

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

JACK PELHAM and KAY PELHAM,)

Plaintiffs,)

v.)

Case No. 05-2259-III

THE NASHVILLE CHURCH, INC.,)

INTERNATIONAL CHURCHES OF)

CHRIST, INC., HOPE WORLDWIDE,)

LTD., and CENTRAL AND SOUTH)

AMERICA WORLD SECTOR, INC.,)

Defendants.)

MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION

In accordance with Rule 12.02(2) of the Tennessee Rules of Civil Procedure, defendant International Churches of Christ, Inc. ("ICOC"), by and through counsel, makes this limited, special appearance for purposes of contesting jurisdiction, and hereby requests that plaintiffs' case against it be dismissed in its entirety. As grounds, ICOC asserts that this Court lacks personal jurisdiction over it and, as such, may not adjudicate plaintiffs' claims against it as a matter of law.

ICOC is an out-of state defendant that does not have the required such minimum contacts with Tennessee and, accordingly, the maintenance of this suit against it would offend traditional notions of fair play and substantial justice. Further, ICOC has not and did not purposely direct its activities toward citizens of Tennessee that give rise to the alleged injuries in this lawsuit. As such, neither this Court nor any court in Tennessee has personal jurisdiction over ICOC in accordance with Tennessee's long-arm statute. *See* TENN. CODE ANN. § 20-2-214.

In support of this motion, ICOC relies upon all the pleadings and documents filed in this

matter, as well as the following:

1. The Affidavit of Keith Rose, filed herewith as Exhibit 1;
2. The Affidavit of Geoff Fawcett, filed herewith as Exhibit 2;
3. The Affidavit of Woody Rowe, filed herewith as Exhibit 3; and
4. A supporting memorandum of law, filed separately herewith.

In addition, ICOC requests that the Order dismissing ICOC as a defendant be entered as a final judgment in accordance with Rule 54.02 of the Tennessee Rules of Civil Procedure. As grounds, ICOC asserts that this case is at the initial stages with multiple defendants. As there is no jurisdiction over ICOC, there is no just reason for delaying the final adjudication of the jurisdictional question or for ICOC to remain subject to an appeal of this Court's decision during the adjudication process involving other defendants. Rather, justice requires that ICOC know that a dismissal in its favor has finality.

THIS MOTION WILL BE HEARD BEFORE THE HONORABLE CHANCELLOR ELLEN HOBBS LYLE ON FRIDAY, OCTOBER 5, 2005 AT 9:00 A.M. THE FAILURE TO FILE A TIMELY RESPONSE MAY RESULT IN THE MOTION BEING GRANTED WITHOUT THE NECESSITY OF A HEARING.

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent by U.S. Mail, postage prepaid to:

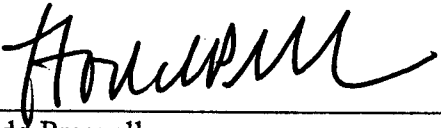
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on this 21st day of September, 2005.



E. Todd Presnell