiocese, upon the adoption of this Resolution, and their titles shall be amended accordingly. They will constitute, together with the Metropolitan, the members of the Local Synod of the Autonomous Archdiocese, which will be its governing authority. The local synod shall determine the number of dioceses and their boundaries.”
  - “7. Decisions of the Holy Synod of Antioch. The decisions of the Holy Synod of the Church of Antioch shall be binding on the Autonomous Archdiocese on matters in doctrine, liturgy, sacraments, relations with autocephalous Orthodox Churches outside North America, and ecumenical policy with regard to other Christian and non-Christian bodies.”
  - “8. Amendment and Translation. The Autonomous Archdiocese and the Patriarchate of Antioch shall each amend its Constitution in accordance with the above. Each of the Arabic and English texts of this Resolution shall have equal force and validity.”

---

<sup>24</sup> The June 10, 2003, letter is attached hereto as [Exhibit 7](#). The Modified Geneva Resolution enclosed with that letter is attached hereto as [Exhibit 8](#) and shows the modifications to the Geneva Resolution that was adopted by the joint committee in November 2002. However, the provisions of the Geneva Resolution quoted above appear to be identical to those in the Modified Geneva Resolution.

- **April 30, 2003 - Review of Geneva Resolution by Local Synod.** A May 1, 2003, press release<sup>25</sup> from the Archdiocese stated that at a meeting of the Local Synod of the Archdiocese, the Local Synod reviewed the Geneva Resolution, “approved 99% of this document, and expects the remaining details to be addressed without difficulty.”<sup>26</sup>
- **May 30-31, 2003 - Meeting of the Board of Trustees.** The minutes of the May 30-31, 2003, meeting of the Board of Trustees reflect the following:<sup>27</sup>
  - **Endorsement of Modified Geneva Resolution.**
    - “Unfortunately, this meeting [in Geneva] did not proceed as smoothly as had been anticipated, because the delegation representing the Patriarchate seemed to be operating as if the [Damascus] Resolution which granted Autonomy had not been previously discussed and ratified by the Holy Synod.”
    - “After a good deal of effort on the part of our delegation, however, the [Geneva Resolution] did emerge and Mr. Charles R. Ajalat presented it to the Board . . . .”
    - “After he presented [the Geneva Resolution], Mr. Charles R. Ajalat moved that it be approved by this Board of Trustees and recommended for ratification by the General Assembly this July at the Archdiocese Convention in Miami; and Mr. Alan G. Abraham seconded.”
    - “During the lengthy and careful discussion stimulated by the presentation of this resolution, the wording of particular sections was amended slightly to produce the specific wording as presented above [i.e., the Modified Geneva Resolution]<sup>28</sup>; and the issue of whether this resolution should be presented to the Patriarch and the Holy Synod before or after its ratification by the Archdiocese General Assembly in Miami, was resolved in favor of presenting it after ratification by the General Assembly.”
    - “At the conclusion of this discussion, the vote was: thirty-two (32) in favor of the [Modified Damascus] Resolution, and four (4) against.”

<sup>25</sup> The May 1, 2003, press release is attached hereto as [Exhibit 9](#).

<sup>26</sup> It appears that the 1% that was not approved relates to the modifications to the Geneva Resolution that appear in the Modified Geneva Resolution.

<sup>27</sup> The minutes of the May 30-31, 2003, meeting of the Board of Trustees are attached hereto as Exhibit 9.1.

<sup>28</sup> The Modified Geneva Resolution, among other things, (i) required nominees for Diocesan Bishops to travel to Damascus to seek the prayers and blessings of the Patriarch, (ii) allowed less than three nominees to stand for election as a Diocesan Bishop (three was the number in the original Geneva Resolution); and (iii) deleted two alternatives as to who issues a Diocesan Bishop’s praxis. The “redlined” Modified Geneva Resolution also is included in the minutes of the 2003 meeting of the General Assembly, which are printed in the November 2003 edition of *The Word* magazine and attached hereto as Exhibit 10.

Deleted: April 12

A June 10, 2003, press release from Metropolitan Philip states that the Board of Trustees of the Archdiocese met and “endorsed” the Modified Geneva Resolution by an “overwhelming majority.”

Deleted: <sup>29</sup>

- o Amendment of Certificate of Incorporation. Charles R. Ajalat presented a Certificate of Amendment to the Archdiocesan Certificate of Incorporation, as well as Resolutions regarding the same, in order to:

Deleted: June 2, 2003 -

Deleted: the Archdiocese's

Deleted: Metropolitan PHILIP filed

Deleted: Archdiocese's

Deleted: inserting into the Certificate of Incorporation

Deleted: <sup>30</sup> provisions that

- Indicate dedication of all of the property of the Archdiocese to religious or charitable purposes, in order to support the Archdiocese's claim to tax-exempt status; and
- Permit the Constitution of the Archdiocese to determine the number of trustees.

The Certificate of Amendment was unanimously approved by the Board of Trustees.

- June 2, 2003 - Certificate of Amendment Filed. Metropolitan PHILIP filed the Certificate of Amendment to the Archdiocese's Certificate of Incorporation that was approved at the May 2003 Board of Trustees meeting.<sup>31</sup>
- **June 10, 2003 - Letter about Modified Geneva Resolution.** Metropolitan PHILIP sent a letter to the clergy and faithful of the Archdiocese, enclosing the version of the Geneva Resolution previously “endorsed” by the Board of Trustees on May 30 (the “Modified Geneva Resolution”) and encouraging them to “read [the Modified Geneva Resolution] carefully and come to the convention prepared to vote on it and adopt it as the official position of the entire Archdiocese.”<sup>32</sup>
- **July 12, 2003 – Arrest of Bishop DEMETRI.** The *Toledo Blade* reported that Bishop DEMETRI was arrested in Traverse City, MI, and charged with criminal sexual conduct and disorderly drunkenness after allegedly fondling the breast of a woman at a casino, and that his actions were captured on “crystal clear” video surveillance.<sup>34</sup>
- **July 14, 2003 – Suspension of Bishop DEMETRI.** In a letter to the Archdiocese dated July 14, 2003, Metropolitan PHILIP announced that Bishop DEMETRI was suspended during the investigation of the crimes.<sup>35</sup>
- **July 24, 2003 - Coral Gables General Assembly Approves Modified Geneva Resolution.** The General Assembly met at the 46<sup>th</sup> Convention of the Archdiocese in Coral Gables, FL. Metropolitan

Deleted: .

Deleted: <sup>33</sup>

<sup>31</sup> The amendment to the Certificate of Incorporation is attached here to as Exhibit 8.5.

<sup>32</sup> See Exhibit 7.

<sup>34</sup> Copies of the Toledo Blade article and another news story are attached hereto as Exhibit 21 and Exhibit 21.1.

<sup>35</sup> A copy of the July 14, 2003, letter is attached hereto as Exhibit 22.

PHILIP opened the General Assembly by exhorting it to approve the Modified Geneva Resolution.<sup>36</sup>

The minutes of the General Assembly<sup>37</sup> reflect that the Modified Geneva Resolution was approved in a roll call vote by 99.6% of the votes cast, after being moved by Charles Ajalat and seconded by Robert Koory, the Chancellors of the Archdiocese and members of its Department of Legal Affairs.

- **October 1, 2003 - Open Letter from Patriarchate.**<sup>38</sup> The Patriarchate posted an open letter “[t]o our Antiochian Orthodox faithful living in United States an [sic] in the world over” on its website. The letter opens with the following statement:

Many members of our Holy Antiochian [sic] Church have been following the issue of Autonomy of our Archdioceses [sic] in North America and thousand [sic] of people have been asking us about this burning issue to know the reality of the recent negotiations related to this matter. Therefore, we felt that our duty to put all our members on the picture of all realities. The attached letter explains the outcome of the meeting of the special committee that had been taken place in Geneva recently. We are open to receive any comment related to this issue.

The letter then proceeded to outline frustrations and complaints of the Patriarchate with the Archdiocese, such as the following:

- The Patriarchate received many letters asking about the issues raised by the 2003 statements and recommendations of the Local Synod, the Board of Trustees, and the General Assembly.
- Members of the Holy Synod perceived a “semi-veiled threat asking the Holy Synod to approve the North American recommendations and not ‘bring schism’ in a number of its communications” with laity from North America.
- The translation of the Synodal Decision from Arabic into English created confusion and ambiguity (e.g., the English translation distributed in the Archdiocese employed the term “autonomy,” rather than “self-administration”).
- The task of the joint committee that met in Geneva “was interpreted in two different ways.” Representatives of the Patriarch “expect[ed] a first meeting . . . initiating a process of dialogue and discernment,” whereas the Archdiocesan representatives “seemed to have little patience for a comprehensive dialogue to take its course . . . and understood their role to be focused on reaching an agreement in the form of a tomos granting autonomy.”<sup>39</sup>

---

<sup>36</sup> Metropolitan PHILIP’s address to the General Assembly is attached hereto as Exhibit 10.1.

<sup>37</sup> See Exhibit 10. The minutes were printed in the November 2003 edition of *The Word* magazine and were approved without amendment at the 2005 meeting of the General Assembly, according to the minutes of the 2005 General Assembly.

<sup>38</sup> A scanned copy of the open letter is attached hereto as Exhibit 11. This open letter is no longer posted on the Patriarchate’s website. There is at least one other active website where the letter appeared as early as October 1, 2003: <http://www.orthodoxchristianity.net/forum/index.php?action=printpage;topic=1956.0>. A PDF of that website page is attached hereto as Exhibit 12.

<sup>39</sup> A *tomos* is a document or book that contains a major announcement (such as a grant of autocephaly) by a holy synod of bishops.

- The Geneva Resolution “was neither a final nor authoritative word. In North America, the document was given a higher status than intended and not taken for what it was. Disagreements, stated or not, were considered ‘minor’, justifying amendments which, in turn, were labeled ‘minor’. Members of the Committee heard with dismay how the dynamics of the Geneva meeting were described and the status of the drafted document misrepresented to the faithful of the North American Archdiocese. Much of the North American discourse on autonomy became increasingly assertive and combative. It did not speak to/with fellow Antiochians in the ‘old country’ but at them. Regrettably, it did not engage.”
- Presentation of the Geneva Resolution to the Board of Trustees and to the General Convention in 2003 as the ultimate resolution of the dialogue gave greater weight to the Geneva Resolution than intended by the participants in the dialogue.
- **October 7, 2003 - Damascus Resolution Adopted by Holy Synod.** The Holy Synod met in Damascus and considered the Geneva Resolution. It then unanimously adopted a “Resolution of the Holy Synod Regarding the Status of the Antiochian Archdiocese in North America” (the “Damascus Resolution”).<sup>40</sup>
  - In keeping with the Patriarchate’s earlier statements that the Geneva Resolution was neither the “final nor authoritative word,” the Damascus Resolution that is posted on the Patriarchate’s website differs from the Geneva Resolution in a number of aspects, including the following:
    - The Damascus Resolution grants “self-rule” to the Archdiocese, not “autonomy.”
    - The Damascus Resolution does not include the proviso stating that the Patriarchate’s Constitution governs the Archdiocese, “to the extent the said Constitution is not inconsistent” with the Damascus Resolution.
    - Whereas the Geneva Resolution provided that new Diocesan Bishops would be elected by the Local Synod, approved by the Metropolitan, and blessed by the Patriarch, the Damascus Resolution provided that new Diocesan Bishops would be elected by the Local Synod and three Metropolitans designated by the Patriarch.
    - The Damascus Resolution requires the Archdiocese and the Patriarchate to amend their respective constitutions in accordance with the Damascus Resolution, but it requires that the amended Archdiocesan Constitution be presented to the Holy Synod “for approval.”<sup>41</sup>

---

<sup>40</sup> The Damascus Resolution from the Patriarchate’s website is attached hereto as [Exhibit 13 and Exhibit 13.1](#).

<sup>41</sup> The Patriarchate’s Constitution and Bylaws have not been amended to conform to the Damascus Resolution, according to Metropolitan PHILIP in a letter dated March 26, 2009 (attached hereto as [Exhibit 68](#)). The Patriarchate’s Constitution and Bylaws in effect at the time of the Damascus Resolution were each adopted in 1973 and are attached hereto as [Exhibit 69](#) and [Exhibit 70](#), respectively. Neither of those documents addresses the diocesan structure of the Archdiocese that was implemented by the Damascus Resolution.

- The Damascus Resolution that is posted on the Patriarchate's website includes many of the provisions from the Geneva Resolution, although it uses different words in many places. Some of those provisions include the following:
  - "Upon adoption of this resolution, the present Auxiliary Bishops of the Archdiocese, Bishop Antoun, Bishop Joseph, Bishop Basil, and Bishop Demetri shall become Bishops of four Dioceses of the Archdiocese and bear their titles."
  - "The Diocesan Bishops will constitute under the Metropolitan the Eparchial Synod of the Archdiocese which will be its governing authority."
  - "The Eparchial Synod shall determine the number of dioceses and their boundaries."
  - "The decisions of the Holy Synod of Antioch shall be binding on the Archdiocese on matters of doctrine, liturgy, sacraments, relations with autocephalous Orthodox Churches and ecumenical policy with regard to other Christian and non-Christian bodies."
- **October 18, 2003 - Article by Metropolitan GEORGE (Khodr).** An article by Metropolitan GEORGE (Khodr), one of the Patriarch's representatives in Geneva in November 2002, was published in AN-NAHAR, a newspaper in Lebanon. The article, which was written and published in Arabic,<sup>42</sup> is titled "The Orthodox in North America" and discusses the Archdiocese's self-rule. An English translation<sup>43</sup> of the article includes the following statements:
  - The decision regarding self-rule "will be expressed to the entire Archdiocese through, what we will call, the Local Archdiocesan Synod, which will be composed of bishops who used to be auxiliary to the Metropolitan and are now to become bishops of the earth."
  - "Per the new definition, the Bishop is to be situated to a particular geographical area and be given the name of an American or Canadian city. He will be both consecrated (enthroned) and situated there (in that particular city), as well be in charge of choosing priests within his diocese. Of old, the chief priest would have chosen the diocesan priests."
  - "Newly formed is the Local Synod of Bishops, four of whom currently live in the United States; undoubtedly, such a synod will expand and incorporate more bishops."
  - "What remains of the decisions of the Holy Synod of Antioch are issues dealing with the faith, the liturgy, the mysteries, as well as relations with other autocephalous churches and Ecumenical politics dealing with Christian and non-Christian existence."
  - "What has happened is that we have buried in America the auxiliary bishop, who had no region to responsibly shepherd. The auxiliary or honorary bishop is a "novelty" that arose in both the East and the West; such arose due to the need of the Archbishop of a helper to perform various duties in his (the Archbishop's) name."

<sup>42</sup> The Arabic version of the article is attached hereto as Exhibit 13.2.

<sup>43</sup> An English translation of the article is attached hereto as Exhibit 13.3. Note that this translation was not prepared by Metropolitan GEORGE, nor has it been reviewed or approved by him.

- “If the bishop is one who elevates his head unto another, it is obvious that he is not a bishop who submits to another. Therefore, the bishops ought to be honorable and respectful brothers, with each one fully carrying his own responsibility. He will not even elevate his head unto God. Nothing will impel a bishop but his self-submission unto God, for not only is God his word, but also his word is that of the treasures and canons of the Church. This is all directed by the chief priest, for that brotherly course is one of organized counsel, similar to that of the Patriarch through whom nothing is finalized without his authority, while at the same time, who will not enforce anything which does not please his bishop brothers.”
- **October 20, 2003 - Press Release and Letter about Self-Rule.**
  - The Archdiocese issued a press release on October 20, 2003, stating that the Holy Synod “voted unanimously to grant self-rule” to the Archdiocese.<sup>44</sup>
    - What the press release referred to as “[t]he full text of the *authorized* English translation” of the Damascus Resolution (the “Modified Damascus Resolution”) was included as part of the press release. (Emphasis added.)
    - However, the text of the English version of the Damascus Resolution posted on the Patriarchate’s website differed in certain key respects from the Modified Damascus Resolution. The differences between the official Damascus Resolution and the Modified Damascus Resolution are discussed below.
    - The press release was published in the November 2003 edition of *The Word* magazine, with the signatures of the members of the Holy Synod at the bottom of the page directly beneath the text of the Modified Damascus Resolution.<sup>45</sup>
  - Also on October 20, 2003, Metropolitan PHILIP wrote a letter<sup>46</sup> that was read from the pulpits and published in the bulletins across the Archdiocese, in which he thanked God “that the Holy Synod of Antioch, in granting self-rule to this Archdiocese, has unanimously affirmed the need for us to move forward and to make important decisions in the life of this Archdiocese which will allow it to stand as a beacon of hope for now and for the future.”
- **October 31-November 1, 2003 – Meeting of the Board of Trustees.** The minutes of the October 31-November 1, 2003, Board of Trustees meeting<sup>47</sup> reflect that Metropolitan PHILIP made a report regarding the approval of self-rule by the Holy Synod:

<sup>44</sup> The October 20, 2003, press release is attached hereto as [Exhibit 14](#).

