

EYMANN
ALLISON
FENNESSY
HUNTER
JONES·PS

ATTORNEYS AT LAW

Richard C. Eymann
John D. Allison [WA & ID]
Timothy B. Fennessy
Carol J. Hunter
Steven L. Jones
Richard M. Leland [WA & ID]
Jonathan H. Neill

STAFF ATTORNEY

Connie L. Powell

August 21, 2006

VIA FACSIMILE (509) 372-3051 AND U.S. MAIL


The Honorable Edward F. Shea
United States District Court
825 Jadwin Avenue
Richland, WA 99352

Re: *Waite v. LDS Church, et al.*
USDC, Eastern Washington Cause No.: CV-05-399-EFS
Our File No. 1.12256

Dear Judge Shea:

Please be advised that in preparation for tomorrow's telephonic status conference, I have conferred with defense counsel Brian Rekofke and Andrew Smythe. We all concur that the deadlines as set forth in the Joint Status Certificate and Discovery Plan filed on June 1, 2006 may need some adjusting as these dates were agreed upon more than two (2) months ago, but due to intervening trials and unavailability of counsel to inspect documents, the proposed schedule is altered. Hence, we further agreed that I would notify the Court that these dates may need to be pushed back by two (2) months. However, it appears the proposed September 2007 trial date will still work. The parties will be prepared to discuss proposed scheduling modifications with the Court tomorrow. Thank you.

Yours very truly,



RICHARD C. EYMANN

RCE/dc

cc: Stephen L. Nordstrom (via facsimile)
Brian T. Rekofke (via facsimile)
Andrew C. Smythe (via facsimile)

RECEIVED

AUG 22 2006

CLERK, US DISTRICT COURT
RICHLAND, WASHINGTON