

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

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
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.
18
19

Case No.: CV-05-399-EFS

NOTICE OF HEARING ON
MOTION FOR EXPEDITED
HEARING ON DEFENDANTS'
MOTION TO CONTINUE
EXPERT DISCLOSURE DATES
C O N C E R N I N G
NEUROPSYCHOLOGICAL
OPINIONS

Oral Argument Not Requested

20 TO: THE CLERK OF THE COURT, and

21 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

22 **Notice is hereby given** that Defendants' Motion For Expedited Hearing on
23 Defendants' Motion to Continue Expert Disclosure Dates Concerning
24 Neuropsychological Opinions will be brought for hearing on Friday, January 19,
25 2007, at 6:30 p.m., before the Honorable Edward F. Shea of the United States
26 District Court for the Eastern District of Washington. Oral argument is not

27 NOTE FOR HEARING ON EXPEDITED MOTION
ON DEFENDANTS' MOTION TO CONTINUE
28 EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 1

G:\C\Church of Jesus Christ 14061\Waite 3\Pleadings\Motion to Continue Expert Disclosure\Notice of Hearing 011507 (klh).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 requested.

2 DATED this 16th day of January, 2007.

3 **WITHERSPOON, KELLEY, DAVENPORT**
4 **& TOOLE**

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

9 **PAINE, HAMBLIN, COFFIN, BROOKE**
10 **& MILLER**

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

14
15
16
17
18
19
20
21
22
23
24
25
26

27 NOTE FOR HEARING ON EXPEDITED MOTION
28 ON DEFENDANTS' MOTION TO CONTINUE
EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 2

G:\C\Church of Jesus Christ 14061\Waite 3\Pleadings\Motion to Continue Expert Disclosure\Notice of Hearing 011507 (klh).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

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of January, 2007:

1. I electronically filed the foregoing **Notice of Hearing On Motion For Expedited Hearing On Defendants' Motion To Continue Expert Disclosure Dates Concerning Neuropsychological 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@wkdtdlaw.com

NOTE FOR HEARING ON EXPEDITED MOTION
 ON DEFENDANTS' MOTION TO CONTINUE
 EXPERT DISCLOSURE DATES FOR NEUROPSYCHOLOGY ...- 3

G:\C:\Church of Jesus Christ 14061\Waite 3\Pleadings\Motion to Continue Expert Disclosure\Notice of Hearing 011507 (kh).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