<sup>45</sup> The Damascus Resolution, as published in the November 2003 edition of *The Word*, is attached hereto as [Exhibit 15](#). By contrast, the official Arabic - English version of the Damascus Resolution was published in *The Word* magazine in September 2004 and is attached hereto as [Exhibit 16](#). The signatures on the bottom of the official version appear to match exactly the signatures that were on the bottom of the press release in *The Word* magazine.

<sup>46</sup> The October 20, 2003, letter from Metropolitan PHILIP is attached hereto as Exhibit 14.1.

<sup>47</sup> The minutes of the October 31-November 1, 2003, Board of Trustees meeting are attached hereto as Exhibit 15.2.

- “[D]espite the many tense and difficult moments which arose during the deliberations of the Holy Synod, the final outcome was both pleasing and successful. Self-Rule, the term which His Eminence considers to be more suitable than that of Autonomy, has been established in accordance with the Resolution which was approved by the Holy Synod and blessed by the Patriarch, and which has already been sent to all Parishes, Pastors, and members of the Board of Trustees.”
- “During the deliberations of the Holy Synod, His Eminence realized that he had to deal with, and modify, several misunderstandings or misconceptions held by some members of the Holy Synod concerning the desires and intentions of our Antiochian faithful in North America. With patience and diligence, Metropolitan PHILIP made it clear that: a) our people have voted almost unanimously for Self-Rule on more than one occasion, b) no one ever had to be persuaded to vote for it against his or her will, and c) we do not wish to ‘break away’ or become a separate entity, since we are united in our wish to maintain our historical ties to the Patriarch and the Patriarchate of Antioch.”
- “When His Eminence then conducted a paragraph-by-paragraph review and discussion of the Resolution, the following points emerged:
  - “our bishops will no longer be titular bishops;
  - “each bishop will be associated with his own city, as in Bishop of Wichita and Dependencies, Bishop of Miami and Dependencies, etc.;
  - “as a rule, bishops would not be transferred from one diocese to another except under the most extreme and unusual of circumstances;
  - “priests will be assigned and/or transferred by the bishops in consultation with the Metropolitan and the Ordination Review Board;
  - “the Local Synod has the authority to take whatever action is deemed necessary, while each diocesan bishop has the right of appeal to the Patriarch and the Holy Synod;
  - “our Archdiocese is to remain intact and never to be divided;
  - “the procedures for electing, consecrating, etc. a Metropolitan remain the same as they have always been;
  - “two or three Metropolitans from the Holy [See] will travel to be present with us when we are ready to consecrate a new diocesan bishop; and,
  - “if we do not have enough of our own candidates for bishop, candidates from the Patriarchate will be available to us.”
- “During the discussion which followed this review, the consensus was that the amendments required to incorporate the relevant elements of the Holy Synod's Resolution into the Archdiocese Constitution need to be drafted in time for review and approval by the Board at the 2004 spring meeting. Approval at that meeting would allow sufficient time for the

proposed amendments to be sent to the Parishes, and for the Parishes, in turn, to prepare their delegates to ratify them at a Special Meeting of the General Assembly which could be held in conjunction with the beginning or ending of next summer's Clergy Symposium. Ratification of these amendments would then make it possible for the delegates to elect three candidates for bishop while the Special Meeting was still in session."

- **November 18, 2003 - Toledo Blade Interview.** The *Toledo Blade* published an interview with Metropolitan PHILIP in which he openly claimed to have forced the hand of the Holy Synod by threatening the Holy Synod with taking the entire Archdiocese under another jurisdiction, as follows:<sup>48</sup>

A charismatic and politically savvy leader who has led the church since 1966, Metropolitan PHILIP said he told Patriarch IGNATIUS IV that members of the American church voted 97.7 percent in favor of autonomy in 2001 and 99.6 percent this year.

"When I faced the [P]atriarch with these facts, I said, 'What do you want me to go and tell these people in America?' And we Americans are very, very fond of democracy. ... Even our Constitution starts 'We the people ...'

"So I said, 'We the people in America desire this self-rule, this autonomy. And here you are. What are you going to do?'

"Finally, after some tense moments - and there were tense moments - I stood my ground and I said, 'This is it. We have other choices. The choice is yours now, to grant us self-rule or not to. If you don't, then I will return to the United States of America and tell my people that you refused to grant us self-rule and we will take it from there.'"

- **December 2003 - Articles in AGAIN and The Word magazine.**
  - An interview with Metropolitan PHILIP was published in the December 2003 edition of *AGAIN* magazine.<sup>49</sup> In response to the question, "What successes do you prize most highly?" Metropolitan PHILIP replied:

Much of my success happened in the Seventies. . . . Then there is . . . the consecration of territorial bishops, soon to be diocesan bishops. . . . Last but not least is the obtaining of self-rule for our Archdiocese.
  - In an article in that same edition of *AGAIN* magazine, Charles Ajalat, a Chancellor of the Archdiocese, wrote the following words regarding the Archdiocese's self-rule:<sup>50</sup>

<sup>48</sup> The interview in the *Toledo Blade* is attached hereto as [Exhibit 17](#).

<sup>49</sup> The interview in *AGAIN* is attached hereto as [Exhibit 18](#).

<sup>50</sup> The article in *AGAIN* is attached hereto as [Exhibit 19](#).

- “The hallmarks of this grant [of autonomy] are the right to self-rule and the right to nominate (by the clergy and laity), and elect and consecrate (by the local Holy Synod), our own diocesan bishops.”
  - “Our self-rule, as with all autonomy, is limited only by the Mother Church’s decisions on doctrine, sacraments, foreign relations, and appeals of a diocesan bishop to the Mother Church from defrockment by the local Synod.”
  - “While granting the full hallmarks of an autonomous Church, such as control of elections of diocesan bishops, the hierarchs of the Holy Synod of Antioch, through love and God’s grace, simultaneously emphasized the spiritual and even physical unity of the Church in North America with the ancient Patriarchate of Antioch.”
- In an article<sup>51</sup> in the December 2003 issue of *The Word* magazine, Fr. Joseph Antypas wrote a detailed account of the October 2003 trip to Damascus by Metropolitan PHILIP. Fr. Antypas reported that “[t]he meeting of the Holy Synod took place Tuesday, October 7, presided over by His Beatitude Patriarch Ignatius IV. Metropolitan, auxiliary Bishops, and members of the Geneva Combined Committee were invited to participate.”
  - In another article<sup>52</sup> in the December 2003 issue of *The Word* magazine, Fr. John P. Abdalah wrote that “[a]s a united Antiochian Archdiocese, our diocesan bishops will continue to meet regularly with our Metropolitan, and as a local synod of bishops, they will make decisions, strategize, and lead.”
- **December 29-30, 2003 - First Meeting of Local Synod.** According to a press release dated January 2, 2004, that was published in the February 2004 edition of *The Word* magazine, the first meeting of the Local Synod was held on December 29 and 30, 2003.<sup>53</sup> The press release stated the following:
    - “The meeting was historic in that it represented the first time that the bishops have met as a Local Holy Synod, after the granting of self-rule status to the Archdiocese by the Holy Synod of Antioch in October of 2003.”
    - The Metropolitan and three of the four Auxiliary Bishops attended. Bishop DEMETRI did not attend.
    - The plans for a special convention to be held in Pittsburgh, PA in July 2004 (the “Pittsburgh Convention”) were discussed.
    - The primary purposes of the Pittsburgh Convention were as follows:
      - Amendment of the Archdiocesan Constitution to take the self-rule provisions in the Modified Damascus Resolution into account; and

<sup>51</sup> The article in *The Word* magazine, titled “Unity and Self-Rule: Challenges in a New Era,” is attached hereto as Exhibit 19.1.

<sup>52</sup> The article in *The Word* magazine, titled “The Road to Self-Rule,” is attached hereto as Exhibit 19.2.

<sup>53</sup> Copies of the January 2, 2004 press release are attached hereto as Exhibit 20 and Exhibit 20.1.

- Nomination of candidates to stand for election as Diocesan Bishops.
- The Local Synod unanimously approved the following documents:
  - Rights and Responsibilities of the Metropolitan;
  - Rights and Responsibilities of the Diocesan Bishops; and
  - A document that identified the Dioceses, the Cathedral for each Diocese, and the geographical boundaries of each Diocese.
- The arrest<sup>54</sup> and suspension<sup>55</sup> in July 2003 of Bishop DEMETRI were discussed. It was decided that Bishop DEMETRI's suspension from preaching or serving at divine services would remain in place until the criminal process had run its course.<sup>56</sup>
- **December 31, 2003 - Letter About Pittsburgh Convention.** Metropolitan PHILIP, in a letter dated December 31, 2003, that was to be read from the pulpits of the Archdiocese and was published in the February 2004 edition of *The Word* magazine, stated the following:<sup>57</sup>
  - The Pittsburgh Convention would take place in July 2004, and its primary purposes would be (a) amendment of the Archdiocesan Constitution to take the self-rule provisions in the Modified Damascus Resolution into account and (b) nomination of candidates to stand for election as Diocesan Bishops.
  - The election of Diocesan Bishops by the Local Synod and “two or three Metropolitans” would occur after the Pittsburgh Convention.
  - Beginning after the Pittsburgh convention:
    - Clergy would begin commemorating their Diocesan Bishop;
    - Diocesan Bishops would begin commemorating the entire Local Synod; and
    - The Metropolitan would begin commemorating the entire Local Synod.
- **February 16, 2004 - Letter from Fr. George Dimas, Secretary to the Holy Synod.** In the June 2004 edition of *The Word* magazine, a letter dated February 16, 2004, was published from Fr. George Dimas, the Secretary of the Holy Synod.<sup>58</sup>

<sup>54</sup> Copies of the news stories documenting Bishop DEMETRI's arrest for criminal sexual conduct and disorderly drunkenness are attached hereto as Exhibit 21 and Exhibit 21.1.

Deleted: A copy

Deleted: Toledo Blade article

Deleted: is

<sup>55</sup> A copy of the July 14, 2003, letter documenting Bishop DEMETRI's suspension is attached hereto as Exhibit 22.

<sup>56</sup> After pleading guilty to attempted criminal sexual conduct, Bishop DEMETRI was sentenced in April 2004 to 28 days in jail (see Exhibit 23, attached hereto.)

Deleted: <sup>57</sup> The December 31, 2003, letter is attached hereto as

<sup>57</sup> Copies of the December 31, 2003, letter are attached hereto as Exhibit 26, and Exhibit 26.1.

Deleted: .¶

Deleted: <sup>58</sup>

- In the letter, Fr. Dimas took issue with the Archdiocese's substitution of the Modified Damascus Resolution for the official English translation of the Damascus Resolution in all Archdiocesan publications:

I had the opportunity to read on the Archdiocesan web-site, the February 2004 edition of *The WORD* magazine. A letter from H.E. Metropolitan Philip concerning self-rule is published on page 5. This letter refers to the "full text of the resolution of the Holy Synod," published in the November 2003 edition of *The WORD* on page 4. To my surprise, when comparing the official English version of the resolution issued by the Holy Synod to the published text, I found discrepancies, in more than one place of this "authorized English translation".

- In the rest of the letter, Fr. Dimas explained in great detail what those discrepancies were, in particular that the Modified Damascus Resolution did the following:
  - Created ambiguity by its use of the term "Local Synod" rather than using the term "Eparchial Synod" that was in the official Damascus Resolution.
  - Appeared to "minimize" the number of Metropolitans whom the Patriarch could delegate to take part in the election of Diocesan Bishops, by stating that the Patriarch could delegate "two or three" Metropolitans. The official Damascus Resolution stated that "three" was the number.
  - Allowed the Diocesan Bishops to appeal to the Holy Synod only in matters of disciplinary action, whereas the official Damascus Resolution allowed appeals to be taken for all decisions of the "Eparchial Synod."<sup>59</sup>
  - Required the Diocesan Bishops to consult with the Metropolitan prior to attending a gathering or synaxis of bishops that is called by the Patriarch. The official Damascus Resolution did not contain any requirement for consultation with the Metropolitan.
- Fr. Dimas also pointed out that "[p]rinting the copy of all the Synod fathers' signatures at the bottom of this modified text gave the reader the false impression of reading the official Synodal Resolution."

- **April 2004 - Article in *The Word* magazine about Upcoming Pittsburgh Convention. In the April 2004 edition of *The Word* magazine, an article by Fr. George Kevorkian titled "The Special Convention of 2004: The Making of History" was published.<sup>60</sup> The article states that one of the**

<sup>58</sup> The February 16, 2004 letter is attached hereto as [Exhibit 27](#). Fr. George sent a very similar letter to *AGAIN* magazine on February 12, because it also published the Modified Damascus Resolution. See [Exhibit 29](#).

<sup>59</sup> Regarding this change, Fr. George pointed out that language in the official Damascus Resolution was identical to the language that was in the Modified Geneva Resolution that was approved by the General Assembly in 2003: "Strange enough, this additional condition was not even discussed in the Synod meetings. The Holy Synod adopted literally the text of the paragraph presented by H.E. Metropolitan PHILIP as it was voted by the convention of July 2003."

<sup>60</sup> Fr. Kevorkian's article is attached hereto as [Exhibit 27.5](#).

“highlights of the resolution adopted by the Holy Synod” is the “recognition of the Auxiliary Bishops as Diocesan Bishops.”

- **April 8, 2004 - Statement about Self-Rule Status.** The Archdiocese published an “Important Statement on the Self-Rule Status of our Archdiocese” on its website:<sup>61</sup>

Unfortunately, there has been some recent and isolated activity that has caused some people to question the self-rule status that was granted to this Archdiocese by His Beatitude Patriarch IGNATIUS IV and the Holy Synod of Antioch in October, 2003. It should be known without hesitation or reservation, that our self-rule status is final, and that we are proceeding with all due diligence to implement this self-rule status. Proposed Diocesan boundaries have been drawn, and detailed documents have been written that specify the Rights and Responsibilities of both the Metropolitan, and the Diocesan Bishops under this new structure. We are working on the drafting of amendments to our Constitution that will implement self-rule. All of this work will culminate in our historic Special Convention, to be held in Pittsburgh, Pennsylvania, during the weekend of July 16-18, 2004. At that Special Convention, we will approve the amended constitution, present the Diocesan structure, and the entire General Assembly of clergy and laity will nominate candidates who will stand for election as new Diocesan Bishops.

- **April 26, 2004 - Follow-Up Letter from Fr. George Dimas.** Fr. George Dimas wrote a follow-up letter to his letters dated February 12, 2004, and February 16, 2004, to *AGAIN* magazine and *The Word* magazine, respectively.<sup>62</sup>
  - The letter raised the same issues as the previous letters, and explained that the follow-up letter was written because the two magazines had “chose[n] to ignore the matter.”
  - In addition, the follow-up letter stated that “[t]he secretary of the Holy Synod finds now that it is of his own obligation, towards the North American Antiochians and the Orthodox American sister churches, to publish the facts and to highlight the full reality. It would be most unfortunate if the North American Antiochians go to the July convention of the Archdiocese without having been exposed to the truth that was not shared with them by the organs of their Archdiocese.”
- **May 3, 2004 - Response to Fr. George Dimas.** In a letter dated May 3, 2004,<sup>63</sup> Metropolitan PHILIP responded to some - but not all - of the issues raised in Fr. Dimas’ letters:<sup>64</sup>

---

<sup>61</sup> The “Important Statement” is attached hereto as [Exhibit 28](#). It is unclear what prompted this statement to be issued.

<sup>62</sup> The April 26, 2004, letter is attached hereto as [Exhibit 29](#).

<sup>63</sup> The May 3, 2004, letter is attached hereto as [Exhibit 30](#).

<sup>64</sup> Metropolitan PHILIP’s letter did not address Fr. Dimas’ complaint that printing the signatures of the Holy Synod members at the bottom of the Modified Damascus Resolution was misleading.

- Metropolitan PHILIP's explanation for the language in the Modified Damascus Resolution differing from the official English version of the Damascus Resolution that was approved by the Holy Synod was as follows:

After the unanimous adoption of this resolution, I said to His Beatitude, and may God be my witness, "Sayidna, there are some rough spots in the English translation of the resolution, and I am going to make corrections, not in substance, but in a few expressions." His Beatitude said to me "This is simple (baseeta)."

