

IN THE SUPREME COURT OF THE STATE OF DELAWARE

EAST LAKE METHODIST EPISCOPAL
CHURCH, INC., et al,

Defendants-Third Party
Plaintiffs Below,
Appellants,

v.

TRUSTEES OF THE PENINSULA-
DELAWARE ANNUAL CONFERENCE OF
THE UNITED METHODIST CHURCH,
INC.,

Plaintiff-Below,
Appellee,

and

THOMAS J. EASTBURN, ESQUIRE,
et al,

Third-Party Defendants Below

No. 469, 1999

Court Below: Court of Chancery
of the State of Delaware, in
and for New Castle County
Civil Action No. 14530

Submitted: April 18, 2000
Decided: April 25, 2000

Before **VEASEY**, Chief Justice, **HARTNETT** and **BERGER**, Justices.

ORDER

This 25th day of April 2000, upon consideration of the parties' briefs, it appears to the Court that:

1. The appellant, East Lake Methodist Episcopal Church, Inc. ("East Lake"), appeals that portion of the September 10, 1999

Order of the Court of Chancery that directs East Lake to deliver to Trustees of the Peninsula-Delaware Annual Conference of the United Methodist Church, Inc. ("United Methodist Church") possession and legal title to the real and personal assets of East Lake.

2. East Lake's claim that the Court of Chancery erred because it stated that this Court's decision in *E. Lake Met. Church v. United Met. Church*, Del. Supr., 731 A.2d 798 (1999) was not appealed is moot because the United States Supreme Court denied certiorari on January 24, 2000. Even if the claim were not moot, no stay has been entered and the claim would therefore not be relevant.

3. Likewise, East Lake's claim that it somehow is not required to obey the September 10, 1999 Order of the Court of Chancery is without merit.

4. East Lake seems to claim that although the Court of Chancery held, and this Court upheld, that all the assets of East Lake were held in trust for United Methodist Church, it can now refuse to turn the assets over to United Methodist Church although the trust is

terminated. *E. Lake Met. Church v. United Met. Church*, Del. Supr.,
731 A.2d 798 (1999). The claim is without merit.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Order and
judgment of the Court of Chancery dated September 10, 1999, is
AFFIRMED.

BY THE COURT:

s/Maurice A. Hartnett, III

Justice