

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 LDS and Donald C. Fossum

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

17 Defendants.

Case No.: CV-05-399-EFS

MOTION TO EXPEDITE
HEARING ON DEFENDANTS'
MOTION TO CONTINUE
EXPERT DISCLOSURE DATES
FOR NEUROPSYCHOLOGY
OPINIONS

18
19 Defendants request their Motion to Continue Expert Disclosure Dates For
20 Neuropsychology Opinions be set for hearing on Friday, January 19, 2007, at
21 6:30 p.m. If the Motions to Continue are granted, it will provide immediate
22 assistance to the Defendants who continue to use their best efforts to coordinate
23 with their experts to get their reports completed and submitted in a timely manner.

24 A copy of the proposed Order on Motion to Expedite Hearing on
25 Defendants' Motion to Continue Expert Disclosure Dates Concerning
26 Neuropsychology Opinions is attached hereto.

27
28 DEFENDANTS' MOTION TO CONTINUE EXPERT
DISCLOSURE DATES FOR NEUROPSYCHOLOGY OPINIONS- 1

G:\C\Church of Jesus Christ 14061\Waite 3\Pleadings\Motion to Continue Expert Disclosure\Motion for Expedited Hearing 011507 (kkh).wpd

WITHERSPOON, KELLEY, DAVENPORT & TOOLE
A PROFESSIONAL SERVICE CORPORATION
ATTORNEYS & COUNSELORS

1100 U.S. BANK BUILDING
422 WEST RIVERSIDE AVENUE
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

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

DATED this 16th day of January, 2007.

**WITHERSPOON, KELLEY, DAVENPORT
& TOOLE**

By: /s/ Brian T. Rekofke
Brian T. Rekofke, WSBA No. 13260
Ross P. White, WSBA No. 12136
Attorneys for LDS and Donald Fossum

**PAINE, HAMBLEN, COFFIN, BROOKE
& MILLER**

By: /s/ Andrew Smythe
Andrew C. Smythe, WSBA No. 7948
Attorneys for Steven D. Brodhead

DEFENDANTS' MOTION TO CONTINUE EXPERT
DISCLOSURE DATES FOR NEUROPSYCHOLOGY OPINIONS- 2

G:\C:\Church of Jesus Christ 14061\Waite 3\Pleadings\Motion to Continue Expert Disclosure\Motion for Expedited Hearing 011507 (kkh) wpd

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 16th day of January, 2007:

1. I electronically filed the foregoing **Motion To Expedite Hearing On Defendants' Motion To Continue Expert Disclosure Dates For Neuropsychology Opinions** 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, Legal Assistant
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