

IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA

ESTATE OF LISA MCPHERSON, by and  
through the Personal Representative,  
DELL LIEBREICH,

Plaintiff,

Case No. 00-5682-11

vs.

✓ CHURCH OF SCIENTOLOGY FLAG  
SERVICE ORGANIZATION, INC., JANIS  
JOHNSON, ALAIN KARTUZINSKI, and  
DAVID HOUGHTON, D.D.S.,

Defendants.

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CHURCH OF SCIENTOLOGY FLAG  
SERVICE ORGANIZATION, INC.,

Counter-claimant,

vs.

ESTATE OF LISA MCPHERSON, by and  
through the Personal Representative,  
DELL LIEBREICH, and ROBERT MINTON,

Counter-defendants.

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**ORDER PERMITTING RESPONSE TO MINTON'S MOTION TO  
DISQUALIFY**

This court, on its own motion, is going to revive the counterclaim for the sole purpose of considering Robert Minton's ("Minton's") Renewed Verified Motion to Disqualify Trial Judge and Suggestion of Disqualification and Request for Permission to File Motion. Samuel Rosen, counsel for the Church of Scientology Flag Service Organization, Inc.

FILED  
ST. PETERSBURG BRANCH  
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Kathleen F. O'Shea  
Clerk of the Circuit Court

("Church") requested in a telephone hearing which this court conducted on March 7, 2003, four business days to consider whether or not file a response regarding Minton's disqualification motion if Minton filed a Motion to Revive the Counterclaim solely for the purpose of hearing his motion to disqualify. Although Minton declined to file a motion for this sole purpose, this court, on her own motion, is going to revive the counterclaim solely for this purpose so that Minton's motion can be resolved, and this case can be moved forward.

Accordingly, all interested parties are advised that if they wish to be heard on the validity of Minton's motion, they have four business days to do so. Additionally, this court is interested in hearing from any interested party, their position on whether, if this court grants Minton's motion as to the counterclaim only, this court should allow the wrongful death complaint to be assigned to the same judge who will be assigned the counterclaim, or whether this court should retain the wrongful death complaint, and request that the chief judge assign the counterclaim only to a new judge. Any interested party who wishes to respond to this request may do so, not only from a legal standpoint, but from a practical standpoint as well. Accordingly, it is

**ORDERED AND ADJUDGED** that any interested party may file a response to Minton's motion to disqualify, or may file a response suggesting what they feel should be done with the wrongful death complaint, if the motion to disqualify is granted as to the counterclaim only. The response can address both legal and practical matters. It is further

**ORDERED AND ADJUDGED** that any response that any party wishes to file must be filed, with a copy faxed or hand delivered to this court's office, by Friday, March 28, 2003 at 1:00 p.m.

**DONE AND ORDERED** in St. Petersburg, Pinellas County, Florida  
this 23d day of March, 2003.

  
Susan F. Schaeffer, Circuit Judge

Copies to:  
All Counsel of Record