



DISTRICT OF COLUMBIA COURT OF APPEALS

D.C. PRESERVATION LEAGUE and)
 COMMITTEE OF 100 ON THE FEDERAL CITY,)
)
 Petitioners,)
)
 v.)
)
 THIRD CHURCH OF CHRIST, SCIENTIST,)
)
 Cross-Petitioner,)
)
 v.)
)
 MAYOR OF THE DISTRICT OF COLUMBIA'S)
 AGENT FOR HISTORIC PRESERVATION,)
)
 Respondent)
)

Nos. 09-AA-663, 09-AA-718

CONSENT MOTION OF THIRD CHURCH OF CHRIST, SCIENTIST
FOR A 60- DAY STAY OF PROCEEDINGS

Pursuant to D.C. App. R. 27, Cross-Petitioner Third Church of Christ, Scientist, by and through the undersigned counsel, hereby moves for a 60-day stay of these proceedings, and as grounds therefor states as follows:

1. As required by D.C. App. R. 27(b)(4), the undersigned counsel contacted and spoke with Thomas C. Papson, Esq., counsel for Petitioner D.C. Preservation League and James C. McKay, Jr., Esq., counsel for Respondent Mayor of the District of Columbia's Agent for Historic Preservation, requesting their consent to a 60-day stay of proceedings and both of these counsel consented to the extension. Ms. Andrea C. Ferster, counsel for Petitioner Committee of 100 on the Federal City, has stated that she has no objection thereto.

2. As reasons for the request for a stay, the undersigned counsel can represent to the Court that a Settlement Agreement has been drafted, negotiated and circulated to Third Church of Christ, Scientist and to the D.C. Preservation League for their separate ratification in accordance with their internal corporate procedures. The undersigned believes that a 60-day stay of these proceedings will permit the full ratification of the Settlement Agreement.

3. If the parties are unable within the 60-day period to complete ratification, the parties will so inform the Court on or before November 23, 2010.

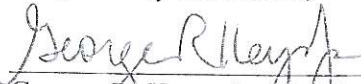
4. The Settlement Agreement, when ratified, requires the parties thereto to address the redevelopment planning for the subject property in accordance with a specific steps outlined in the Settlement Agreement.

5. As one of the steps outlined in the Settlement Agreement, the parties will have to seek a stay of these proceedings for at least an additional twelve (12) months in order to allow the plans for redevelopment to be considered and evaluated by the Historic Preservation Review Board and the District of Columbia Zoning Commission. If the redevelopment plans are accepted by the applicable District of Columbia agencies and certain construction financing is obtained, the parties would be obligated by the Settlement Agreement to dismiss with prejudice the instant appeal to this Court and the related case *Third Church of Christ, Scientist v. District of Columbia Historic Preservation Review Board, et al.*, filed in U.S. District Court for the District of Columbia in Civil Action No. 08-1371-JR asserting the denial of federal and constitutional protections on religious freedom grounds.

6. From this history, it is clear that no party will be prejudiced should the Court grant the requested relief and such an outcome effectively conserves judicial resources.

For the foregoing reasons, the undersigned counsel requests that this Court grant a stay of these proceeding for sixty (60) days, or until November 23, 2010.

Respectfully submitted,



George R. Keys, Jr. [DC Bar 292722]

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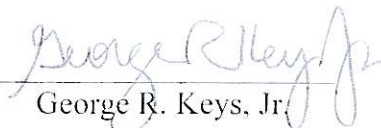
Certificate of Service

I hereby certify that a copy of the foregoing Consent Motion of Third Church of Christ, Scientist for a 60-Day Stay of the Proceedings in Nos. 09-AA-663 and 09-AA-718 was filed with the Clerk of the Court, D.C. Court of Appeals and has been mailed by first class, postage prepaid, on the 24th day of September 2010 to:

Thomas C. Papson, Esq.
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George R. Keys, Jr.