- Metropolitan PHILIP's explanation for using the term "Local Synod" was that it was actually used during the October 2003 meeting of the Holy Synod and would be easier to understand by parishioners in North America.
- Metropolitan PHILIP's explanation for changing the number of Metropolitans who may participate in elections of Diocesan Bishops was that the Patriarch could choose to send two or three, at his option.
- Metropolitan PHILIP's explanation for changing the rights of Diocesan Bishops to appeal to the Holy Synod was as follows:

[I]f a member of the Local Synod disagrees on how many students we should send to seminary, should this be a matter of appeal to the Patriarch and the Holy Synod? If a member of the Local Synod disagrees with the assignment of a newly graduated seminarian to a specific parish, should this be a matter of appeal to the Patriarch and the Holy Synod? This would be beyond reason. I am sure that our good Patriarch has many things to attend to in lieu of these mundane issues. Moreover, if the Holy Synod wished to intervene in every minor disagreement of our bishops, then what remains of our self-rule?

- Metropolitan PHILIP's explanation for requiring Diocesan Bishops to consult with the Metropolitan prior to attending meetings called by the Patriarch was that "[i]t is extremely important that the Metropolitan should consult with any diocesan bishop within this Archdiocese before he travels abroad."

- **June 4, 2004 - Meeting of Local Synod.**

- **Approval of Manual of Hierarchical Duties and Responsibilities.** The Local Synod approved the first Manual of Hierarchical Duties and Responsibilities.<sup>65</sup> According to the "Introduction" to the Manual of Hierarchical Duties and Responsibilities:

- "This Manual of Hierarchical Duties and Responsibilities specifies those duties that are assumed by the Diocesan Bishops, and those that remain with the Metropolitan."

<sup>65</sup> See Exhibit 30.5, attached hereto, for the full text of the Manual. It was subsequently amended (see Exhibit 53.5).

Deleted: <sup>65</sup> See

Deleted: 53

Deleted: , attached hereto, for the full text of the second version of the Manual (the first version of this Manual was not available). ¶

Field Code Changed

- “One critical aspect of the implementation of the self-rule status is the creation of Dioceses, instead of Regions, and the granting of the title of Diocesan Bishop to the former Auxiliary Bishops. In conjunction with this, the Diocesan Bishops assume new and expanded duties and responsibilities.”
- **Bishop DEMETRI Retires.**<sup>66</sup> The Local Synod unanimously granted Bishop DEMETRI’s request to retire. At Metropolitan PHILIP’s own suggestion, the Local Synod made this retirement permanent and provided that Bishop DEMETRI could only perform baptisms, weddings, or funerals with the Metropolitan’s consent and, then, only for family members.
- **June 4-5, 2004 - Meeting of the Board of Trustees.** The minutes of the June 4-5, 2004, meeting of the Board of Trustees reflect the following:<sup>67</sup>
  - **Correspondence with Fr. George Dimas.** At the request of Metropolitan PHILIP, Fr. George Dimas’ letter dated April 26, 2004, and Metropolitan PHILIP’s response dated May 3, 2004, were read aloud and were then published in the minutes.
  - **Status of Bishop DEMETRI.** Metropolitan PHILIP provided the following report regarding Bishop DEMETRI:
    - “[A]t the present time, Bishop Demetri resides at the Chancery in Toledo.”
    - “He was incarcerated for 28 days, and two years of probation remain. Otherwise, it appears that there will not be any further or continuing legal action.”
    - “His written request to enter retirement has been accepted by His Eminence, and, when the necessary approvals have been received, Bishop Demetri intends to move to Florida to live with his brother.”<sup>68</sup>
    - “His official status is that of retired bishop, and his proper title of address continues to be ‘Sayidna,’ or His Grace.”
    - “He will not serve or perform any liturgical duties, and, with the continued financial support of the Archdiocese, he will complete various administrative and editorial assignments, the first of which will be that of as revising and updating the Priest’s Guide.”
  - **Amendments to Constitution.** Chancellor Robert A. Koory presented the Board with proposed amendments to the Constitution that a committee consisting of Bishop ANTOUN, Fr. Joseph Allen, Fr. George Kevorkian, Chancellor Charles Ajalat, and Chancellor Koory had drafted.

<sup>66</sup> The statements are according to multiple independent sources. They are not offered here as irrefutable fact, given the lack of documentary evidence therefor, but the Minutes of the Local Synod meetings (not available to the public) on these dates are expected to corroborate these statements.

<sup>67</sup> The minutes of the June 4-5, 2004, meeting of the Board of Trustees are attached as Exhibit 30.6.

<sup>68</sup> The Florida Department of Law Enforcement website lists Bishop DEMETRI as a sexual offender (see Exhibit 23.1).

- The stated purpose of the amendments was “to bring the Constitution of the Archdiocese into conformity with the October 2003, Resolution of the Holy Synod of Antioch and with the Self-Rule status of the Archdiocese.”
  - After discussion and further amendments, the Board approved the amended Constitution and recommended its ratification at the Pittsburgh Convention.<sup>69</sup>
- **July 9, 2004 - Letter from Patriarch.** His Beatitude, Patriarch IGNATIUS IV, wrote a letter dated July 9, 2004, to Metropolitan PHILIP, in order to emphasize the following points in advance of the Pittsburgh Convention:<sup>70</sup>
    - “Based only on the ecclesiological grounds and from this single perspective we consider and deal with the Antiochian Orthodox Christian Archdiocese of North America as one of the Archdioceses affiliated to the Patriarchate of Antioch.”
    - “The Holy Scripture, the Sacred Tradition, the Holy Canons, the Constitution of the Church of Antioch and its bylaws are the sole references of government to all our Archdioceses. Any dissidence to this context is considered as a violation to our constituency.”
    - “The Holy Synod of the Church of Antioch is the ultimate authority from which all ecclesiastical privileges proceed. This Holy Synod holds alone the competence of making and implementing resolutions all over the see of Antioch. Your membership, beloved brother, in the Holy Synod is the only guarantee of keeping tight the organic ties uniting all of us in the Church of Jesus Christ.”
    - “Likewise the absolute compliance to the authority of the Holy Synod, guarantees the safekeeping of the bonds of unity in the Church as well the governance, of the church matters decently and in order.”
    - “We herewith enclose a true copy<sup>71</sup> of the Synodical Resolution of October 9, 2003, kindly requesting Your Eminence, its distribution among the participants of the special convention, when reading this letter to them, so that they get a clear understanding of our stand.” (Emphasis added.)
  - **July 16, 2004 - Pittsburgh Convention.** The Pittsburgh Convention was held. Highlights of the convention, taken from the official minutes, are as follows:<sup>72</sup>

---

<sup>69</sup> A “redlined” copy of the amended Constitution, dated June 7, 2004, is attached hereto as Exhibit 30.7. It is believed that this is the document approved by the Board of Trustees at its June 4-5, 2004, meeting.

<sup>70</sup> The Patriarch’s letter is attached hereto as [Exhibit 31](#).

<sup>71</sup> The reference to a “true copy” of the Damascus Resolution appears to indicate that the Patriarch did not agree with Metropolitan PHILIP that the differences between the Modified Damascus Resolution and the official English version were minor or had somehow been authorized by the Patriarch in a side conversation with Metropolitan PHILIP.

<sup>72</sup> The minutes of the Pittsburgh Convention were published in the September 2004 edition of *The Word* magazine and are attached hereto as [Exhibit 32](#).

- The July 9 letter from Patriarch IGNATIUS IV was read to the General Assembly.
- Metropolitan PHILIP addressed the General Assembly. His comments included the following:<sup>73</sup>
  - “I made some minor corrections to the Synodal Document which do not violate its substance.”<sup>74</sup>
  - “Today, we are here first to amend our constitution in order to reflect the Synodal Document. Second, to nominate three eligible clergymen for the office of bishop in order to fill three vacancies . . . .”
  - “I am thankful for the harmony and unity which exists among [the local Holy Synod]. All the decisions, which we made, were adopted unanimously.”
  - “I would be remiss if I do not express my gratitude to the Archdiocesan department of legal affairs, especially Chancellor Robert Koory and Chancellor Charles Ajalat for reviewing our constitution and proposing to us the necessary amendments.”
- The General Assembly considered proposed amendments to the Archdiocesan Constitution and by acclamation “unanimously approved and accepted” the amended Constitution (the “Pittsburgh Constitution”).<sup>75</sup>
- The General Assembly voted by secret ballot as to whom to nominate as Diocesan Bishops. The ballots were counted after the General Assembly adjourned.
- **July 29, 2004 - Press Release Regarding Diocesan Bishops.** A July 29, 2004, press release from the Archdiocese reported on the outcome of the Pittsburgh Convention,<sup>76</sup> and included the following statement regarding the Diocesan Bishops:

The new diocesan structure of the self-ruled Archdiocese was presented. There are nine dioceses, including the Diocese of New York, which will be under the omophorion of His Eminence, Metropolitan PHILIP, Archbishop of New York and Metropolitan of North America. The other 8 dioceses will be under the omophorion of Diocesan Bishops. Three existing Auxiliary Bishops (Bishop ANTOUN, Bishop JOSEPH, and Bishop BASIL) become Diocesan Bishops. Three newly elected bishops will also become Diocesan Bishops. Two dioceses will remain vacant for now, under the omophorion of one of the existing bishops. The hierarchs are members of the newly formed Local Holy Synod, with the Metropolitan as the presiding member. In addition, a document was read which

<sup>73</sup> Metropolitan PHILIP’s address is attached hereto as [Exhibit 33](#).

<sup>74</sup> This statement appears to be the only official response to the Patriarch’s July 9 that was read at the General Assembly.

<sup>75</sup> The Pittsburgh Constitution is attached hereto as [Exhibit 34](#).

<sup>76</sup> The July 29, 2004, press release is attached hereto as Exhibit 34.1.

specifies the detailed Rights and Responsibilities of the Metropolitan and the Diocesan Bishops. This document was approved unanimously by the Local Synod and will insure that good order is maintained in the working relationships of the hierarchs.

- **September 12, 2004 - Enthronement of Bishop JOSEPH.** Bishop JOSEPH was enthroned as the first Bishop of the Diocese of Los Angeles and the West.<sup>77</sup> His former position was Auxiliary Bishop to the Metropolitan.
- **October 4, 2004 - Trip to Damascus.** A news release posted on the Archdiocesan website requested prayer for the travels of Metropolitan PHILIP and others to Damascus and included the following statements:<sup>78</sup>
  - “[T]he Holy Synod will take up ratification of revisions to our Archdiocese Constitution relating to our self-rule status that was previously agreed upon at the October, 2003, meeting of the Holy Synod.”
  - “Our new constitution was passed unanimously at a special Archdiocese convention on July 16, 2004, and is already in effect.”
- **October 15, 2004 - Damascus Constitution Adopted by Holy Synod.** The Holy Synod considered the Pittsburgh Constitution.<sup>79</sup>
  - The Holy Synod did not approve the Pittsburgh Constitution “as is” but made a number of revisions prior to approving unanimously such revised Constitution (the “Damascus Constitution”).
  - The Damascus Constitution was posted on the Patriarchate’s website at least as early as February 2005.<sup>80</sup>
  - The differences between the Pittsburgh Constitution<sup>81</sup> and the Damascus Constitution may be summarized as follows:<sup>82</sup>

<sup>77</sup> See [Exhibit 35](#) (biography of Bishop JOSEPH), attached hereto. See also Exhibit 35.1 (article by Fr. Joseph Corrigan about the enthronement of Bishop JOSEPH).

<sup>78</sup> The news release is attached hereto as [Exhibit 36](#).

<sup>79</sup> See [Exhibit 37](#) (news article on Patriarchate website), attached hereto.

<sup>80</sup> See [Exhibit 38](#). As the Antiochian events detailed in this document progressed, numerous Orthodox Christian websites began referring to the Damascus Constitution that was posted on the Patriarchate’s website. Around March 22, 2009, the links on the Patriarch’s website to the Damascus Constitution stopped working. The official Arabic - English version is attached hereto as [Exhibit 39](#).

<sup>81</sup> The Pittsburgh Constitution appears to have been based on the Modified Damascus Resolution.

<sup>82</sup> See [Exhibit 40](#), attached hereto, which is a “redline” showing the differences between the Pittsburgh Constitution and the Damascus Constitution.

- The Damascus Constitution either restored language and provisions from the official Damascus Resolution that were missing from the Pittsburgh Constitution or inserted into the Archdiocesan structure the appropriate place of the Diocesan Bishops.
  - The most significant differences between the Pittsburgh Constitution and the Damascus Constitution are due to language that was included or omitted in the Pittsburgh Constitution that would have drastically limited the authority of the Holy Synod far beyond that agreed to by the Holy Synod in the Damascus Resolution.
  - There are several provisions in the Damascus Constitution that appear to strike a compromise between the Damascus Resolution and the Modified Damascus Resolution provisions, particularly with regard to the election of Diocesan Bishops.
- **October 22, 2004 - Press Release About Pittsburgh Constitution / Damascus Constitution.** The Archdiocese issued a press release stating the following:<sup>83</sup>
    - The Holy Synod approved the Constitution of the Archdiocese. The Holy Synod was required to issue such approval before the Archdiocese could function as a self-ruling Archdiocese.
    - The Holy Synod's revisions were characterized as "changes" to the Pittsburgh Constitution, rather than as a return of the Pittsburgh Constitution to the spirit of the Holy Synod's Damascus Resolution.
    - The General Assembly of the Archdiocese would vote on the changes by the Holy Synod at its 47<sup>th</sup> Convention to be held in July, 2005.<sup>84</sup>
  - **October 2004 - Other Events During Damascus Trip.** The December 2004 edition of *The Word* magazine published a "blow-by-blow" account by Father Joseph Antypas of the Archdiocesan delegation's trip to Damascus, including the following:<sup>85</sup>
    - At one point in the course of the various meetings, Metropolitan PHILIP pledged \$30,000 of support to the Home of Orphans and Senior Citizens of St. Gregory.
    - Metropolitan PHILIP invited Patriarch IGNATIUS IV to preside over the Archdiocesan General Assembly in 2005.<sup>86</sup>
    - Metropolitan PHILIP met with the Presidents of Lebanon and Syria and many other influential political figures in the Middle East.

---

<sup>83</sup> The October 22, 2004, press release is attached hereto as [Exhibit 41](#).

<sup>84</sup> As discussed below, the General Assembly did not vote on the Damascus Constitution at its 2005 convention.

<sup>85</sup> The December 2004 article is attached hereto as [Exhibit 42](#).

<sup>86</sup> Patriarch IGNATIUS did not accept the invitation. See [Exhibit 49](#) (minutes of the 2005 convention).

- **October 29-30, 2004 - Meeting of the Board of Trustees.** The minutes of the October 29-30, 2004, Board of Trustees meeting include the following:<sup>87</sup>
  - **Holy Synod Meeting.** Metropolitan PHILIP reported the following regarding the October 2004 Holy Synod meeting:
    - Metropolitan PHILIP met with the Patriarch on October 11 to confirm that the Constitution of the Patriarchate had been amended in accordance with the October 9, 2003, resolution granting self-rule.
    - “Unfortunately, however, there seemed to be little interest in the October 9 Resolution, and an amended constitution of the Patriarchate was never forthcoming.”
    - The meeting of the Holy Synod “was devoted almost exclusively to the presentation and review of a rather large number of amendments to the already amended Constitution” of the Archdiocese.
    - When the Holy Synod voted on the additional amendments to the Pittsburgh Constitution (i.e., voted on the Damascus Constitution), Metropolitan PHILIP “made it clear that it was necessary for him to abstain because, in our Archdiocese, we operate according to a clear and firmly established practice which includes prior discussion and consultation with both the Local Synod of our Archdiocese and the Chancellors and Department of Legal Affairs, approval by the Board of Trustees, and ratification by the General Assembly . . . .”
  - **Damascus Constitution Distributed.** Copies of the Damascus Constitution were distributed to the Board.
  - **Election of Three New Diocesan Bishops.** The Local Synod met on October 29 and elected Bishops THOMAS, MARK, and ALEXANDER as new Diocesan Bishops.
  - **Statement in Response to Damascus Constitution.** A statement from the Board of Trustees to the Holy Synod was drafted, in response to the amendment of the Pittsburgh Constitution by the Holy Synod, and included the following statements:
    - The Pittsburgh Constitution “is binding upon the Archdiocese under New York law.”
    - “We have taken the [Damascus Constitution] under advisement, submitting it to the Department of Legal Affairs for review, to be properly addressed by the Board of Trustees at its Spring meeting in June, 2005.”
    - The Local Synod has elected three new Diocesan Bishops, under the authority of the “October 9, 2003 Resolution” and the Pittsburgh Constitution.
    - “The Patriarch and the Holy Synod opted not to delegate three Metropolitans to participate in the election” of the Diocesan Bishops.

