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7 (509) 624-5265

8 Attorneys for LDS and Donald C. Fossum

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

11 THOMAS A. WAITE,

12 Plaintiff,

13 vs.

14 THE CORPORATION OF THE  
15 PRESIDING BISHOP OF THE CHURCH  
16 OF JESUS CHRIST OF LATTER DAY  
17 SAINTS, a Utah corporation; THE  
18 CORPORATION OF THE PRESIDENT  
19 OF THE CHURCH OF JESUS CHRIST  
20 OF LATTER DAY SAINTS, a Utah  
21 corporation; DONALD C. FOSSUM; and  
22 STEVEN D. BRODHEAD,

23 Defendants.

Case No.: CV-05-399-EFS

NOTICE OF 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**

24 TO: THE CLERK OF THE COURT, and

25 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

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

NOTE FOR HEARING ON DEFENDANTS' MOTION  
TO CONTINUE EXPERT DISCLOSURE DATES - 1

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

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DATED this 16<sup>th</sup> 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 Church and Donald Fossum

**PAINÉ, HAMBLÉN, COFFIN, BROOKE  
& MILLER**

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

NOTE FOR HEARING ON DEFENDANTS' MOTION  
TO CONTINUE EXPERT DISCLOSURE DATES - 2

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**CERTIFICATE OF SERVICE**


I hereby certify that on the 16<sup>th</sup> day of January, 2007:

1. I electronically filed the foregoing **Notice of 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  
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NOTE FOR HEARING ON DEFENDANTS' MOTION  
TO CONTINUE EXPERT DISCLOSURE DATES - 3

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