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 6 of Jesus Christ of Latter-Day Saints and
 Corporation of the President of The Church of Jesus
 7 Christ of Latter-Day Saints and Successors

ELECTRONICALLY FILED: 06/07/07

8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

10 DA-DAZE-NOM MANZANARES,

11 Plaintiff,

12 vs.

CASE NO. 07-CV-00076-LRH-RAM

13 ELKO COUNTY SCHOOL DISTRICT, and
 14 GARY LEE JONES, SR., as agent for ELKO
 COUNTY SCHOOL DISTRICT, and GARY LEE
 15 JONES, SR., individually, and CORPORATION
 OF THE PRESIDING BISHOP OF THE
 16 CHURCH OF JESUS CHRIST OF LATTER-
 DAY SAINTS, a foreign corporation registered to
 17 do business in the State of Nevada;
 CORPORATION OF THE PRESIDENT OF THE
 18 CHURCH OF JESUS CHRIST OF LATTER-
 DAY SAINTS AND SUCCESSORS, a foreign
 19 corporation registered to do business in the State
 of Nevada; and Does 1-5, and XYZ Corporations
 20 1-5.

21 Defendants.

22 _____ /
 23 **AFFIDAVIT OF CLAYTON P. BRUST IN SUPPORT OF STIPULATION**
 24 **AND REQUEST FOR LEAVE TO FILE REPLY IN SUPPORT**
OF MOTION TO DISMISS

25 STATE OF NEVADA)
) ss.
 26 COUNTY OF WASHOE)

27 I, CLAYTON P. BRUST, being first duly sworn, under penalty of perjury affirm that the
 28 following assertions are true to the best of my knowledge and belief:

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1. I am a duly licensed attorney, authorized to practice in the State of Nevada and our firm represents Defendants Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints and Corporation of the President of the Church of Jesus Christ of Latter-Day Saints and Successors (“the Church”) in this matter.

2. The Church did not receive a copy of Plaintiff’s opposition (Docket #22) to the Church’s motion to dismiss (Docket #15), either electronically or otherwise, when the opposition was filed on May 14, 2007.

3. The Church is unaware of why it did not receive a copy of Plaintiff’s opposition, and certainly is not laying any fault with Plaintiff for not receiving the opposition. Further, the Church is currently investigating why it has not received any of the other filings, electronic or otherwise, from the other parties in this matter.

4. The only reason the Church failed to file a reply in support of its motion to dismiss pursuant to timing requirements set forth by the local rules is because the Church was unaware that an opposition had been filed.

DATED this 15th day of June, 2007.

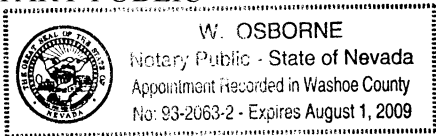


Clayton P. Brust Esq.
Attorney for Defendants
Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints and Corporation of the President of the Church of Jesus Christ of Latter-Day Saints and Successors

SUBSCRIBED and SWORN to before me this 15th day of June, 2007.



NOTARY PUBLIC



CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of ROBISON, BELAUSTEGUI, SHARP & LOW, and that on this date I caused a true copy of **AFFIDAVIT OF CLAYTON P. BRUST IN SUPPORT OF STIPULATION AND REQUEST FOR LEAVE TO FILE REPLY IN SUPPORT OF MOTION TO DISMISS** to be served on all parties to this action by:

placing an original or true copy thereof in a sealed, postage prepaid, envelope in the United States mail at Reno, Nevada.

personal delivery/hand delivery

facsimile (fax)


Federal Express/UPS or other overnight delivery

Reno Carson Messenger Service

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Attorneys for Defendant
Elko County School District

Dated this 7 day of June, 2007,


Employee of Robison, Belaustegui,
Sharp & Low