

# Glorieta lawsuit reassigned to new judge

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ALBUQUERQUE, N.M. (BNG)—[A lawsuit](#) challenging LifeWay Christian Resources' sale of Glorieta Conference Center in 2013 has been reassigned to a new judge.

In September, U.S. District Judge James Browning in Albuquerque, N.M., upheld most but not all recommendations by U.S. Magistrate Judge Robert Hayes Scott to dismiss the lawsuit filed by Kirk and Susie Tompkins of Little Rock, Ark. The couple owns a vacation home on property formerly leased from the Southern Baptist Convention publisher.

They claim [LifeWay](#) officials weren't authorized to dispose of the 2,400-acre retreat center near Santa Fe, N.M., without SBC approval and that lessees weren't offered a fair market value for homes that owners believed were secured with perpetually renewable short-term leases in place for their protection against undesirable neighbors.

## **Case reassigned**

A docket entry for Jan. 2 gave notice the case has been reassigned to Magistrate Judge Carmen Garza in Las Cruces, N.M., appointed to the bench in 2006, who will serve as the pretrial judge. Scott, previously assigned to make recommendations to the federal district judge, no longer is involved in the case.

Scott issued a 79-page report Sept. 5 finding the couple lacks standing to assert LifeWay was not authorized to sell the conference center and secular courts do not have jurisdiction to involve themselves in a dispute involving the interpretation of ecclesiastical rules within a religious body.

Requiring LifeWay to resume ownership of the property would cause “significant financial harm” to LifeWay, Scott said. LifeWay officials claim Glorieta was losing more than \$1 million a year before they found a privately owned Christian camping ministry willing to take the property off their hands for a token sale price of \$1.

### **Procedural errors**

The judge also faulted Kirk Tompkins, who filed suit without the aid of a lawyer, for numerous procedural errors. Tompkins responded Sept. 18 with a document listing exceptions to Scott’s recommendations and a petition Sept. 26 requesting a new magistrate hearing so he can present recently received new evidence he says bolsters his charge that LifeWay officials acted improperly.

Tompkins claims since he and his wife are not legally trained, they are entitled to be held to less stringent standards than a lawyer. He asserted he doubts Glorieta was losing money, but the financial records he needs to prove it are not accessible to him without a court order.

The previous magistrate said he found no evidence LifeWay lacked authority to sell the property and that an “implied contract” alleged by Tompkins appeared to him to be a “vague impression, general feeling or hope” rather than a “reasonable expectation” based on conversations that are “definite, specific or explicit.”

LifeWay President Thom Rainer said Scott’s recommendations “could not be more positive” and left “no doubt of LifeWay’s integrity throughout this entire process.”