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TABLE OF CASES, STATUTES AND OTHER AUTHORITIES

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REPLY

Appellant relies upon the arguments and law presented in its original Brief.

However, Appellant would state to the Court that items 6-12 of Appellee's Record Excerpts contains deposition, not trial, testimony. Under Rule 30(b) of the Mississippi Rules of Appellate Procedure, "extracts" which may be added to the mandatory record excerpts are pleadings, instructions, transcript, or exhibits introduced at trial. This Court is to review the evidence which was presented to the trial court. Therefore, items 6-12 of Appellee's Record Excerpts should be stricken from the record and any reference to same in Appellee's brief should be likewise struck from this Court's review.

CONCLUSION

In a very well known sermon, the late Rev. R.G. Lee said there is pay day someday. However, this age old truth must not apply to the church itself if the Chancellor's decision is permitted to stand. Appellee is the party to the transaction which choose to be easily deceived and simply stuck it head in the sand but gets to forever worship in a sanctuary which was constructed with Appellants' money.

The judgment of the Chancery Court of DeSoto County, Mississippi should be reversed with directions for the Chancery Court to determined the amount of damages sustained by Appellants herein and enter judgment against Appellee for such amount. In addition, if Appellants are mistaken in the relief heretofore prayed, then for such other relief which this Court deems proper and truth and justice

demands under the premises.

Respectfully submitted,

SPARKMAN-ZUMMACH, P.C.

A handwritten signature in black ink, appearing to read "J. Sparkman, Jr.", written over a horizontal line.

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CERTIFICATE OF SERVICE

The undersigned does hereby certify that he has this day placed a true and correct copy of the foregoing in the U.S. Mail, First Class postage prepaid, properly addressed to:

William A. Brown
Attorney at Law
Post Office Box 276
Hernando, MS 38632

Honorable Mitchell M. Lundy, Jr.
DeSoto County Chancellor
Post Office Box 471
Grenada, MS 38901

I further certify that pursuant to M.R.A.P. 25(a), I have mailed the original and three (3) true and correct copies of the above and foregoing in the U.S. Mail, First Class postage prepaid, properly addressed to:

Hon. Betty W. Sephton
Clerk, Supreme Court of Mississippi
Post Office Box 249
Jackson, MS 39205-0249

I further certify that pursuant to M.R.A.P. 28(m), I have mailed to the addressee immediately above an electronic copy of the above and foregoing on an electronic disk and state this document was written in .wpd and .pdf format.

on this the 14th day of July, 2009.



Joseph M. Sparkman, Jr.