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7 Attorneys for Plaintiff

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

10 THOMAS A. WAITE,

No. CV-05-399-EFS

11 Plaintiff,

**PARTIES' STIPULATED
 MOTION TO CONTINUE
 EXPERT DISCLOSURE DATES**

12 vs.

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

19 Defendants.

20 **I. RELIEF REQUESTED**

21 Given the complexity of this motor vehicle accident case, the critical importance
 22 of the parties' expert evidence and the full schedules of trial counsel, the parties
 23 respectfully request the following changes to the current case Scheduling Order as to
 24 expert disclosure dates only:
 25

26 **EYMANN ALLISON FENNESSY HUNTER JONES**

1 Plaintiff's CR 26(a)(2) Expert Disclosures: from 11/5/06 to 11/20/06

2 Defense CR 26(a)(2) Expert Disclosures: from 1/6/07 to 1/22/07

3 Plaintiff's Rebuttal Disclosures: from 2/27/07 to 3/14/07

4 The parties agree that the September 17, 2007 trial date will remain firm.

5 **II. LOCAL RULE 37.1(b) COMPLIANCE**

6 All parties agree to this proposal.

7 **III. AUTHORITY**

8 The factual and legal bases supporting the requested relief are contained in the
9 Memorandum of Points and Authorities filed in support of this Motion.

10 **IV. CONCLUSION**

11 Based on the good cause shown and on the parties' agreement, the plaintiff and
12 defendants respectfully request the Court revise the Scheduling Order as set forth
13 above.

14 A copy of the proposed Order Granting Parties' Stipulated Motion to Continue
15 Expert Disclosure Dates is attached hereto.

16 DATED this 24th day of October, 2006.

17 EYMANN ALLISON FENNESSY HUNTER
18 JONES, P.S.

19 BY s/ Richard C. Eymann
20 RICHARD C. EYMANN, WSBA #7470
21 Co-counsel for Plaintiff

22 NORDSTROM & NEES, P.S.

23 BY Telephonically approved 10/23/06
24 STEPHEN L. NORDSTROM, WSBA #11267
25 Co-counsel for Plaintiff

26 **EYMANN ALLISON FENNESSY HUNTER JONES**

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PAINÉ HAMBLÉN COFFIN BROOKE & MILLER

BY Telephonically approved 10/23/06
ANDREW C. SMYTHE, WSBA #7948
Counsel for Defendant Brodhead

WITHERSPOON KELLEY DAVENPORT & TOOLE

BY Telephonically approved 10/24/06
BRIAN T. REKOFKE, WSBA #13260
Attorney for Defendants LDS Church
and Donald C. Fossum

EYMANN ALLISON FENNESSY HUNTER JONES

CERTIFICATE OF SERVICE

I, RICHARD C. EYMANN, hereby certify that on the 24th day of October, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following participants:

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s/Richard C. Eymann
RICHARD C. EYMANN

EYMANN ALLISON FENNESSY HUNTER JONES

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