---

<sup>87</sup> The minutes of the October 29-30, 2004, Board of Trustees meeting are attached hereto as Exhibit 39.5.

- “Pursuant to [the Pittsburgh Constitution], as a matter of conciliation at this time, the Archdiocese will send the three current bishops-elect to Damascus for consecration, which we pray may take place no later than December, 2004.”
- **December 5, 2004 - Consecration of Diocesan Bishops.** Bishop THOMAS, Bishop MARK, and Bishop ALEXANDER were consecrated by Patriarch IGNATIUS IV in Damascus.<sup>88</sup>
  - This was done in full accord with Article I, Section 7 of the Damascus Constitution.<sup>89</sup>
  - The Order of Consecration to the Episcopacy for the three consecrations specifies many times that all three bishops were consecrated to their specific dioceses. For example:
    - “SPONSOR: The most God-loving, elect and confirmed Archimandrite THOMAS is led forth for consecration to the bishopric of the See of Pittsburgh and the East.”
    - “I, MARK, by the mercy of God elected for the holy see of Toledo and the Midwest....”
    - “I, Archimandrite ALEXANDER, by the mercy of God elected for the holy See of Ottawa and Upstate New York, have signed this confession of my faith with my own hand.”
- **December 15, 2004 - Enthronement of Bishop BASIL.** Bishop BASIL was enthroned as the first Bishop of the Diocese of Wichita and Mid-America. His former position was Auxiliary Bishop to the Metropolitan.<sup>90</sup>
- **January 18, 2005 - First Press Release from Legal Department.** The Archdiocese Department of Legal Affairs issued a press release, which stated the following:<sup>91</sup>
  - Bishop THOMAS, Bishop MARK, and Bishop ALEXANDER were consecrated in Damascus in December 2004 and assumed their episcopal duties as of January 1, 2005.
  - The Holy Synod, on October 14, 2004, “suggested some changes in the Pittsburgh Constitution.”

<sup>88</sup> See [Exhibit 43](#) (list of hierarchs) and [Exhibit 43.1, \(Order of Consecration to the Episcopacy\)](#), attached hereto. For a detailed account of the trip to Damascus, see Exhibit 43.2 (article in the *The Word* magazine, titled “The Road From Damascus”).

<sup>89</sup> The Pittsburgh Constitution requires that the consecration of Diocesan Bishops “take place at the Cathedral of the diocese of the Diocesan Bishop (unless for good reason it is necessary to do otherwise) by members of the Local Synod and the Patriarchal Delegate, with the Metropolitan of the Archdiocese presiding.” See Art. I, Sec. 7 of [Exhibit 34](#), attached hereto. The Archdiocese appears to have abided by the Damascus Constitution in this area “as a matter of conciliation,” rather than of obedience. See the statement from the Board of Trustees to the Holy Synod in the minutes of the October 29-30, 2004 Board of Trustees meeting, attached hereto as Exhibit 39.5.

<sup>90</sup> See [Exhibit 44](#) (biography of Bishop BASIL), [Exhibit 44.1 \(article from the February 2005 edition of \*The Word\* magazine titled “The Kingdom is at Hand”\)](#), and [Exhibit 44.2 \(address of Bishop BASIL\)](#), attached hereto.

<sup>91</sup> The January 18, 2005, press release is attached hereto as [Exhibit 45](#).

Deleted: April 12

- The Archdiocesan Department of Legal Affairs “has determined that the major appropriate suggested changes do not require amendments to the Pittsburgh Constitution.”
- The sending of a delegation of local bishops to Damascus for consecration in December, 2004 was an exercise of Archdiocesan discretion in precisely the same manner as the Holy Synod had the option not to send a delegation from Damascus to participate in Archdiocesan elections of local bishops.
- The Pittsburgh Constitution “stands as the Constitution of this Archdiocese, without the need for further revision.”<sup>92</sup>
- **January 25, 2005 – Initial E-mail from Tarek Mitri to Metropolitan PHILIP.** Mr. Tarek Mitri, Lebanon’s Minister of Culture and a Patriarchal representative on the joint committee that drafted the Geneva Resolution, sent an e-mail to Metropolitan PHILIP, which was copied to number of members of the Archdiocese.<sup>93</sup>
  - Attached to the e-mail was a copy of the Damascus Constitution.
  - Mr. Mitri said that Patriarch IGNATIUS IV had asked him to send a copy of the Damascus Constitution to Metropolitan PHILIP in both English and Arabic that was signed and published by the Patriarch himself.<sup>94</sup>
  - “The North American archdiocese was asked to propose changes to its constitution consistent with the [Damascus Resolution]. The said resolution stated (article 8): ‘The Archdiocese shall submit its amended constitution to the Holy Synod of Antioch for approval.’”
  - “Following the archdiocesan special convention held in Pittsburgh in July 2003, His Eminence Metropolitan Philip submitted to the Patriarch a proposed amended constitution. It was discussed during the course of the meeting of the Holy Synod, October 13-15, 2004, and the attached revised constitution was unanimously approved.”
- **January 27, 2005 - Second Press Release from Legal Department.** In response to the January 25 e-mail from Tarek Mitri, the Archdiocesan Legal Department sent a letter to many of its members under the Metropolitan’s letterhead, with the directive that the letter be printed and published in all parish bulletins.<sup>96</sup> This letter asserted the following:

Deleted: First e

Deleted: Mr.

Deleted: )

Deleted: a

Deleted: , indicating

Deleted: Mr. Mitri

Deleted: and attaching a copy thereof,

Deleted: . Mr. Mitri noted that

Deleted: staed

Deleted: ...

Deleted: .

Deleted: <sup>95</sup>

<sup>92</sup> This statement contradicted the press release dated October 22, 2004, which stated that the changes to the Pittsburgh Constitution would be voted on by the 2005 General Assembly.

<sup>93</sup> The e-mail from Tarek Mitri was discussed in the January 27, 2005, press release from the Department of Legal Affairs, discussed below. The exact text of the e-mail appears to be contained in a February 4, 2005, e-mail from Mr. Mitri to a priest (see Exhibit 45.5).

<sup>94</sup> Judging by the description in this e-mail, it is probable that the Damascus Constitution, signed and sealed by the Patriarch, is the one attached hereto as Exhibit 39.1.

<sup>96</sup> The January 27, 2005, press release is attached hereto as [Exhibit 46](#).

Deleted: April 12

- o The Pittsburgh Constitution was in harmony with the Damascus Resolution (presumably, the Modified Damascus Resolution).<sup>97</sup>

Deleted: That the

- o Tarek Mitri incorrectly stated that the Damascus Constitution was discussed and unanimously approved by the Holy Synod.

Deleted: That

- o “Our Metropolitan PHILIP in not supporting such proposed constitution, pointed out to the members of the Holy Synod that our Constitution, by law, could only be amended by our General Assembly in the ways provided by our Constitution. Moreover, any amendments to our Constitution became effective immediately upon adoption at a General or Special Convention and the approval of our Metropolitan. Therefore the proposed constitution of October 15, 2004 could only be considered as suggested changes to our Constitution. These suggestions were submitted to the Department of Legal Affairs to avoid any inconsistencies with our existing Constitution and the Holy Synod’s self-rule Resolution of October 9, 2003.”

Deleted: That

- o The grant of self-rule by the Holy Synod occurred by virtue of the Damascus Resolution (presumably the Modified Damascus Resolution) and was both *immediately effective* and *irrevocable* as of October 9, 2003.

Deleted: That the

- o “[I]t is not appropriate for any person to attempt to rewrite the Constitution of this self-ruling Archdiocese and to attempt to negate self-rule and give less authority to the Archdiocese than it had prior to the Synodal Resolution of October 9, 2003.”

Deleted: That

- o “We will, at all times in this Archdiocese, be bound by our legally adopted constitution and the civil laws of this land in which we reside.”

Deleted: That

- o The Archdiocesan Constitution may be amended only after timely proposed amendments are submitted for consideration by (a) a majority vote of the General Assembly, (b) a recommendation from the Archdiocesan Department of Legal Affairs; (c) a recommendation from the Archdiocese Board of Trustees, (d) or a recommendation from any parish of the Archdiocese in good standing.

Deleted: That the

- o The Pittsburgh Constitution constitutes the Constitution of the Archdiocese, and the Holy Synod cannot require its further revision.

Deleted: That the

- **Late January/Early February, 2005 – Second e-mail from Tarek Mitri.** In his second e-mail to Metropolitan PHILIP in late January or early February, 2005, Tarek Mitri responded to the January 27, 2005, Press Release from the Archdiocesan Legal Department.<sup>99</sup>

Deleted: Mr.

Deleted: <sup>98</sup>

Deleted: , Mr.

Deleted: , stating that:

Deleted: Mr. Mitri

I just read the January 27 message posted on the website of the Antiochian Orthodox Archdiocese of North America and signed by the Department of Legal Affairs. It is needless to say that as the mentioned e-mail signatory, I did not claim any ecclesiastical capacity, nor any other authority, I only circulated, at the direction of His Beatitude Patriarch Ignatius IV, an official document with the seal of the

Deleted: or

Deleted: in circulating an official copy of the Damascus Constitution to Metropolitan PHILIP at the behest of and under the seal and signature of Patriarch IGNATIUS IV; The circulation of

<sup>97</sup> The letter did not state that the Pittsburgh Constitution was in harmony with the Damascus *Constitution*.

<sup>99</sup> See Exhibit 45.5.

Deleted: April 12

Patriarchate and the signature of the Patriarch. To be sure, making a public document available to you is not a "serious intrusion in the affairs of the Archdiocese". It remains true that the statement of the Department of Legal Affairs of the North American Archdiocese does not change the status of the "North American Constitution as approved by the Holy Synod" in Damascus, October 13-14, 2005.

Deleted: to Metropolitan PHILIP should

Deleted: be construed as

Deleted: "

Deleted: ; and¶  
The Damascus Constitution was the "

Deleted: "..."

Deleted: ,

Deleted: <sup>100</sup> in which the Patriarch:

Deleted: <#>Accepted  
Metropolitan PHILIP's invitation to  
be present at the Dearborn  
Convention in July 2005; and¶  
<#>Requested that Metropolitan  
PHILIP:¶  
"IO]

- **February 3, 2005 - Letter from Patriarch to Metropolitan PHILIP.** On February 3, 2005, Patriarch IGNATIUS IV wrote a letter to Metropolitan PHILIP:<sup>101</sup>

I would like to bring to you attention a matter that could not go unnoticed. I am referring to the statements of your Department of Legal Affairs . . . .

It appears to me that the august department did not hear of your communiqué, issued on October 22, 2004 and addressed to your clergy and faithful, stating unequivocally that the Antiochian Holy Synod, in its session held in Damascus October 13-15, 2004, introduced significant changes to the constitution drafted at the Assembly of Pittsburg and approved a revised constitution.

Consequently, I sent to you this revised constitution translated into English, signed by me and affixed with the seal of the Apostolic See of Antioch, to which you indeed belong.

In this vein I find it meaningful to quote Article Ten of the Constitution of the Antiochian Patriarchate<sup>102</sup> which says: "the Holy Synod is the authority in matters of faith, the legislative body in the Church and the supreme canonical arbiter whose decisions are final and beyond any further appeal".

Likewise, it is appropriate to mention Article Seventeen which states that "the Patriarch is the head of the Holy Synod; he assures the implementation of its decisions; he is the symbol of unity of the Church of Antioch and its link to the universal Church; he represents the Church of Antioch in relation to other churches, religions and states[.]"

It is therefore in this capacity, especially with respect to the implementation of decisions taken by the Holy Synod, the highest authority of our Church, that I invite you to read the abovementioned articles so that unnecessary juridical polemics are avoided. I would like to remind you of our conversation about reaching, during the Synod of October 13-15, 2004, a final conclusion to matters related to the status of your archdiocese. We have an agreement and we remain faithful to this agreement.

For all these reasons-well known to you-I ask you to officially and publicly declare that the revised constitution, approved by the Holy Synod, is the sole and final

Deleted: ]Damascus Constitution]

<sup>101</sup> See Exhibit 46.5, attached hereto. Note that the exact date is not on this letter but is clarified in a letter dated April 22, 2005, from Metropolitan PHILIP (see Exhibit 46.7)

<sup>102</sup> The Constitution of the Patriarchate is attached hereto as Exhibit 69.

Deleted: April 12

constitution of your archdiocese. I also ask you to register, in the immediate future, the abovementioned constitution with the appropriate civil authorities in the United States of America and inform me as soon as this registration is completed. (I am sure that you remember what you have told us about the registration you did after Pittsburg in order to avoid juridical vacuum).<sup>104</sup>

Deleted: ";¶  
"[R]

Deleted: ";

Deleted: <sup>103</sup> and¶  
Remember "

Deleted: h

Deleted: ."

Deleted: February 4, 2005 –  
Email of Mr. Tarek Mitri to  
Father <N.>. On February 4, 2005,  
Mr. Tarek Metri e-mailed

I would like to invite you to circulate the newly registered constitution to all of your parishes and to whomsoever is concerned, before the forthcoming Assembly in which I shall be pleased to be present. Such an action will give meaning to my presence in your midst.

Deleted: <sup>105</sup> Father <N.>, sending  
him copies of the two previous e-  
mails sent by Mr. Mitri to  
Metropolitan PHILIP and indicating  
his status as an advisor of Patriarch  
IGNATIUS IV.¶

- **February 11, 2005 – Letter of Metropolitan PHILIP to the Patriarch.** On February 11, 2005, Metropolitan PHILIP responded in writing<sup>106</sup> to the letter of Patriarch IGNATIUS IV dated February 3, 2005, stating:
  - “Our relationship with you, Master, is neither literal, nor legalistic. “The written code kills, but the Spirit gives life.”
  - “[W]e have a mechanism for amending the constitution which we cannot overstep. If we do overstep this mechanism, then any parishioner may sue us before the civil courts.”
  - “We can overcome all the obstacles by good intentions, provided that there is no interference by lawyers.”
  - “According to our registered<sup>107</sup> constitution, neither the Holy Synod, nor the Metropolitan, nor the Local Synod can impose any amendment to the constitution without the approval of clergy and laity, i.e. the General Assembly of the Archdiocese.”
  - “We want your visit with us to be comfortable, relaxing, and enjoyable. Therefore, we will not put the issue of the amendment of the constitution on the agenda of the upcoming Archdiocesan convention next July.”

- **March 30, 2005 - Letter from Anne Glynn Mackoul to Chancellors.** In a letter dated March 30, 2005, attorney Anne Mackoul, a member of the Board of Trustees, wrote to Charles Ajalat and Robert Koory, the Chancellors of the Archdiocese, with questions and concerns regarding their January 18, 2005, press release.<sup>108</sup>

<sup>104</sup> This comment regarding a “juridical vacuum” appears to indicate that the Patriarch understood that the Pittsburgh Constitution was designed to be a gap-filler.

Deleted: Pittsburg

<sup>106</sup> See Exhibit 46.8 attached hereto.

<sup>107</sup> Note that the Archdiocese does not register its Constitution with the State of New York but only its Certificate of Incorporation.

<sup>108</sup> The March 30, 2005, letter from Anne Glynn Mackoul is attached hereto as Exhibit 46.2.

- **April 6, 2005 - Special Board Meeting Called and Response of Robert Koory to Anne Glynn Mackoul.**
  - **Response of Robert Koory.** In a letter dated April 6, 2005, Chancellor Robert Koory wrote a strongly-worded letter to Anne Glynn Mackoul, in response to the questions and concerns set forth in her letter dated March 30, 2005.<sup>109</sup>
  - **Telephonic Special Board of Trustees Meeting Called.** On April 6, 2005, Metropolitan PHILIP issued a letter<sup>110</sup> calling for a Special Board of Trustees meeting to be held by telephone conference on April 21, 2005. Metropolitan PHILIP stated that the Legal Department discovered that the Archdiocesan Certificate of Incorporation contained language that needed to be brought into conformity with the Pittsburgh Constitution. With this letter, Metropolitan PHILIP included a copy of the proposed Certificate of Amendment of the Archdiocesan Certificate of Incorporation and call-in instructions for the meeting.<sup>111</sup>
  
- **April 13, 2005 - Second Letter from Anne Glynn Mackoul.** In a letter dated April 13, 2005, Anne Glynn Mackoul responded to Robert Koory's letter dated April 6, 2005.<sup>112</sup> Her letter concluded with the following remarks:

The question that still has not been answered is, "Why would the Department of Legal Affairs, rather, why would you and Charles, advise the North American archdiocese to reject the direct action of the Holy Synod of Antioch that approved a new constitution for the North American archdiocese, a constitution that is consistent with the provisions of the resolution of the Holy Synod of Antioch that granted self-rule, when the risk of doing so may be to effect division from the patriarchate of Antioch?" If you are sincerely hoping to assure continuity of the relationship between the patriarchate and the archdiocese, then why would you advise such a provocation considering all that has taken place: the Holy Synod has granted self-rule, consecrated new bishops and approved a restructuring of the North American archdiocese that allows dioceses and diocesan bishops to take their place alongside their peers in other jurisdictions in preparation for full Orthodox unity in North America. The spiritual legacy of the Church of Antioch is the greatest contribution we can offer as the Orthodox Christians in North America move to unity.
  
