

1 Brian T. Rekofke
Ross P. White
2 Witherspoon, Kelley, Davenport & Toole
1100 US Bank Building
3 422 West Riverside
Spokane, WA 99201
4 (509) 624-5265

5 Attorneys for Church Defendants and Donald C. Fossum

6

7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF WASHINGTON

9 THOMAS A. WAITE,

10 Plaintiff,

11 vs.

12 THE CORPORATION OF THE
13 PRESIDING BISHOP OF THE CHURCH
14 OF JESUS CHRIST OF LATTER DAY
15 SAINTS, a Utah corporation; THE
16 CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS, a Utah
corporation; DONALD C. FOSSUM; and
STEVEN D. BRODHEAD,

17 Defendants.
18

Case No.: CV-05-399-EFS

AFFIDAVIT OF ROSS P.
WHITE

19 STATE OF WASHINGTON)
20 County of Spokane) :SS

21 ROSS P. WHITE, being first duly sworn, upon oath, deposes and says:

22 1. I am one of the attorneys for the Church defendant and Donald
23 Fossum, and make this Affidavit on personal knowledge.

24 2. Attached to Defendants' LR 56 Statement of Facts as Exhibits A, B,
25 C, D, F, G, H and K are true and correct copies of excerpts from the deposition
26 of Steven Brodhead.

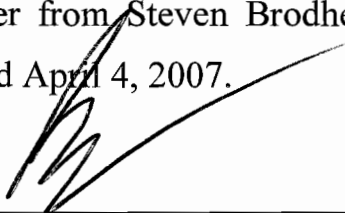
27 3. Attached to Defendants' LR 56 Statement of Facts as Exhibits E and
28

1 L is a true and correct copy of Statement of Defendant on Plea of Guilty in State
2 of Washington v. Brodhead, Spokane County Superior Court Cause No. 03-1-
3 03883-8.

4 4. Attached to Defendants' LR 56 Statement of Facts as Exhibits I, J, N,
5 O, P, Q, and R are true and correct copies of excerpts from the deposition of John
6 Hunter.

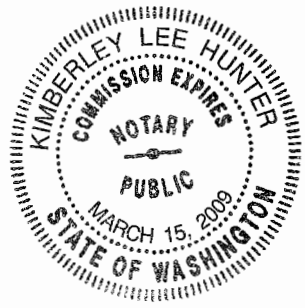
7 5. Attached to Defendants' LR 56 Statement of Facts as Exhibit M is a
8 true and correct copy of an excerpt from the deposition of Donald Fossum.

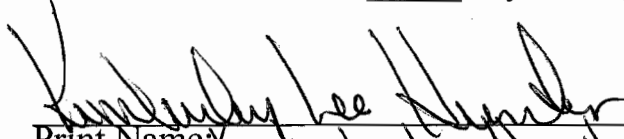
9 6. Attached to Defendants' LR 56 Statement of Facts as Exhibit S is a
10 true and correct copy of a letter from Steven Brodhead's counsel, Andrew
11 Smythe, to all other counsel dated April 4, 2007.



ROSS P. WHITE

15 SUBSCRIBED AND SWORN to before me this 25th day of May, 2007.





Print Name: Kimberley Lee Hunter
NOTARY PUBLIC in and for the State
of Washington, residing in Spokane
My Commission expires: 3/15/09

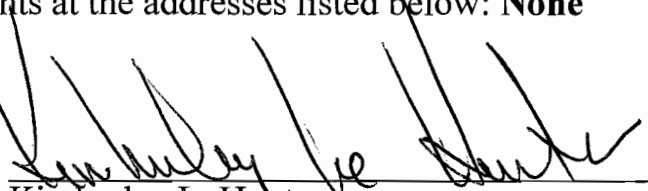
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of May, 2007:

1. I electronically filed the foregoing **AFFIDAVIT OF ROSS P. WHITE** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

(for Waite) Richard C. Eymann and Stephen L. Nordstrom;
(for Brodhead) Andrew C. Smythe
2. I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants at the address listed below: **None.**
3. I hereby certify that I have hand delivered the document to the following participants at the addresses listed below: **None**



Kimberley L. Hunter
 Witherspoon, Kelley, Davenport & Toole, P.S.
 422 W. Riverside Ave., #1100
 Spokane, WA 99201-0300
 Phone: 509-624-5265
 Fax: 509-478-2728
kimh@wkdtlaw.com