

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Baltimore Division**

ALBERT SNYDER,)	
)	
Plaintiff)	Case No. 1:06-CV-01389-RDB
)	
FRED W. PHELPS, SR., et al,)	
)	
Defendants.)	

**DEFENDANTS FRED W. PHELPS AND WESTBORO BAPTIST CHURCH'S
CONSENT MOTION FOR MORE TIME TO DESIGNATE EXPERTS ON
RELIGION**

Defendants Fred W. Phelps, Sr. and Westboro Baptist Church, Inc. (collectively “Defendants”) respectfully move for more time to provide designations and reports on religion experts, for the following grounds:

1. Through their deposition testimony and interrogatory answers, the defendants have confirmed (except that the *pro se* defendants’ interrogatory answers are still pending) that all their actions relevant to this litigation are motivated by their sincere understanding of the commandments and meaning of the Hebrew and Christian testaments of the bible.

2. Defendants’ representative Margie Phelps has confirmed to undersigned counsel that the Westboro Baptist Church members’ interpretation of the bible is closely related to the interpretation of the Puritans and Calvinists. One of the Puritans relied upon by WBC members for interpretation of the bible is Jonathan Edwards. Jonathan Edwards’

works are so important that an educational institution as prestigious as Yale University has a Jonathan Edwards Center. <http://edwards.yale.edu/> (last visited June 18, 2007)..

3. Defendants diligently have been searching for an expert witness to give independent confirmation to the jury that WBC members' interpretation of the bible is not from whole cloth, but, instead, has its roots in centuries of biblical interpretation, exposition, and inquiry. Proving this to the jury is critical for showing that the Defendants lacked the intent that would make them liable for defamation and intentional infliction of emotional distress, as well as the other counts. Such testimony also will provide further grounds for instructing the jury on Defendants' First Amendment right to the free exercise of their religion.

4. Unfortunately – probably in significant part because WBC today is a pariah of sorts in the larger religious community – numerous of WBC's contacts to relevant religion experts, including to Yale's Jonathan Edwards Center, have met with lack of interest thus far.

5. However, Defendants have developed some fresh leads towards an appropriate religion expert. As an imperfect analogy, just as undersigned counsel had to go through many leads before finding a suitable diabetes expert (Timothy Boehm, M.D.) willing to testify (and having to go to the expense of having such an expert who is not local), Defendants have had to widen their net in finding a suitable religion expert, and have some important fresh leads. Defendants are making more progress in identifying such an expert than ever.

6. In any event, all represented and *pro se* parties – by confirmation by telephone to undersigned counsel on June 18, 2007 – consent to a motion by Defendants to extend, as follows, the deadlines for designating religion experts and providing their written opinions:

Add three weeks to the Defendants’ Rule 26(a)(2) disclosures regarding religion expert witnesses: (*i.e.*, extend disclosure deadline from June 18, 2007, to July 10, 2007). Add three weeks to the Plaintiff’ s current July 1, 2007, disclosure deadline regarding religion expert witnesses (*i.e.*, extend disclosure deadline from July 1, 2007, to July 22, 2007). Add three weeks to all parties’ deadline to provide religion expert witness reports and any other religion expert disclosures and responses under Rule 26(e)(2) (*i.e.*, extend disclosure deadline from July 18, 2007, to August 8, 2007).

7. On June 18, 2007, all *pro se* defendants indicated they are willing for the foregoing three-week extensions to apply, rather than the four weeks apparently sought in a Motion for more time sent today by the *pro se* defendants by overnight delivery to the Court.

WHEREFORE, Defendants respectfully move by consent of all parties for an Order extending the foregoing expert disclosure deadlines by three weeks as to religion experts only.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion was served by the CM/ECF filing system (and by mail to the pro se defendants) on June 18, 2007, to:

Sean E. Summers, Esq.
Paul W. Minnich, Esq.
Rees Griffiths, Esq.
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_____/s/_____
Jonathan L. Katz

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ORDER

UPON CONSIDERATION of Defendants’ Fred W. Phelps’s and Westboro Baptist Church’s Consent Motion For More Time To Designate Experts On Religion, it is this _____ day of June, 2007, hereby

ORDERED that Defendants’ Motion is hereby GRANTED; and it is further

ORDERED that the Court’s May 30, 2007, Letter Order’s deadlines for disclosing experts are extended, for religion experts only, as follows: Extend all defendants’ religion expert disclosure deadline from June 18, 2007, to July 10, 2007. Extend Plaintiff’s religion expert disclosure deadline from July 1, 2007 to July 22, 2007. Extend all parties’ religion expert disclosure and response supplementation (including provision of expert witness reports) from July 18, 2007 to August 8, 2007.

JUDGE