- **April 15, 2005 - Letter from Bishop LUKA.** On April 15, 2005, Bishop LUKA (Khoury), an auxiliary bishop of the Patriarchate, sent a letter to the "Graces, Priests, and our members" of the Archdiocese. Enclosed with his letter was the letter dated February 3, 2005, from the Patriarch to

<sup>109</sup> The April 6, 2005, letter from Robert Koory is attached hereto as Exhibit 46.3.

<sup>110</sup> See Exhibit 46.9 attached hereto.

<sup>111</sup> According to a memo distributed on May 31, 2005, by Charles Ajalat, Metropolitan PHILIP postponed this telephonic Board of Trustees meeting until the next regularly scheduled meeting of the Board of Trustees, following receipt of an anonymous e-mail from "Love Antioch" (see Exhibit 47.4).

<sup>112</sup> The April 13, 2005, letter from Anne Glynn Mackoul is attached hereto as Exhibit 46.4.

Deleted: April 12

Metropolitan PHILIP, "in order to inform you about the reality of the final text of the constitution approved by all members of the Holy Synod."<sup>113</sup>

- **April 18, 2005 – Primary Questions are Distributed to Board of Trustees.** A three page document, was distributed on April 18, 2005,<sup>115</sup> to members of the Board of Trustees for their consideration in advance of the telephone conference scheduled for April 21, 2005. The document did not attribute authorship, and raised the following points:

Deleted: <sup>114</sup>

Deleted: . The document

- Why would the Department of Legal Affairs so quickly take a position adverse to the Holy Synod's position on the Archdiocesan Constitution?
- Why would the Department of Legal Affairs publicly assert that the Damascus Constitution could be disregarded, particularly at a time before the specific differences between it and the Pittsburgh Constitution, as well as the significances thereof, could be disclosed and explained?
- Why would the Archdiocese not want to give Diocesan Bishops the full traditional rights and responsibilities of diocesan bishops in all other jurisdictions, like being able to ordain, transfer funds, discipline priests, have diocesan assemblies and funds? "This structure would allow the Antiochian bishops to have an equal footing with the GOA and OCA bishops when eventual Orthodox unity in North America is finally realized . . . ."
- Why not be happy with the immense amount of self-rule that the Archdiocese received and remain on good terms with Antioch, rather than remaining in aggressive defiance of the Holy Synod's requirements?"
- If the Holy Synod does not have the power to alter the Archdiocesan Constitution, as claimed by the Chancellors, why did not one of the Chancellors accompany the delegation to Damascus to defend the Constitution, receive objections, and suggest alternatives?
- Any contention by the Legal Department that the Archdiocese had less power with the Damascus Constitution than it had previously<sup>116</sup> would be misplaced, as the Holy Synod has always enjoyed the implicit right to intervene in archdioceses within the Patriarchate of Antioch where such archdiocese deviates from the rules governing the Patriarchate and its archdioceses."

---

<sup>113</sup> See Exhibit 46.5, attached hereto.

<sup>115</sup> See Exhibit 46.93. The date of distribution of this document is based on information from recipients of the document.

<sup>116</sup> This argument was advanced on the theory that the Damascus Constitution's reservation to the Holy Synod of a right to approve changes to the Archdiocesan Constitution gave the Holy Synod more power in the Archdiocese than it previously had, because the Archdiocesan Constitution prior to the Pittsburgh Constitution did not grant to the Holy Synod approval rights over amendments.

Deleted: approval

Deleted: April 12

- If the alterations made by Metropolitan PHILIP to the Damascus Constitution, resulting in the Pittsburgh Constitution, were, in fact, “insignificant” as described by Metropolitan PHILIP and the Department of Legal Affairs, “why would unilateral changes have been attempted?”
- The Primary Questions Document went on to insist that the Damascus Constitution is the only proper text which should be offered for approval by the Archdiocese and that the alterations were “an egregious breach of trust and misrepresentation to the faithful of North America as to what was really decided by the Holy Synod.
- “Why does the [2006 amendment to the Archdiocese’s Certificate of Incorporation]—and the Pittsburgh Constitution—use the word ‘irrevocable,’ when this also ties the hands of the North American archdiocese, the future boards of trustees, and general assemblies from taking certain decisions in the future that circumstances may warrant?”
- “Why was it represented that the Pittsburg Constitution was already filed with the State of New York<sup>117</sup> when this is not true (if they say it is true, ask to see a copy of the stamped “filed” document) and when there was no requirement by any civil authority to file such a document, particularly when it was still subject to the approval of the Holy Synod?”
- Financial Matters: Finally, the Primary Questions document presses the following questions with respect to financial affairs in the Archdiocese:
  - “Why is all financial control concentrated in the Metropolitan Archbishop? Even if this current Metropolitan Archbishop is above reproach and has no hidden assets, that may not always be the case in the future, God forbid. The history of the church is filled with such stories.”
  - “When was the last audited financial statement for the Archdiocese?”
  - “Why doesn’t the financial statements for the archdiocese include a balance sheet—statement of assets, liabilities, and net worth?”
  - “Where is the Metropolitan Anthony Bashir endowment fund being held and for what purposes is it designated?”
  - “What other endowment funds, properties and assets held [sic] by the archdiocese and its bishops?”

Deleted: Departmen

- **April 19, 2005 - Love Antioch Email and Postponement of Board of Trustees Meeting.**

Deleted: email is sent to

<sup>117</sup> Where this was represented is uncertain, although the statement may shed some light on the reference to “juridical vacuum” to which the Patriarch refers in his February 3, 2005 letter. In fact, the Archdiocese did not file any documents with the State of New York with respect to self-rule, other than the Certificate of Amendment of the Archdiocesan Certificate of Incorporation, which was filed on December 28, 2006. See [Exhibit 51](#), attached hereto.

Deleted: , *supra*.

- o **Love Antioch Email.** On April 19, 2005, an anonymous email<sup>118</sup> from a person identified only as “Love Antioch” with a subject entitled “DELAY THE PHONE B.O.T. MEETING” is sent to all members of the Board of Trustees. The email set forth the following:
  - Neither the Damascus Constitution nor the 1993 Constitution of the Archdiocese permitted telephonic meetings of the Board of Trustees;
  - The proposed changes to the Archdiocesan Certificate of Incorporation, if approved, would:
    - “Attempt to eliminate the continuing spiritual jurisdiction of the Church of Antioch, which action is beyond the authority of the North American archdiocese.”
    - “[I]ncorporate by reference as the controlling constitution for North America [the Pittsburgh Constitution] . . . which . . . specifically was NOT approved by the Holy Synod in October 2004.”
    - “[I]ntroduce the radical notion that the North American archdiocese could, on its own - if the Holy Synod does not convene and act within forty days - select its own metropolitan archbishop - a mark of an autocephalous church.”
    - Include a new paragraph 4 in the Certificate that would establish (1) that the Archdiocese could never be divided into separate archdioceses, (2) that assets and properties of any church or other church unit would revert to the Archdiocese upon separation or dissolution of the church or unit, (3) that the Metropolitan must approve the mortgage or sale of any property of a church or unit, (4) that the new paragraph cannot be amended under any circumstance but to effect Orthodox unity in North America, and (5) the adhesion of the provision of the new paragraph four to all churches and units of the Archdiocese as a contract.
  - A plea to “HAVE A REAL VOICE AND SPEAK OUT FOR TRUTH. THIS ITEM SHOULD BE DELAYED UNTIL THE B.O.T. MEETING WHEN WE CAN TALK FACE TO FACE. FOR ONCE, LET US NOT PLACATE HIS EMINENCE BY ‘RUBBER STAMPING’ THIS DIRECTIVE. LET US AVERT AN ACT OF POTENTIAL DIVISION. REMEMBER THE TENS OF THOUSANDS OF ANTIOCHIAN ORTHODOX CHRISTIANS IN THIS COUNTRY WHO HAVE

---

<sup>118</sup> See [Exhibit 46.95](#), attached hereto. [A May 27, 2005, memorandum from Charles Ajalat to the Board of Trustees \(attached hereto as Exhibit 47.4\)](#), stated that the “Love Antioch” e-mail made “various misstatements. Ironically, the cowardly sender who refused to put his or her name, has as an e-mail address: ‘letustalkface2face’, an address that might have been taken from Metropolitan Philip’s response in February, 2005, to the Patriarch’s letter.”

NO IDEA WHAT IS GOING ON. DON'T BE SILENT. THEY DEPEND ON YOU..."<sup>119</sup>

- **Decision by Metropolitan PHILIP to Postpone Meeting.** On April 19, 2005, after the Love Antioch e-mail was received by the Board of Trustees, Metropolitan PHILIP decided to postpone the April 21 meeting of the Board to the regular Board meeting scheduled for several months later.<sup>120</sup>
- **April 22, 2005 - Letter from Metropolitan PHILIP about Bishop LUKA Letter.** On April 22, 2005, in response to Bishop LUKA's letter dated April 15, 2005, Metropolitan PHILIP sent a copy of his February 11, 2005, letter to Patriarch IGNATIUS IV to the Diocesan Bishops, priests, and Trustees of the Archdiocese. "in order that you may have a balanced view of the communications that have taken place."<sup>121</sup>
- **May 6, 2005 - Enthronement of Bishop THOMAS.** Bishop THOMAS was enthroned as the first Bishop of the Diocese of Oakland and the East.<sup>122</sup>
- **May 31, 2005 – Memos from Chancellor Charles Ajalat sent to Board of Trustees.** Chancellor Charles Ajalat sent the two memos (described below) and a suggested revised Constitution<sup>123</sup> to the Board of Trustees via email.<sup>125</sup> The Memo regarding History is a Timeline in miniature containing facts unknown by the general public prior to April 10, 2009.
  - **The Memo regarding History, Questions Raised, Options & Geneva and the October 9, 2003 Resolution.**<sup>126</sup> This memo stated the following:
    - "The bishops elect [in December 2004] were instructed by the Patriarch to return home if the Patriarch continued his long-standing opposition to the *irrevocable* self-rule granted. When the Patriarch accepted the Archdiocesan self-rule status in the ordination service, the bishops-elect were consecrated."<sup>127</sup>

Deleted: <sup>124</sup>.

Deleted: .

<sup>119</sup> This reference to "we" and "us" leads one to believe that "Love Antioch" was one of the many members of the Board of Trustees.

<sup>120</sup> See Exhibit 47.4, a May 27, 2005, memorandum from Charles Ajalat to the Board of Trustees.

<sup>121</sup> The April 22, 2005, letter is attached hereto as Exhibit 46.7.

<sup>122</sup> See Exhibit 47 (biography of Bishop THOMAS), attached hereto.

<sup>123</sup> See Exhibit 47.8, attached hereto.

<sup>125</sup> See Exhibit 47.2, attached hereto.

<sup>126</sup> See Exhibit 47.4, attached hereto.

<sup>127</sup> The Chancellors meaning in their statement "accepted the Archdiocesan self-rule status in the ordination service" is unclear.

- “May, 2005 . . . . The Patriarch travels to this country, doesn’t accept the invitation to visit with Metropolitan Philip, and orally indicates he doesn’t have two or three Metropolitans to send to resolve the language [differences]. An approach is made by Chancellor Ajalat suggesting to the counterpart in the Patriarchate, Albert Laham, they meet and try to resolve the language. A harsh response is received back, indicating, from the Archdiocese perspective, that the [Damascus Constitution] intends to have total ultimate control in the Patriarchate.”
- After a discussion of a variety of questions, the memo by the Chancellors then set forth the following four options:
  - **Option #1** – “Submit to the Patriarch and adopt the [Damascus Constitution] through appropriate Archdiocesan Procedures as an amended Constitution for the Archdiocese.”
  - **Option #2** – “Keep attempting to get the Patriarch to be willing to negotiate and then modify our Constitution to accept as many of the changes suggested by the [Damascus Constitution], with whatever modifications are needed. It can be argued that this should only be done if the Patriarchate suggests a willingness to compromise, which thus far has not occurred, but we are hopeful he will accept our requests to discuss and resolve the differences.”
  - **Option #3** – “Leave the impasse, take the position that our Constitution, as adopted in Pittsburgh is our Constitution and deal with the matter on an issue by issue basis as it comes up.”
  - **Option #4** - Declare the Archdiocese to be not only self-ruling, but autocephalous (self-headed, i.e. total independence) -in other words, the Metropolitan would be totally nominated and elected here.”
- The memo by the Chancellors indicated that “[t]he best option is the second option,” and then discussed the advantages and disadvantages of the third option.
- **The Memo regarding Specific Issues Regarding the [Damascus Constitution] & the Differing Interpretations of the October 9, 2003 Resolution.**<sup>128</sup> This memo:
  - Asked and answered a series of questions, the relevant portions of which are reproduced or summarized here:
    - “Since the [Damascus Resolution] is irrevocable, it should be made clear that if this change is made, it is made voluntarily by the Archdiocese, not under any compulsion *that diminishes the irrevocability of the granted self-rule.*” (Emphasis added).
    - An unlimited right of appeal on any issue by Diocesan Bishops to the Holy Synod was unacceptable.

<sup>128</sup> See [Exhibit 47.6](#), attached hereto.

- The Chancellors did not approve of the Holy Synod retaining approval rights with respect to future Orthodox administrative unity or Archdiocesan Constitutional amendments.
- Revealed that the Patriarch viewed the breadth of the Holy Synod's grant of self-rule to the Archdiocese as decisively less than the Metropolitan and the Chancellors desired, as evidenced by the differing definitions discussed in the memo, as follows:
  - "Self-Rule" and "Is and shall remain"
    - Archdiocese- "'self-rule' means totally self-governing, 'is and shall remain' was agreed in Geneva to mean irrevocable'"
    - Patriarch- "'self-rule' means internal self-administration,' still controlled by Antioch 'is and shall remain' describes historical and future fact"
  - Amendment of Constitutions
    - Archdiocese- "The Holy Synod, pursuant to the irrevocable grant, was required to approve the implementation of self-rule to the extent not inconsistent with a reasonable construction of [Damascus Resolution], as the Archdiocese did in the Pittsburgh Constitution. The [Damascus Resolution] required the totally different structure to be reflected by the Holy Synod amending its Constitution. It has not."
    - Patriarch- "The grant was not irrevocable, 'self-rule' was not granted in the Archdiocesan understanding of self-rule, the approved Damascus Constitution confirms that, and the Patriarchate hasn't amended its Constitution in the last two years (presumably) because there are no Changes needed: The North American Archdiocese is just another Archdiocese."
- **June 1, 2005 - Love Antioch Email.** In response to the memoranda sent to the Board of Trustees on May 31, 2005, another Love Antioch email was sent to the Board.<sup>129</sup>
  - The e-mail was critical of the "negative tone with regards to our Patriarch" in the May 31, 2005, e-mail from the Chancellors:

We all know his Beatitude to be a gentle man who deeply loves his Church. Isn't it interesting how everyone who disagrees with or opposes the chancellors and our beloved Metropolitan is mocked and demonized, including those who Love Antioch. (No wonder some of us have decided to stay anonymous.)

<sup>129</sup> The June 1, 2005, Love Antioch e-mail is attached hereto as Exhibit 47.65.

- The e-mail argued that if the Certificate of Incorporation was amended:

[A]pproving [the amendment] . . . would pre-empt our ability to elect either option one or option two,<sup>130</sup> because the proposed Certificate would irrevocably incorporate, by reference, the Pittsburgh Constitution, which was not approved by the Holy Synod and is not the version that his Beatitude Patriarch Ignatius signed in October at the meeting of the Holy Synod. It also goes way beyond either the Pittsburgh or the Damascus constitutions by stating that the Synod of Bishops here in North America can, under certain circumstances, select the North American Primate on its own. This was never on the table and would effectively make the North American Church completely independent of Damascus. We never discussed nor agreed with this. The General Assembly did not authorize this. Why are the Chancellors springing this on us now and insisting that this be approved?

(Emphasis in original.)

