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By Facsimile (202-346-4444) And Mail

David Booth Beers, Esquire
Chancellor to the Presiding Bishop
Goodwin Proctor LLP
901 New York Avenue, N.W.
Washington, DC 20001

**Re: Letter dated January 15, 2008 to The Rt. Rev. Robert W. Duncan, Jr. from
The Presiding Bishop of The Episcopal Church**

Dear Mr. Beers:

Please be advised that this firm represents Bishop Robert W. Duncan, Jr. with respect to, inter alia, the letter (and enclosures) dated January 15, 2008 from The Presiding Bishop of The Episcopal Church to Bishop Duncan. This letter will supplement the reply sent by Bishop Duncan today to The Presiding Bishop.

1. The letter from The Presiding Bishop requested that Bishop Duncan state that he “consider[ed] [himself] fully subject to the doctrine, discipline and worship of this Church”. In his letter of reply, Bishop Duncan has provided such a statement. Accordingly, the matter has now been resolved, and we expect that there will be no further action with respect to the certification enclosed with the letter from The Presiding Bishop.
2. Moreover, Canon IV.9 does not permit submission of the certification to the House of Bishops. Section 2 of Canon 9, referring to submissions to the House of Bishops, specifically refers to an “inhibited Bishop” (emphasis added).
3. An additional reason that the certification should not be submitted to the House of Bishops is that the certification is based upon the same kind of allegations that the Review Committee previously found insufficient in the first proceeding against Bishop Schofield.
4. With respect to proceedings before the Review Committee, Bishop Duncan reserves his right to determine if a violation of Canon IV.14 (Section 9) has occurred.

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5. Even if referral of this matter to the House of Bishops is permitted by the Canons (which it is not):

A) Canon IV.9 requires the House of Bishops "to investigate the matter." That provision, together with fundamental due process, require that Bishop Duncan (or his representative) be given a hearing by the House of Bishops, including the right to present evidence and witnesses.

B) Bishop Duncan reserves the right to ask that any member of the House of Bishops be disqualified pursuant to Canon IV.14 (Section 13A).

6. To the extent matters have been concealed from Bishop Duncan or there has been bad faith, Bishop Duncan reserves his rights.

Very truly yours,



John H. Lewis, Jr.

JHL:cdm