- June 3-4, 2005 - Meeting of the Board of Trustees. The minutes of the June 3-4, 2005, meeting of the Board of Trustees reflect the following:<sup>131</sup>

- Chancellor Bob Koory explained the following:

- “When the General Assembly of our Archdiocese ratified our amended Constitution in Pittsburgh in July 2004, we had hoped that the matter was settled, because we believed that the way we had amended our constitution brought it into agreement with the understandings and expectations previously arrived at with the Holy Synod of Antioch.”
- “When our constitution, as amended in Pittsburgh, was then submitted for approval by the Holy Synod of Antioch, that body amended it even further: and, while some of these additional amendments seemed relatively innocuous, others seemed out of line.”
- “When the members of the Holy Synod of Antioch then proceeded to vote on the additional amendments contained in this “Damascus Document.” Metropolitan PHILIP abstained, because he wished to adhere to the procedures which our Archdiocese has always followed, namely: review by the Department of Legal Affairs of our Archdiocese, approval by the Board of Trustees of our Archdiocese, and, finally, ratification by the General Assembly of our Archdiocese.”
- “The Damascus Document does not acknowledge that our Archdiocese is a Self-Ruled Archdiocese, and we want our Self-Ruled status to be acknowledged.”

<sup>130</sup> This is a reference to the four options in the memorandum that the Chancellors sent to the Board of Trustees on May 31, 2005.

<sup>131</sup> The minutes of the June 3-4, 2005, Board of Trustees meeting are attached hereto as Exhibit 47.7.

- “Until such time that the different Orthodox jurisdictions have blended into a single United Orthodox Church in North America, we want our Antiochian Archdiocese in North America to remain united and indivisible. The Damascus Document contains no provision to protect our indivisibility.”
- “We consider it necessary and appropriate that our Diocesan Bishops should have the right of appeal to the Patriarch and the Holy Synod of Antioch in matters of discipline. The Damascus Document does not limit the right of appeal to matters of discipline, but expands it to include any and all matters, thereby undermining, indirectly, the essential notion of self-rule.”
- “We consider it necessary and appropriate that all provisions of, and any amendments to, the constitution of the Patriarchate of Antioch shall be consistent with the Self-Ruled Status granted to our Archdiocese by the Resolution of the Holy Synod of Antioch, dated October 9, 2003, and October 15, 2004. The Damascus Document does not seem to have any particular concern for such consistency.”
- “There is every reason to believe that the differences between the two documents can readily be dealt with and resolved if His Beatitude, Patriarch IGNATIUS, IV, and Metropolitan PHILIP could meet together to discuss all the details, by themselves and without any outside interference, or if Metropolitan PHILIP and selected members of the Holy Synod of Antioch could meet together to discuss them, by themselves and without any outside interference. Unfortunately, there has been no opportunity, as yet, for either of these discussions to take place.”
- The four alternatives in the memo sent to the Board on May 31, 2005, were discussed:
  - “First, Lye can accept the Damascus Document as it was ratified by the Holy Synod of Antioch and recommend that the General Assembly also ratify it in Dearborn this summer; second, we can keep talking and continue our negotiations with the Patriarch and the Holy Synod of Antioch; third, we can conserve our efforts and allow the situation to remain as it currently stands and deal with concrete issues as they arise in the future; and fourth, we can, as have other jurisdictions, consider complete Autocephaly and total independence.”
  - “As the discussion continued, it became clear that no one favored either the first or the last alternative, and that the second was preferable to the third.”
- The following motion was approved with three dissenting votes:

That this Archdiocese Board of Trustees favors, supports, and endorses the continuation of discussions and negotiations with Patriarch IGNATIUS, IV and the Holy Synod of Antioch until the differences between our Constitution, as amended in Pittsburgh in 2004, and the Damascus Document have been resolved to our satisfaction.

- **June 12, 2005 - Enthronement of Bishop ALEXANDER.** Bishop ALEXANDER was enthroned as the first Bishop of the Diocese of Ottawa, Eastern Canada, and Upstate New York.<sup>132</sup>
- **July 28, 2005 - Dearborn Convention.** The Convention was held and the minutes refer to the Pittsburgh Constitution and the Damascus Resolution as follows:<sup>133</sup>

[T]he hierarchs, clergy and faithful of this God-protected Self-Ruled Antiochian Orthodox Archdiocese of North America have met in General Assembly under the leadership of our beloved Primate Metropolitan PHILIP at the 47th Antiochian Orthodox Christian Archdiocesan Convention in Dearborn, Michigan, at a regular convention for the first time as a self-ruled Archdiocese as set forth in our duly adopted and amended Constitution approved in Pittsburgh, Pennsylvania in July 2004 . . . .give thanks to Almighty God for the blessings bestowed upon this Archdiocese for guiding our beloved Primate Metropolitan PHILIP in achieving Self-Rule for this Archdiocese and for granting to our beloved Patriarch IGNATIUS IV and the members of the Holy Synod of Antioch the wisdom, courage and foresight to grant irrevocably Self-Rule to this Archdiocese in the October 9, 2003 Resolution.

- **July 30, 2005 – Meeting of the Board of Trustees.** A short Board of Trustees meeting took place on July 30, 2005.<sup>134</sup> Nothing regarding self-rule was discussed.
- **August 25, 2005 - Enthronement of Bishop MARK.** Bishop MARK was enthroned as the first Bishop of the Diocese of Toledo and the Midwest.<sup>135</sup>
- **October 7-8, 2005 - Meeting of the Board of Trustees.** A Board of Trustees meeting took place on October 7-8, 2005.<sup>136</sup> Nothing regarding self-rule was discussed.
- **December 26, 2005 - Archpastoral Directives from Metropolitan PHILIP.** Metropolitan issued two Archpastoral Directive regarding “several important policies” that “must be followed”.<sup>137</sup>

**Arch pastoral Directive #1**

It has come to our attention that some of our parishes have been following the Slavic tradition of singing/chanting the epistle prokeimenon with its verses and the Alleluia verses that follow at the Divine Liturgy. This is not our tradition, and must not be continued. Our tradition is for the Epistle reader to chant the prokeimenon and verse **one time only**. Likewise, it is our tradition for the choir to sing “Alleluia” three times

<sup>132</sup> See [Exhibit 48](#) (biography of Bishop ALEXANDER), attached hereto.

<sup>133</sup> The minutes of the 2005 General Assembly are attached hereto as [Exhibit 49](#). [Metropolitan PHILIP’s address to the Convention is attached hereto as Exhibit 49.1.](#)

<sup>134</sup> [The minutes of the July 30, 2005, Board of Trustees meeting are attached hereto as Exhibit 49.4.](#)

<sup>135</sup> See [Exhibit 50](#) (biography of Bishop MARK), attached hereto.

<sup>136</sup> [The minutes of the October 7-8, 2005, Board of Trustees meeting are attached hereto as Exhibit 50.4.](#)

<sup>137</sup> [The Archpastoral Directive is attached hereto as Exhibit 50.6.](#)

with no verses after the priest says 'Peace be to thee that readest.' All pastors and parishes must abide strictly by this policy.

#### Archpastoral Directive #2

It has come to our attention that some pastors and parishes continue to start the Paschal services before 10:00 p.m. in defiance of previous edicts. It is the policy of this Archdiocese that the Paschal services, starting with Nocturne or singing of the Holy Saturday Canon (and followed by the Rush Service [Hajme]; Paschal Orthros and Divine Liturgy) may not begin before 10:00pm on Great and Holy Saturday evening. All pastors and parishes must abide strictly by this policy.

- **June 1-2, 2006 – Meeting of Local Synod at Antiochian Village.** During the course of the meeting, Metropolitan PHILIP asked the Local Synod to review Bishop DEMETRI's case, and the Local Synod unanimously affirmed its previous position.<sup>138</sup>

Deleted: `

- **October 6-7, 2006 – Meeting of the Board of Trustees: Certificate of Incorporation Amended.** The minutes of the October 6-7, 2006, Board of Trustees meeting reflect that the Board of Trustees voted to amend the Archdiocese's Certificate of Incorporation as filed with the State of New York, as follows in relevant part:<sup>139</sup>

Deleted: Archdiocesan Board of Directors

- "The canonical Metropolitan, who is the duly authorized ecclesiastical administrator of said Archdiocese shall be the presiding officer and president of this corporation, irrevocably."
- "In the event the provisions of the Constitution are not followed as a result of action or inaction outside the Archdiocese, the Local Synod and the Board of Trustees shall take all necessary action to protect the Archdiocese."

- **June 1-2, 2007 - Meeting of the Board of Trustees. A Board of Trustees meeting took place on June 1-2, 2007.**<sup>140</sup> Nothing regarding self-rule was discussed.
- **July 27, 2007 - Montreal Convention.** The Minutes of the 2007 Archdiocesan General Convention in Montreal reported that, during that General Convention, a parish proposed an amendment to the Constitution that would require Archdiocesan Conventions to be governed by the current version of Robert's Rules of Order.<sup>141</sup>

<sup>138</sup> These statements are not offered here as irrefutable fact, given the lack of documentary evidence therefor, but the Minutes of the Local Synod meetings (not available to the public) on these dates are expected to corroborate these statements.

<sup>139</sup> The Certificate of Amendment and Board of Trustees Resolution are attached hereto as [Exhibit 51](#). The minutes of the October 6-7, 2006, Board of Trustees meeting is attached hereto as Exhibit 51.1.

<sup>140</sup> The minutes of the June 1-2, 2007, Board of Trustees meeting are attached hereto as Exhibit 51.5.

<sup>141</sup> The minutes are attached hereto as [Exhibit 52](#).

- Both the Chancellors and the Metropolitan recommended a negative vote with respect to this proposal on the grounds that it could impair administration of the Archdiocese and cause confusion.
- A motion to consider the proposed amendment, requiring a 2/3 vote of the General Convention, was defeated on a “voice vote.”
- **July 28, 2007 - Meeting of the Board of Trustees.** A Board of Trustees meeting took place on July 28, 2007.<sup>142</sup> Nothing regarding self-rule was discussed.
- **September 28, 2007 - Abdallah Khouri E-mail.** Clergy throughout the Archdiocese received an e-mail from “Abdallah Khouri.” The e-mail claims that Metropolitan PHILIP was “asking bishops of the holy synod of Antioch to renounce our Self Rule and return us to the 'old constitution[.]’”<sup>143</sup>
- **September 28-29, 2007 - Meeting of the Board of Trustees.** A Board of Trustees took place on September 28-29, 2007.<sup>144</sup>
  - Nothing regarding self-rule (or the Abdallah Khouri e-mail sent on the first day of the meeting) was discussed.
  - Metropolitan PHILIP’s report to the Board began as follows:

His Eminence began his report an expression of sadness over the fact that His Grace, Bishop Atallah Hanna, was suspended by the Jerusalem Patriarchate for his courageous outspokenness on behalf of the rights of both the people and the Parishes which have been neglected by the Synod and the Patriarchate. He is an outstanding and eloquent Bishop who loves his people, and he does not deserve any of the hardship and suffering he has had to endure.
- **May 30-31, 2008 - Meeting of the Board of Trustees.** A Board of Trustees meeting took place on May 30-31, 2008.<sup>145</sup> Nothing regarding self-rule was discussed.
- **July 23, 2008 – Amendment of the Manual of Hierarchical Duties and Responsibilities.**<sup>147</sup> According to an Archpastoral Directive issued by Metropolitan PHILIP on July 30, 2008<sup>148</sup>, this

Deleted: .

Deleted: <sup>146</sup>

<sup>142</sup> The minutes of the July 28, 2007, Board of Trustees meeting are attached hereto as Exhibit 52.3.

<sup>143</sup> A copy of Abdallah Khouri’s e-mail is attached hereto as Exhibit 53. Despite indications from independent, reliable sources that such requests were, in fact, made and rebuffed, this paper hesitates to present such as fact in the absence of further documentary evidence.

<sup>144</sup> The minutes of the September 28-29, 2007, Board of Trustees meeting are attached hereto as Exhibit 53.1.

<sup>145</sup> The minutes of the May 30-31, 2008, Board of Trustees meeting are attached hereto as Exhibit 53.3.

<sup>147</sup> See Exhibit 53.5, attached hereto. This Exhibit contains the text of the entire Manual as amended.

<sup>148</sup> See Exhibit 53.8, attached hereto.

Deleted: <sup>148</sup> See

Deleted: attached hereto.¶

manual was amended to require a Diocesan Bishop to obtain the approval of the Metropolitan prior to any transfer of clergy within a Diocesan Bishop's diocese.<sup>149</sup>

- **July 30, 2008 - Archpastoral Directive.** In addition to announcing the amendment to the Manual of Hierarchical Duties and Responsibilities, the Archpastoral Directive<sup>150</sup> from Metropolitan PHILIP dated July 30, 2008, reminded clergy of the following:
  - The proper manner of commemorating the hierarchs of the Archdiocese; and
  - The appropriate attire of clergy of the Archdiocese, particularly the prohibition against wearing the jibbe or cassock in public.
- **September 2, 2008 - Letter Announcing Visit of Patriarch IGNATIUS IV.** In a September 2, 2008, letter to be read from the pulpits and published in bulletins, Metropolitan PHILIP announced that Patriarch IGNATIUS IV would visit the Archdiocese at the end of October.<sup>151</sup>
- **September 17, 2008 - Fundraising Letter for Balamand Scholarship Fund.** On September 17, 2008, Metropolitan PHILIP sent a letter soliciting donations for a scholarship fund for students at The University of Balamand.<sup>152</sup>
- **October 7, 2008 - Committee to Study Status of Bishops.** According to a March 26, 2009 letter from Metropolitan PHILIP that is posted on the Archdiocesan website:<sup>153</sup>

At the October 7, 2008 meeting of the Holy Synod in Damascus, His Beatitude appointed a special committee which included the Archbishops of Aleppo, Hama, Homs, and Akkar to study the question of the status of bishops across the See of Antioch, and to make a recommendation which would normalize that status.<sup>154</sup>

- **October 28-November 2, 2008 - Patriarch Visits Archdiocese.** Patriarch IGNATIUS IV visited the Archdiocese.<sup>155</sup> In advance of the visit, Metropolitan PHILIP appealed to parishes and missions throughout the Archdiocese to make donations to a scholarship fund for

---

<sup>149</sup> According to credible sources, a number of Diocesan Bishops opposed this amendment. The minutes of the Local Synod meeting may provide the only means by which to verify these statements documentarily. Those minutes have not been made public.

<sup>150</sup> See Exhibit 53.8, attached hereto.

<sup>151</sup> The September 2, 2008, letter is attached hereto as Exhibit 53.9.

<sup>152</sup> The September 17, 2008, letter is attached hereto as Exhibit 53.91.

<sup>153</sup> See Exhibit 68, attached hereto.

<sup>154</sup> Metropolitan PHILIP's March 26 letter contains no explanation of what "normaliz[ing]" the status of bishops means.

<sup>155</sup> See Exhibit 54 (webpage from Archdiocesan website), attached hereto.

students at the University of Balamand, which was founded by Patriarch IGNATIUS IV and “holds a special place in his heart.”<sup>156</sup>

- **November 12, 2008 - Letter from Fr. Joseph Antypas to Bishop MARK.** In a letter dated November 12, 2008, Fr. Joseph Antypas notified Bishop MARK that he did not approve of several visits Bishop MARK intended to make to Fr. Joseph’s parish.<sup>157</sup>
- **November 17, 2008 - Correspondence between Bishop MARK and Fr. Joseph Antypas.**
  - In a letter dated November 17, 2008, Bishop MARK notified Fr. Joseph Antypas that due to Fr. Antypas’ heavy workload and increased administrative responsibilities for deans in the diocese, Fr. Antypas was being replaced as Dean of Southern Michigan.<sup>158</sup>
  - In a letter dated November 17, 2008, responding to Bishop MARK’s letter of that same date, Fr. Joseph expressed his dissatisfaction with his removal as Dean of Southern Michigan and with other aspects of Bishop MARK’s leadership:<sup>159</sup>
    - “Being the Dean of Southern Michigan was also one of those responsibilities that I carried with much integrity, even though you were against my appointment from the very beginning, and I remember you wanted to divide the deanery and appoint both Frs. Daly and Aboud.”
    - “However, your Grace, your reaction to my letter, dated November 12, 2008, concerning your visit is unwarranted. I don't understand your patterns of thought that you express, on the diocesan level. You like to surround yourself with some clergy and have neglected the laity of the Midwest, creating a division, and giving some clergy to exercise some abusive authorities that caused alienation and separation of the laity of the Midwest, creating a division, and giving some clergy to exercise some abusive authorities that caused alienation and separation of the laity of the Midwest. Instead of making changes of the Dean, you should have attempted to bring those who have lost interest.”
    - “There is definitely a need to focus on the unity of the Archdiocese. Any divisive element should be extracted from the Body of Christ, and especially in the Midwest the unity of the clergy and laity should be reemphasized, and should not be limited to meetings that have failed to produce any fruits.”

<sup>156</sup> A letter from Metropolitan PHILIP encouraging these donations is attached hereto as [Exhibit 55](#). Available records do not indicate the exact amount of money raised at this fundraiser, although current best estimates place it at roughly US\$2,800,000.

<sup>157</sup> [The November 12, 2008, letter from Fr. Joseph Antypas is attached hereto as Exhibit 54.5.](#)

<sup>158</sup> [The November 17, 2008, letter from Bishop MARK is attached hereto as Exhibit 54.6.](#)

<sup>159</sup> [The November 17, 2008, letter from Fr. Joseph Antypas is attached hereto as Exhibit 54.7.](#)

- **January 1, 2009.** Although the Archdiocesan website lists Bishop DEMETRI as “retired” as of 2004,<sup>160</sup> the Antiochian Archdiocese of Mexico, Venezuela, Central America, and the Caribbean announced on its website that Bishop DEMETRI would begin active service as an Auxiliary Bishop in that Archdiocese as of January 2009.<sup>161</sup>
- **February 24, 2009 - Special Meeting of Holy Synod.** A special meeting of the Holy Synod took place in Damascus.<sup>162</sup>
  - No more than nine of the twenty members of the Holy Synod attended the meeting.<sup>163</sup>
  - The agenda on this meeting appears to have been to clarify the role of bishops pursuant to the Bylaws of the Holy Synod.<sup>164</sup> Those Bylaws were adopted in 1973.<sup>165</sup>
  - The signatures of nine members of the Holy Synod, including Patriarch IGNATIUS IV, are affixed to what purports to be an amendment to the Patriarchate’s Bylaws (the “Purported<sup>166</sup> Bylaws Amendment”), written in Arabic.<sup>167</sup>
- **February 25, 2009.**
  - **Purported Bylaws Amendment Faxed to Metropolitan PHILIP.** The Arabic language version of the Purported Bylaws Amendment was faxed to Metropolitan PHILIP. The fax header indicates that it was sent by Fr. George Dimas, the Secretary of the Holy Synod.<sup>168</sup>

---

<sup>160</sup> See [Exhibit 24](#), attached hereto.

<sup>161</sup> See [Exhibit 25](#). Note that the English version of [Exhibit 25](#) was translated using the translation feature in Google. Sources inside Englewood, who are for obvious reasons unwilling to go on record, indicate that the Archdiocese made a gift to the Archdiocese of Mexico of sufficient size to pay Bishop DEMETRI for this service. Before such claims could be treated as factual, they would require additional verification—such as a financial audit report—which is not available at this time.

<sup>162</sup> See, e.g., [Exhibit 61](#), attached hereto. A complete list of the members of the Holy Synod is attached hereto as [Exhibit 72](#).

<sup>163</sup> This is based on the fact that there are only nine signatures on the Bylaws Amendment. It is unknown if all nine signatories were present at the meeting, however.

<sup>164</sup> See [Exhibit 58](#) (an English translation of which is included on pages 22-23 of this document) and [Exhibit 59](#). The term “bishops” in the Patriarchate’s Bylaws has always been used to refer to “auxiliary” or “titular” bishops who are nothing more than administrative instruments of the Metropolitan in the region to which they are assigned and includes the Patriarchal Vicar.

<sup>165</sup> The Patriarchate’s Bylaws are attached hereto as [Exhibit 70](#).

<sup>166</sup> The term “Purported” is employed, as the Patriarchal Bylaws provide that no decision may be taken by the Holy Synod without a quorum of at least 11 bishops present at the meeting.

<sup>167</sup> The Arabic version of the Purported Bylaws Amendment is attached hereto as [Exhibit 56](#).

<sup>168</sup> See [Exhibit 56](#).

- **English Translation of the Purported Bylaws Amendment.**<sup>169</sup> Metropolitan PHILIP translated the Purported Bylaws Amendment from Arabic to English as follows.<sup>170</sup>

THE DECISION REGARDING THE AMENDING OF ARTICLES  
CONCERNING BISHOPS ACCORDING TO THE BY-LAWS OF THE  
PATRIARCHATE

**CHAPTER VI, THE BISHOPS**

**Article 75**

The Patriarch is the reference point of all bishops in Damascus, Patriarchal Monasteries and Vicariates; and they are under his authority

**Article 76**

The Metropolitan is the point of reference of all bishops in his Archdiocese and they are under his authority.

**Article 77**

All bishops within the Antiochian See are auxiliary bishops and are directly under their spiritual authority.

**Article 78**

The Metropolitan defines the responsibilities of the bishops and the place where they should serve. The bishop does not do anything contrary to the will of the Metropolitan.

**Article 79**

The aforementioned articles 75, 76, 77 and 78 are applicable in all Antiochian Archdioceses and whatever contradicts these articles is null and void.

Issued by the Holy Synod of Antioch, Damascus, February 24, 2009

Signed by: His Beatitude, IGNATIUS IV, Patriarch  
His Eminence, ILYAS, Tripoli  
His Eminence, ELIA, Hama  
His Eminence, ELIAS, Tyre and Sidon  
His Eminence, GEORGE, Homs  
His Eminence, PAUL, Australia  
His Eminence, DAMASKINOS, Brazil  
His Eminence, ESPER, Houran  
His Eminence, BASILIOS, Akkar

---

<sup>169</sup> The PDF files of the Arabic and English versions of the Purported Bylaws Amendment that are available on the Archdiocesan website were created the afternoon of February 25, 2009.

<sup>170</sup> See [Exhibit 59](#) and [Exhibit 68](#), where Metropolitan PHILIP acknowledges that he prepared the English translation of the Bylaws Amendment.

- **Copies sent to Diocesan Bishops.** Metropolitan PHILIP sent copies of the Arabic and English versions of the Purported Bylaws Amendment to the Diocesan Bishops and informed them that “[w]e will discuss the implications of this decision in detail at our coming meeting at the Antiochian Village.”<sup>171</sup>
- **First Letter from Bishop BASIL.** Bishop BASIL sent a letter to Metropolitan PHILIP, acknowledging receipt of the aforementioned letter from Metropolitan PHILIP.<sup>172</sup> In the letter, the following questions were asked:
  1. Since you say in your letter that the decision “was sent to the members of the Holy Synod, who were not present, for their approval,” did you or will you approve or disapprove of these decisions?
  2. Since your translation reads that these decisions “are applicable to all Antiochian Archdioceses,” does that indeed mean that our Diocesan Bishops are now reduced to the status of Auxiliary Bishops?
  3. Since your translation additionally reads that “whatever contradicts these articles is null and void,” does that mean that these decisions make the provisions of our Self-Rule as well as certain articles of our “Pittsburgh Constitution” null and void?
  4. And finally, the question “Why” should be appended to each of the three queries above.
- **News Article on Patriarchate Website.** A news article, written in Arabic, was posted to the Patriarchate’s website regarding the February 24 meeting of the Holy Synod.<sup>173</sup> An English translation of the article is as follows:<sup>174</sup>

The Holy Synod of Antioch: Impromptu meeting  
February 25, 2009

On the 24th day of February of 2009, under the leadership of Patriarch Ignatius IV (Hazim), the Holy Synod of Antioch met at the Patriarchal palace in Damascus, with the presence of bishops<sup>175</sup> from that land (*Syria*) and other nations. That impromptu meeting's topics dealt with ecclesiastical as well as general parish issues.

<sup>171</sup> This information comes from Bishop BASIL’s letter of February 25, 2009, discussed below. See [Exhibit 57](#).

<sup>172</sup> The February 25, 2009, letter from Bishop BASIL is attached hereto as [Exhibit 57](#).

<sup>173</sup> The link to the Arabic news article (<http://antiochpat.org/arabic/news/news.php?newsid=323>) is not currently working. A PDF of the Google cache of the news article is attached hereto as [Exhibit 58](#).

<sup>174</sup> There is no English translation of the news article on the Patriarchate’s website. This translation is not an official translation by the Patriarchate but was made by someone whose native language is Arabic.

<sup>175</sup> No number was referenced in the Arabic news article.

The Fathers (*present*) studied and discussed the nature of the Church Canon dealing with the bishop. Those present clarified some of the language of that Canon in making the elected bishop an auxiliary to the Patriarch or to any Archbishop of an Archdiocese in the Antiochian See.

The Fathers (*present*) heard about decisions of the Archdioceses of Latin America and Australia; they heard of the fruitful work of the Holy Spirit in those nations, and enforced the continuance of such shepherding and evangelism in those fertile regions of the earth.

Furthermore, His Beatitude enforced to congregate issue through reason and appropriate methods, since we (*the bishops present*) have been summoned to witness with exhaustive labor unto the Lord for the salvation of the souls of those whose flock is our promised responsibility. This shepherding and evangelism requires reasonable intelligence and solemn study, so that the work may be done with dignity and organization.

Then the Holy Synod ended with prayer and a hymn to His Beatitude.

- **February 26, 2009 - Initial Letter from Metropolitan PHILIP.** A letter from Metropolitan PHILIP regarding the Purported Bylaws Amendment was posted on the Archdiocesan website, with instructions for the letter to be printed in bulletins and read from pulpits throughout the Archdiocese.<sup>176</sup> The letter was brief and may be summarized as follows:
  - The Holy Synod met on February 24, 2009, and made a decision “regarding all bishops within the Holy See of Antioch.” (Emphasis in original).
  - “The Patriarch and the Holy Synod are the highest authority in our Antiochian church.”
  - The only item on the agenda for the Holy Synod meeting concerned the aforementioned decision.
  - The original Arabic Purported Bylaws Amendment and its English translation (above) were enclosed.
- **February 27, 2009 - Response to Bishop BASIL.** Metropolitan PHILIP wrote a letter to Bishop BASIL, in response to Bishop BASIL’s letter dated February 25.<sup>177</sup> In the letter, Metropolitan PHILIP addressed the questions in the February 25 letter. His statements may be summarized as follows:
  - Metropolitan PHILIP approved of the Purported Bylaws Amendment and believed it would “support maximum unity” within the Archdiocese.

---

<sup>176</sup> The February 26, 2009, letter is attached hereto as [Exhibit 59](#).

<sup>177</sup> The February 27, 2009, letter from Metropolitan PHILIP is attached hereto as [Exhibit 60](#).

- It is “very clear” that the Diocesan Bishops are now auxiliary bishops.
  - The Metropolitan has the authority to reverse decisions of the auxiliary bishops.
  - The Metropolitan has the authority to move auxiliary bishops from their Dioceses.
  - The Purported Bylaws Amendment does not “make that much practical change” in how the Archdiocese operates.
  - The Purported Bylaws Amendment is “narrow,” affecting only the status of bishops “across the See of Antioch.”
  - The self-rule status of the Archdiocese “remains in effect.”
  - The differences between the Pittsburgh Constitution and the Damascus Constitution will be “addressed” by the Patriarch, the Holy Synod, and Metropolitan PHILIP “in due time.”
- **March 3, 2009.**
    - **Archpastoral Directive.** A letter from Metropolitan PHILIP titled “Archpastoral Directive” was posted on the Archdiocesan website and may be summarized as follows:<sup>178</sup>
      - Articles 76, 77, and 78 from the English translation of the Purported Bylaws Amendment were quoted.
      - All clergy were directed to “commemorate the auxiliary bishop” (i.e., the Diocesan Bishop) only “when he is present at the divine service.”
    - **Second Bishop BASIL Letter.** In response to Metropolitan PHILIP’s letter dated February 27, Bishop BASIL sent a second letter to Metropolitan PHILIP,<sup>179</sup> asking the following questions:<sup>180</sup>
      - “What, Sayyidna, did my brothers and I do that resulted in our being so humiliated as to be summarily reduced from enthroned diocesan bishops to mere auxiliaries?”
      - “And because I – like you and all members of the Holy Synod – publicly pledged on the day of episcopal consecration to ‘confess, accept and defend’ the sacred canons, I ask which of those sacred canons permit such an action to be taken without formal charges being brought?”

---

<sup>178</sup> The Archpastoral Directive is attached hereto as [Exhibit 61](#).

<sup>179</sup> The March 3, 2009, letter from Bishop BASIL is attached hereto as [Exhibit 62](#).

<sup>180</sup> These questions have not been addressed, at least publicly, by Metropolitan PHILIP.

- **March 4, 2009 - Letter from Metropolitan PHILIP.** A letter from Metropolitan PHILIP is posted on the Archdiocesan website.<sup>181</sup> It is almost identical to his letter to Bishop BASIL dated February 27.
- **March 5, 2009 - Letter from Bishop MARK about Letter from Detroit Clergy.** Bishop MARK sent a letter to Metropolitan PHILIP,<sup>182</sup> expressing outrage at a letter from clergy in the Detroit area. The letter from the Detroit clergy<sup>183</sup> included the following statements:
  - “The clergy and laity of the Antiochian Archdiocese of North America received with greater excitement and with much gratitude the decision regarding the Amending of Articles concerning Bishops according to the By-Laws of the Patriarchate of Antioch. It affirmed once and for all that the Archdiocese is united under one leader who becomes again the point of reference of all bishops, priests, deacons, and the laity of this God protected Archdiocese. The Metropolitan is the hierarch who defines the responsibilities of the bishops and the place where they should serve.”
  - “After four years of captivity, our church in North America will regain its direction under the mandate of our Metropolitan.”
  - “We salute His Beatitude Patriarch IGNATIUS IV and the members of the Holy Synod for issuing this historic decision on February 24, 2009.”

In his letter, Bishop Mark stated the following:

Christ is in our midst! I just received this letter from the V Rev Joseph Antypas; the V Rev George Shalhoub and the V Rev George Baalbaki filled with hatred and malicious slander towards our bishops of this Archdiocese. Their letter was sent throughout the entire Archdiocese. As I mentioned on the phone the action of the Holy Synod and your approval of it could have devastating consequences dividing the emigrant clergy from those born here. As you can see they cannot retain their venom and disrespect. This is what I have endured for four and a half years. Now their animosity and guile, especially towards me has been fully revealed for the whole Archdiocese to see by their own hand.

As the clergy of the Diocese of the Midwest will attest, I have overlooked their refusal to be a part of the Diocese. They have always come to meetings late and left early. They refuse to mix with non-emigrant clergy even before I was consecrated. Their disdain and hatred I have endured. Now they have finally revealed themselves to the whole Archdiocese.

Your eminence for the sake of our Archdiocese, they must write an apology to you for the division they have caused, to all our bishops whom they so freely insulted and to the faithful for the damage they have done. This must be done publicly as their

---

<sup>181</sup> The March 4, 2009, letter is attached hereto as [Exhibit 63](#).

<sup>182</sup> Bishop MARK's March 5, 2009, letter is attached hereto as [Exhibit 64](#).

<sup>183</sup> The letter from the Detroit clergy is attached hereto as [Exhibit 65](#).

letter was public. Their apology should be posted on the Archdiocesan website and every Diocesan Website as well as in the Word Magazine and Again Magazine to reunite what they have divided. Over the past years I have made numerous attempts to work with them and suffered insults time and again. I have asked what I have done to them. The answer was always, “there is nothing wrong.” I have left them to their own devices never commenting on the church sponsored gambling and their disdain of their own Orthodox Christian Traditions, such as serving the required liturgical services and observing the fasts of our Holy Church. Let us have peace!

- **March 6, 2009 - Public Statement from Detroit Clergy.** The following “Important Statement from the Clergy of the Greater Detroit Area” was posted on the Archdiocesan website:<sup>184</sup>

We have heard, to our dismay, that our honored hierarchs, including Metropolitan PHILIP, are upset by a statement, which was recently circulated in the Greater Detroit Area, in support of the decision of the Holy Synod of Antioch, concerning all bishops in the See of Antioch. This letter is to clarify and articulate the true meaning of that statement. We, indeed, have no intention of hurting and/or intimidating any of our hierarchs. We sincerely apologize for any hurt caused unintentionally. As obedient children of the Holy Church, we accept, with humility, this historic decision with much gratitude. We assure our love and respect to all revered hierarchs, and we pray for a smooth transition for our Self-Ruled Antiochian Archdiocese. May the Lord, our God, guide our steps.

V. Rev. Joseph Antypas  
V. Rev. George Shalhoub  
V. Rev. George Baalbaki  
Rev. Ayman Kfouf

- **March 11, 2009 - Letter from Fr. Joseph Antypas to Bishop MARK.** In a letter to Bishop MARK dated March 11, 2009, Fr. Joseph Antypas took issue with much of what Bishop MARK said in his March 5, 2009, letter to Metropolitan PHILIP.<sup>185</sup>
- **March 17, 2009 - Letter from Council of Presbyters.** The Council of Presbyters of the Diocese of Wichita and Mid-America wrote a letter to Metropolitan PHILIP asking fifteen questions regarding the Purported Bylaws Amendment and its impact on the Archdiocese.<sup>186</sup>
- **March 26, 2009 - Response to Clergy Questions.** In response to the March 17 letter from the Council of Presbyters of the Diocese of Wichita and Mid-America, Metropolitan PHILIP wrote a letter stating the following:<sup>187</sup>

<sup>184</sup> The public statement is attached hereto as [Exhibit 66](#).

<sup>185</sup> On April 7, 2009, Fr. Joseph Antypas requested that the Timeline be revised to include ~~his March 11 letter~~. A copy of the e-mail request from Fr. Antypas is attached hereto as [Exhibit 73](#).

<sup>186</sup> The letter from the Council of Presbyters is attached hereto as [Exhibit 67](#).

<sup>187</sup> The March 26, 2009, letter from Metropolitan PHILIP is attached hereto as [Exhibit 68](#).

- The February 24, 2009 meeting of the Holy Synod “was convened to hear the recommendation” of a committee appointed by Patriarch IGNATIUS IV on October 7, 2008, to study “the question of status of bishops across the See of Antioch and to make a recommendation that would normalize that status.”
- The intention of the Holy Synod in passing the Purported Bylaws Amendment was “to have good order and consistency throughout the Holy See of Antioch by normalizing<sup>188</sup> the status of all bishops.”
- The See of Antioch possessed five non-Metropolitans in addition to the Diocesan Bishops of the Archdiocese; two of those five were elevated to Metropolitan Status.<sup>189</sup>
- The Diocesan Bishops were not “dethroned.” Instead, the “status of the bishops has been changed from diocesan bishop to auxiliary bishop.” As a result: (a) the Dioceses still constitute Dioceses and retain their names, (b) the Local Synod “remains in place,” and (c) the title of each Diocesan Bishop is now “Auxiliary Bishop of the Diocese of (name of Diocese).”
- The Purported Bylaws Amendment was “approved by a majority of the Holy Synod.”<sup>190</sup>
- The Pittsburgh Constitution is binding only to the extent it does not conflict with the decisions of the Holy Synod.
- Metropolitan PHILIP can “find no language” in any of the Constitutions or the Damascus Resolution indicating that the provisions of any Constitution or bylaws are irrevocable.<sup>191</sup>

---

<sup>188</sup> Metropolitan PHILIP did not explain, in his letter, what was abnormal or what was in need of “normalizing.”

<sup>189</sup> The Letter from the Council of Presbyters asks whether there are any other *diocesan* bishops, outside the Archdiocese, who were affected by the Holy Synod’s decision. The Metropolitan answered the question “Yes” and supported his answer by referring to the Bishop of Saydnaya, the Bishop of Qatana, and the Patriarchal Vicar as the other three diocesan bishops in the Patriarchate. In fact, (i) the see of Qatana is a titular see formerly held by Bishop JOSEPH and which is currently vacant, (ii) the Bishop of Saydnaya (LUQA (Khoury)) is a titular bishop who is an auxiliary for the Patriarch within the Archdiocese of Damascus, and (iii) the Patriarchal Vicar (GHATTAS (Hazim)) is also an auxiliary. In the event that Metropolitan PHILIP intended to account for non-Metropolitan bishops (auxiliaries), rather than Diocesan Bishops, he did not account for the following: (1) MOUSA (Khoury), Titular Bishop of Darya and auxiliary to the Patriarch within the Archdiocese of Damascus; (2) ELIAS (Najim), Titular Bishop of Apamea and Abbot of the Patriarchal Monastery of St. Elias, (3) NIFON Saikali, Titular Bishop of Phillippopolis and Representative of the Patriarch of Antioch to the Patriarch of Moscow, (4) DEMETRI (Khoury), Titular Bishop of Jableh and Auxiliary Bishop in the Archdiocese of Mexico, and (5) ATHANSIUS (Saliba), Titular Bishop of Yabroud who is retired in Lebanon. *ORTHODOXIA 2008*, Monsignore Dr. Nikolaus Wyrwoll (ed. and comp.), Ostkirchliches Institut, Ostengasse 29-31 D-93047 Regensburg (Germany).

<sup>190</sup> It is unclear upon what basis this statement was made. There are 20 members of the Holy Synod, yet only nine signatures on the Bylaws Amendment. A complete list of the members of the Holy Synod is attached hereto as [Exhibit 72](#).

<sup>191</sup> This statement conflicts directly with (i) the Legal Department Press Release dated January 27, 2005, attached hereto as [Exhibit 46](#), (ii) both Memoranda drafted by the Legal Department and distributed to the Board of Trustees

- Despite the requirement of the Damascus Resolution that the Patriarchal Constitution be amended to conform to the Damascus Resolution, the Patriarchal Constitution was never amended.<sup>192</sup>
- Metropolitan PHILIP was not aware that Patriarch IGNATIUS IV discussed any problems in the Archdiocese with any of the Diocesan Bishops during his visit to the Archdiocese in October-November 2008.
- **March 27, 2009 - Notice of Special Meeting of Hierarchs.** A notice was posted on the Archdiocesan website that “a special meeting of the hierarchs of this Archdiocese” (not of the Local Synod) “has been scheduled for Bright Friday, April 24th, 2009 at the Archdiocese headquarters in Englewood, New Jersey [and that the] sole agenda item for this meeting will be the February 24th decision of the Holy Synod of Antioch regarding the status of bishops.”<sup>193</sup>
- **April 2009 - Letter from Parish Council of St. Elijah, Oklahoma City.** In an undated letter, the parish council of St. Elijah Church in Oklahoma City expressed its “concern and great sadness at the recent decision of the Holy Synod of Antioch”.<sup>194</sup>

This recent ruling appears to demote our diocesan bishops, including our beloved Bishop BASIL of Wichita and Mid-America, from being diocesan bishops by reducing them to auxiliary bishops.

This decision seeks to void the wonderful years of self-rule and the creation of our own synod here in America. In addition to being hurtful and disillusioning, the decision could ultimately result in divisiveness and encourage disunity among us.

We are obedient Orthodox Christians and do not wish to encourage any act of divisiveness. As our shepherd and our leader, you have brought us to our first steps at being a self-ruled archdiocese. We feel like this decision erodes all of your hard work, along with many others, by the apparent reversal implied in the recent decision. We have many questions regarding the validity of this decision in light of the Holy Canons and the Constitution of our Archdiocese. Additionally, we are puzzled by the process and why this decision was made. What was the impetus for this decision? Why did this come up at the meeting of the Holy Synod? Is there an issue across the See of Antioch that we are not aware of here in North America? Since you were not there to defend this, will this be addressed again?

---

on May 31, 2005, attached hereto as [Exhibit 47.4](#) and [Exhibit 47.6](#), and (iii) new Section 4 of the Certificate of Incorporation of the Archdiocese added by the Amendment dated December 9, attached hereto as [Exhibit 51](#).

<sup>192</sup> What are believed to be official English versions of the current Patriarchate Constitution and Bylaws are attached hereto as [Exhibit 69](#) and [Exhibit 70](#), respectively. For clarity, it is important to note that the Patriarchate Constitution, in these translations, is named “Bylaws” and that the Patriarchate Bylaws are named “Internal Regulations of the Antiochian Chair.”

<sup>193</sup> The notice is attached hereto as [Exhibit 71](#).

<sup>194</sup> The letter from the St. Elijah’s parish council is attached hereto as Exhibit 74.

- **April 6, 2009 - Letter from the Deans of the Diocese of Toledo and the Midwest.** On April 6, 2009, the Deans of the Diocese of Toledo and the Midwest wrote to Metropolitan PHILIP, requesting a meeting with him.<sup>195</sup>
- **April 13, 2009 - Letter from Metropolitan PHILIP to Deans of the Diocese of Toledo and the Midwest.** In a letter dated April 13, 2009, Metropolitan PHILIP replied to the April 6, 2009, letter from the Deans of the Diocese of Toledo and the Midwest.<sup>196</sup>
  - Metropolitan PHILIP did not agree to meet with the Deans.
  - He enclosed a copy of his letter dated April 14, 2009, to the parish council of St. Elijah's (see below).
  - He reminded the Deans that on Bright Friday, he and the other hierarchs of the Archdiocese would be meeting and that "[s]ubsequent to our meeting, we will issue a statement signed by me and the bishops to the entire Archdiocese."
- **April 14, 2009 - Metropolitan PHILIP's Response to Parish Council of St. Elijah's.** In a letter dated April 14, 2009, Metropolitan PHILIP replied to the undated letter from the St. Elijah's parish council:
  - "The decision [of the Holy Synod of Antioch] speaks for itself."
  - Metropolitan PHILIP directed the parish council to consider Article I, Section 2, of the Pittsburgh Constitution:

This Archdiocese was granted its ecclesiastical authority to function as a Self-Ruled Archdiocese from the Holy Synod of the Apostolic Greek Orthodox Patriarchate of Antiochian all the East (Holy Synod). Its primate is a member of the Holy Synod and is the duly elected Metropolitan Archbishop (Primate, Metropolitan or Archbishop) serving under a canonical praxis issued by His Beatitude the Greek Patriarch of Antioch and all the East (Patriarch).
  - "The ruling of the Synod did not demote Bishop Basil. He is still a Bishop and he will continue to be the auxiliary bishop of the Diocese of Wichita and Mid-America. No one can demote a deacon, a priest or a bishop unless they do something contrary to the canons of the Church, like disobeying the decision of the Holy Synod. To my knowledge, our bishops have not been under any discipline from the Synod."
  - "If you read the decision of the Holy Synod of February 24, 2009, carefully, you will find that the decision did not mention Self-Rule whatsoever. Where did you get the ideal that we are not a Self Ruled Archdiocese any more?"

---

<sup>195</sup> See Exhibit 75, attached hereto (letter dated April 13, 2009, from Metropolitan PHILIP).

<sup>196</sup> The April 14, 2009, letter is attached hereto as Exhibit 76.

- Metropolitan PHILIP allowed that the February 24, 2008, decision of the Holy Synod could be reconsidered: “You asked me in your letter whether this issue will be addressed again by the Holy Synod. Please be advised that anything can be discussed again by the Holy Synod except the Nicene Creed.”
- Metropolitan PHILIP did not address the remaining questions in the parish council letter, instead referring them to previous letters he had written.
- The letter concluded with the following admonition: “I am sure that you are busy and I am very busy. Do not concern yourselves with this hierarchical issue.”

● **April 24, 2009 - Bright Friday Meeting.** On Bright Friday, a meeting of the hierarchs of the Archdiocese took place at the Archdiocesan headquarters in Englewood, New Jersey.

Deleted: Scheduled date for the “special meeting” between Metropolitan PHILIP and the Diocesan Bishops to discuss the Purported Bylaws Amendment.

- Archdiocesan News Release. A news release published on the Archdiocesan website immediately following the meeting stated the following:<sup>197</sup>

The sole agenda item was a discussion of the decision of the Holy Synod of Antioch which was adopted on February 24th, 2009. This decision normalized the status of all bishops across the See of Antioch to be that of Auxiliary bishops.

The hierarchs discussed many issues that have been raised by clergy and laity alike regarding this decision. There was agreement that there are some very serious issues that need attention in order that the healing process can proceed. The hierarchs agreed to take some specific actions that can facilitate this healing.

A significant discussion was held regarding obedience to this decision. It was reaffirmed that the Holy Synod of Antioch is the highest ecclesiastical authority in the entire See of Antioch, and that all of its Archdioceses are subject to decisions which are adopted by the Holy Synod. All of the hierarchs affirmed that they are currently in obedience to the Holy Synod of Antioch, and that there was never a question to the contrary. In conjunction with this, the hierarchs acknowledged that the decision had caused concern among the clergy and the people, and that there must be steps taken to begin to heal these misunderstandings.

In addition to the discussion on obedience, the hierarchs were strong and forthright in their expression of love for one other, and their desire to protect the unity of the Archdiocese.

- Report on OCAnews.org. On April 24, 2009, after the news release from the Archdiocese was posted on the Archdiocesan website, the following report<sup>198</sup> was posted on www.OCAnews.org:

<sup>197</sup> The news release is attached hereto as Exhibit 77.

<sup>198</sup> The report is attached hereto as Exhibit 78.

According to sources close to Englewood, the gathering was relatively calm. The Metropolitan persistently attempted to get the Bishops to sign another, broader statement; but three of the six affected Bishops, Bishop Mark of Toledo and Basil of Wichita and Bishop Alexander of Ottawa refused, expressing their desire to await "clarification" from the Patriarchate itself. Thus no "joint" statement could be issued, without making the lack of unity even more obvious.

- **April 24, 2009 - Suggestion Regarding Legal Opinion.** On April 24, 2009, Mickey Homesy, an attorney and parishioner at St. Elijah's Church in Oklahoma City, Oklahoma, wrote an e-mail to Metropolitan PHILIP, the other Archdiocesan hierarchs, and Dr. George Farha, suggesting that a legal opinion from the Chancellors be obtained.<sup>199</sup>

Back in 2006, the Board of Trustees inserted the following phrase in the Archdiocese's Certificate of Incorporation:

"In the event the provisions of the Constitution are not followed as a result of action or inaction outside the Archdiocese, the Local Synod and the Board of Trustees shall take all necessary action to protect the Archdiocese."

I can't give you legal advice on this matter, but this language would sure give me pause if I was a Board Member and was considering going along with the February decision from Damascus. Regardless of whether you agree with the decision or not, you've almost certainly got legal obligations to look into it.

Given that you all sit on the Board of Trustees and would have similar obligations, I would recommend that you get a formal written opinion about this from the Archdiocese's Chancellors before your meeting in May. The opinion should confirm your obligations and advise you as to the actions you need to take to fulfill your responsibilities. I am copying Charles Ajalat and Bob Koory on this email, so that they can anticipate your request. I know that we in Oklahoma City have been told not to concern ourselves with the Hierarchy of the church. This is legal not hierarchical.

- **April 28, 2009 - Release of Bright Friday Document.** On April 28, 2009, a second notice<sup>200</sup> regarding the Bright Friday meeting was posted on the Archdiocesan website, along with a scanned copy of a document<sup>201</sup> that was signed by Metropolitan and three other hierarchs:

- **Text of Notice.** The text of the notice stated the following:

One result of the Special Meeting of the Archdiocesan Synod on April 24, 2009 was the attached resolution entitled "Resolution Affirming Obedience

---

<sup>199</sup> The e-mail from Mickey Homesy is attached hereto as Exhibit 79.

<sup>200</sup> The April 28, 2009, notice is attached hereto as Exhibit 80.

to the Decision of The Holy Synod of Antioch of February 24th, 2009 which Normalized the Status of Bishops Across The Entire See of Antioch”.

The Resolution was signed by the following Hierarchs:

His Eminence Metropolitan PHILIP

His Grace Bishop ANTOUN

His Grace Bishop JOSEPH

His Grace Bishop THOMAS

The resolution was not signed by the following Hierarchs:

His Grace Bishop BASIL

His Grace Bishop MARK

The remaining Hierarch, His Grace Bishop ALEXANDER wrote the following note in place of his signature: “This decision is already in effect and does not need my signature”

In summary, of the seven hierarchs in attendance, four signed the resolution, two did not sign the resolution, and one wrote a note in place of his signature.

- **The Bright Friday Document.** The Bright Friday document<sup>202</sup> that was signed by four of the hierarchs included the following:

- The title of the document was as follows:

**RESOLUTION AFFIRMING OBEDIENCE TO THE  
DECISION OF THE HOLY SYNOD OF ANTIOCH OF  
FEBRUARY 24, 2009 WHICH NORMALIZED THE STATUS  
OF BISHOPS ACROSS THE SEE OF ANTIOCH**

*Approved by the hierarchs<sup>203</sup> of the Antiochian Orthodox Christian  
Archdiocese of North America at a special meeting of The  
Archdiocesan Synod held in Englewood, New Jersey, April 24,  
2009*

- A quotation from the Pittsburgh Constitution regarding the Holy Synod of Antioch’s ecclesiastical authority.
- The signature blocks on the document listed the titles of Bishops ANTOUN, JOSEPH, THOMAS, BASIL, MARK, and ALEXANDER as “Auxiliary Bishop.”

<sup>202</sup> The Bright Friday document is attached hereto as Exhibit 81.

<sup>203</sup> This language, along with Metropolitan PHILIP’s letter dated April 13, 2009, to the Deans of the Diocese of Toledo and the Midwest, indicates that Metropolitan PHILIP fully expected each of the hierarchs of the Archdiocese to sign the document.